

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

S.325

An act relating to regional planning and Act 250 Tier jurisdiction

It is hereby enacted by the General Assembly of the State of Vermont:

\* \* \* Act 181 Repeals \* \* \*

Sec. 1. 2024 Acts and Resolves No. 181, Sec. 19 (road jurisdiction) is amended to read:

Sec. 19. [Deleted.]

Sec. 2. 2024 Acts and Resolves No. 181, Sec. 21 (Tiers 2 and 3) is amended to read:

Sec. 21. [Deleted.]

Sec. 3. 2024 Acts and Resolves No. 181, Sec. 114 is amended to read:

Sec. 114. EFFECTIVE DATES

This act shall take effect on passage, except that:

(1) Secs. 12 (10 V.S.A. § 6001), and 13 (10 V.S.A. § 6086(a)(8)), ~~and 21 (10 V.S.A. § 6001)~~ shall take effect on ~~December 31, 2026~~ January 1, 2028;

(2) ~~Sec. 19 (10 V.S.A. § 6001(3)(A)(xii)) shall take effect on July 1, 2026;~~ [Deleted.]

\* \* \*

Sec. 4. REPEAL

2024 Acts and Resolves No. 181, Sec. 22 (Tier 3 rulemaking) is repealed.

Sec. 5. REPEAL

2024 Acts and Resolves No. 181, Sec. 34 (Tier 2 area report) is repealed.





1 of Natural Resources shall enforce the permit or assert amendment jurisdiction  
2 on the tract or tracts of land unless the designation is revoked or the  
3 municipality has not taken any reasonable action to enforce the conditions of  
4 the permit.

5 \* \* \*

6 (dd) Interim housing exemptions.

7 (1) Notwithstanding any other provision of law to the contrary, until  
8 January 1, ~~2027~~ 2028, no permit or permit amendment is required for the  
9 construction of housing projects such as cooperatives, condominiums,  
10 dwellings, or mobile homes, with 75 units or fewer, constructed or maintained  
11 on a tract or tracts of land, located entirely within the areas of a designated new  
12 town center, a designated growth center, or a designated neighborhood  
13 development area served by public sewer or water services or soils that are  
14 adequate for wastewater disposal. Housing units constructed pursuant to this  
15 subdivision shall not count towards the total units constructed in other areas.  
16 This exemption shall not apply to areas within mapped river corridors and  
17 floodplains except those areas containing preexisting development in areas  
18 suitable for infill development as defined in 29-201 of the Vermont Flood  
19 Hazard Area and River Corridor Rule.

20 (2)(A) Notwithstanding any other provision of law to the contrary, until  
21 ~~July~~ January 1, ~~2027~~ 2028, no permit or permit amendment is required for the

1 construction of housing projects such as cooperatives, condominiums,  
2 dwellings, or mobile homes, with 50 or fewer units, ~~constructed or maintained~~  
3 ~~on a tract or tracts of land of~~. To qualify, the housing project, including any  
4 land incidental to the use of the housing project such as lawns, parking lots,  
5 driveways, leach fields, and accessory buildings, shall be on 10 contiguous  
6 acres or less, located entirely within:

7 (i) areas of a designated village center and within one-quarter mile  
8 of its boundary with permanent zoning and subdivision bylaws and served by  
9 public sewer or water services or soils that are adequate for wastewater  
10 disposal; or

11 (ii) areas of a municipality that are within a census-designated  
12 urbanized area with over 50,000 residents and within one-quarter mile of a  
13 transit route.

14 \* \* \*

15 (3) Notwithstanding any other provision of law to the contrary, until  
16 January 1, ~~2027~~ 2028, no permit or permit amendment is required for the  
17 construction of housing projects such as cooperatives, condominiums,  
18 dwellings, or mobile homes, constructed or maintained on a tract or tracts of  
19 land, located entirely within a designated downtown development district with  
20 permanent zoning and subdivision bylaws served by public sewer or water  
21 services or soils that are adequate for wastewater disposal. Housing units

1 constructed pursuant to this subdivision shall not count towards the total units  
2 constructed in other areas. This exemption shall not apply to areas within  
3 mapped river corridors and floodplains except those areas containing  
4 preexisting development in areas suitable for infill development as defined in  
5 29-201 of the Vermont Flood Hazard Area and River Corridor Rule.

6 Sec. 7. 24 V.S.A. § 4460 is amended to read:

7 § 4460. APPROPRIATE MUNICIPAL PANELS

8 \* \* \*

9 (g)(1) This subsection shall apply to a subdivision or development that:

10 (A) was previously permitted pursuant to 10 V.S.A. chapter 151;

11 (B) is located in a Tier 1A area pursuant to 10 V.S.A. § 6034; and

12 (C) has applied for a permit or permit amendment required by zoning  
13 regulations or bylaws adopted pursuant to this subchapter.

14 (2) The appropriate municipal panel reviewing a municipal permit or  
15 permit amendment pursuant to this subsection shall include conditions  
16 contained within a permit previously issued pursuant to 10 V.S.A. chapter 151,  
17 so that the conditions may be enforced as part of the municipal permit, unless  
18 the panel determines that the permit condition pertains to any of the following:

19 (A) the construction phase of the project that has already been  
20 constructed;

1           (B) compliance with another State permit that has independent  
2 jurisdiction;

3           (C) federal or State law that is no longer in effect or applicable;

4           (D) an issue that is addressed by municipal regulation and the project  
5 will meet the municipal standards; or

6           (E) a physical or use condition that is no longer in effect or  
7 applicable or that will no longer be in effect or applicable once the new project  
8 is approved.

9           (3) After issuing or amending a permit containing conditions pursuant to  
10 this subsection, the appropriate municipal panel shall provide notice and a  
11 copy of the permit to the Land Use Review Board.

12           (4) The appropriate municipal panel shall comply with the notice and  
13 hearing requirements provided in subdivision 4464(a)(1) of this title. In  
14 addition, notice shall be provided to those persons requiring notice under  
15 10 V.S.A. § 6084(b) and shall explicitly reference the existing Act 250 permit.

16           (5) The appropriate municipal panel's decision shall be issued in  
17 accordance with subsection 4464(b) of this title and shall include specific  
18 findings with respect to its determinations pursuant to subdivision (2) of this  
19 subsection.



1           (1) ensure the engagement planning process does not presuppose  
2           outcomes or take positions on policy and political issues;

3           (2) utilize nonpartisan facilitation for statewide, democratic public  
4           engagement;

5           (3) ensure alignment with the core principles for community  
6           engagement plans developed pursuant to 3 V.S.A. § 6006; and

7           (4) design the plan to inclusively and meaningfully engage a full range  
8           of stakeholders, including Vermont residents and landowners and historically  
9           marginalized communities.

10          (b) The purpose of the public engagement plan would be to gather  
11          statewide input from Vermonters to inform the General Assembly on:

12           (1) the risks of losing working lands, both agricultural and forestland,  
13           and the causes of those risks, and critical natural resources not already well-  
14           protected by current land use policy, permitting programs, or other regulatory  
15           tools, including agricultural soils, rare natural communities, forest blocks,  
16           habitat connectors of statewide significance, and headwaters; and

17           (2) equitable, efficient, and effective regulatory or nonregulatory tools to  
18           protect these working lands and critical natural resources and the barriers to  
19           land stewardship.



1       (c) Procedure. The Committee shall elect a chair and vice chair from  
2       among its members and shall adopt rules of procedure. The Chair shall rotate  
3       biennially between the House and the Senate members. The Committee shall  
4       keep minutes of its meetings. A quorum shall consist of four members.

5       (d) Meetings. When the General Assembly is in session, the Committee  
6       shall meet at the call of the Chair. The Committee may meet six times per year  
7       during adjournment and may meet more often subject to approval of the  
8       Speaker of the House and the President Pro Tempore of the Senate.

9       (e) Compensation. For attendance at a meeting when the General  
10       Assembly is not in session, members of the Committee shall be entitled to  
11       compensation for services and reimbursement of expenses as provided under  
12       subsection 23(a) of this title.

13       (f) Assistance. The administrative and legal services of the Joint Fiscal  
14       Office and the Office of Legislative Counsel shall be available to the  
15       Committee.

16       (g) Duties. The Committee shall meet with the Land Use Review Board to  
17       ensure strong communication and coordination regarding the interpretation and  
18       implementation of the statutes amended as part of 2024 Acts and Resolves  
19       No. 181, how the permitting process under 10 V.S.A. chapter 151 is working,  
20       and how the new Board structure is working. The Committee shall also meet  
21       with the Agency of Natural Resources to learn about Agency efforts to

1 improve and better coordinate its permitting processes and to coordinate efforts  
2 for further improvements to the process for applicants and outcomes for  
3 Vermonters.

4 (h) Sunset. The Committee shall cease to exist on July 1, 2029.

5 Sec. 11. LAND USE REVIEW BOARD REPORTS

6 (a) The Land Use Review Board shall deliver reports that collect the data  
7 and analyze:

8 (1) whether and how Act 250 jurisdiction over commercial activities on  
9 farms should be revised, including accessory on-farm businesses on or before  
10 November 15, 2026;

11 (2) the effects of Act 250 mitigation actions on primary agricultural soils  
12 on or before July 1, 2027; and

13 (3) the effects of jurisdictional triggers and criterion 9(L) on the  
14 development of retail and service businesses outside village centers in  
15 addressing sprawl and strip development, and how to improve the effectiveness  
16 of criterion 9(L) on or before November 15, 2027.

17 (b) The Board shall engage relevant stakeholders as part of the  
18 development of this report.

19 (c) The report shall be submitted to the House Committees on Agriculture,  
20 Food Resiliency, and Forestry and on Environment and the Senate Committees  
21 on Agriculture and on Natural Resources and Energy.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

\* \* \* Regional Planning \* \* \*

Sec. 12. 24 V.S.A. § 4348 is amended to read:

§ 4348. ADOPTION AND AMENDMENT OF REGIONAL PLAN

\* \* \*

(b) ~~60~~ Sixty days prior to holding the first public hearing on a regional plan adoption, a regional planning commission shall submit a draft regional plan to the Land Use Review Board for review and comments related to conformance of the draft with sections 4302 and 4348a of this title and chapter 139 of this title and, if it is seeking an optional determination of energy compliance, to the Department of Public Service for review and comments related to conformance of the draft plan with section 4352 of this title. The Board shall coordinate with other State agencies and the Community Investment Board and respond within 60 days unless more time is granted by the regional planning commission.

(c) The regional planning commission shall hold two or more public hearings within the region after public notice on any proposed plan ~~or amendment~~. The minimum number of required public hearings may be specified within the bylaws of the regional planning commission.

(d)(1) At least 30 days prior to the first hearing, a copy of the proposed plan ~~or amendment~~, a report documenting conformance with the goals established in section 4302 of this chapter and the plan elements established in

1 section 4348a of this chapter, and a description of any changes to the Regional  
2 Future Land Use Map with a request for general comments and for specific  
3 comments with respect to the extent to which the plan ~~or amendment~~ is  
4 consistent with the goals established in section 4302 of this title, shall be  
5 delivered physically or electronically with proof of receipt or sent by certified  
6 mail, return receipt requested, to each of the following:

7 \* \* \*

8 (2) At least 30 days prior to the first hearing, the regional planning  
9 commission shall provide each of its member municipalities with a written  
10 description of map changes within the municipality, a municipality-wide map  
11 showing old versus new areas with labels, and information about the new Tier  
12 structure under 10 V.S.A. chapter 151, including how to obtain Tier 1A or 1B  
13 status, and the process for updating designated area boundaries. The regional  
14 planning commission shall, if it is seeking an optional determination of energy  
15 compliance, solicit feedback on its enhanced energy plan, including  
16 consistency with section 4352 of this chapter and the enhanced energy  
17 planning standards.

18 (e) Any of the foregoing bodies, or their representatives, may submit  
19 comments on the proposed regional plan ~~or amendment~~ to the regional  
20 planning commission, and may appear and be heard in any proceeding with  
21 respect to the adoption of the proposed plan ~~or amendment~~.

1 (f) The regional planning commission may make revisions to the proposed  
2 plan ~~or amendment~~ at any time not less than 30 days prior to the final public  
3 hearing held under this section. If the proposal is changed, a copy of the  
4 proposed change shall be delivered physically; electronically with proof of  
5 receipt; or by certified mail, return receipt requested, to the chair of the  
6 legislative body of each municipality within the region and to any individual or  
7 organization requesting a copy at least 30 days prior to the final hearing.

8 \* \* \*

9 (h)(1) Within 15 days following adoption, a regional planning commission  
10 shall submit its regionally adopted regional plan to the Land Use Review  
11 Board for a determination of regional plan compliance with a report  
12 documenting conformance with the goals established in section 4302 of this  
13 chapter and the plan elements established in section 4348a of this chapter and a  
14 description of any changes to the regional plan future land use map. The  
15 regional planning commission shall also at this time, if it is seeking an optional  
16 determination of energy compliance pursuant to section 4352 of this chapter,  
17 submit the plan to the Department of Public Service for review with a  
18 description of conformance with the enhanced energy planning standards and  
19 with a summary of any comments received during the public hearings.

20 \* \* \*

1 (j) Minor amendments to regional plan future land use map. A regional  
2 planning commission may submit a request for a minor amendment to  
3 boundaries of a future land use area for consideration by the Land Use Review  
4 Board with a letter of support from the municipality. The request may only be  
5 submitted after an affirmative vote of the municipal legislative body and the  
6 regional planning commission board. The Land Use Review Board, after  
7 consultation with the Community Investment Board and the regional planning  
8 commissions, shall provide guidance about what constitutes a minor  
9 amendment. Minor amendments may include any change to a future land use  
10 area consisting of fewer than 10 acres. A minor amendment to a future land  
11 use area shall not require an amendment to a regional plan and shall be  
12 included in the next iteration of the regional plan. The Land Use Review  
13 Board may adopt rules to implement this section.

14 \* \* \*

15 (n) Regional plan amendments, nonminor future land use map  
16 amendments, and Tier 1B area status requests. Regional plans may be  
17 reviewed from time to time and may be amended in the light of new  
18 developments and changed conditions affecting the region. Nonminor future  
19 land use map amendments shall be processed as part of a regional plan  
20 amendment. Tier 1B area status requests may be made separate from the  
21 regional plan approval or amendment process.

1           (1) Process.

2           (A) To amend a regional plan, which may include a nonminor future  
3           land use map amendment, a regional planning commission shall hold one  
4           public hearing. At least 15 days in advance of the hearing, the regional  
5           planning commission shall provide notice of the public hearing to the parties  
6           listed in subdivision (d)(1) of this section and the Land Use Review Board.  
7           The public hearing notice shall include a description of changes to the plan,  
8           including nonminor amendments to future land use maps, or any changes to  
9           Tier 1B area status.

10           (B) After adoption of the regional plan amendment, the regional  
11           planning commission shall submit a request to the Land Use Review Board for  
12           an affirmative determination of regional plan compliance for the regional plan  
13           amendment.

14           (C) Stand-alone requests for Tier 1B area status shall be submitted to  
15           the Land Use Review Board after the public hearing required under  
16           subdivision (A) of this subdivision (1).

17           (D) The Land Use Review Board shall hold a public hearing within  
18           30 days after receiving the request for an affirmative determination of regional  
19           plan amendment compliance or approval of Tier 1B area status. The Land Use  
20           Review Board shall issue its determination within 30 days after the hearing.



1 include downtowns, villages, and new town centers previously designated  
2 under chapter 76A and downtowns and village centers seeking benefits under  
3 the Community Investment Program under section ~~5804~~ 5803 of this title. The  
4 downtown or village centers are the traditional ~~and~~ or historic central business  
5 and civic centers within planned growth areas, village areas, or may stand  
6 alone. Municipalities may have more than one center, including planned new  
7 or emerging centers that anchor planned growth or village areas. Village  
8 centers are not required to have public water, wastewater, zoning, or  
9 subdivision bylaws.

10 (B) Planned growth areas. These areas include the high-density  
11 existing settlement and future growth areas with high concentrations of  
12 population, housing, and employment in each region and town, as appropriate.  
13 They include a mix of historic and nonhistoric commercial, residential, and  
14 civic or cultural sites with active streetscapes, supported by land development  
15 regulations; public water or wastewater, or both; and multimodal transportation  
16 systems. These areas include ~~new town centers, downtowns, village centers,~~  
17 ~~growth centers,~~ and neighborhood development areas previously designated  
18 under chapter 76A of this title. These areas should generally meet ~~the smart~~  
19 ~~growth principles definition in chapter 139 of this title and~~ the following  
20 criteria:

21 \* \* \*

1 (iii) The area is generally within walking distance from the  
2 municipality's or an adjacent municipality's downtown, or village center, ~~new~~  
3 ~~town center, or growth center.~~

4 \* \* \*

5 (vi) The area provides ~~for~~ opportunity for development, infill  
6 development, and redevelopment that is needed to meet the regional and  
7 municipal housing targets that meets meet the present and future needs of a  
8 diversity of social and income groups in the community.

9 (vii) The area is served by planned or existing transportation  
10 infrastructure that conforms with "complete streets" principles as described  
11 under 19 V.S.A. chapter 24 and establishes pedestrian access directly to the  
12 downtown, or village center, ~~or new town center.~~ Planned transportation  
13 infrastructure includes those investments included in the municipality's capital  
14 improvement program pursuant to section 4430 of this title.

15 (C) Village areas. These areas include the traditional settlement area  
16 or a proposed new settlement area, typically composed of a cohesive mix of  
17 residential, civic, religious, commercial, ~~and~~ or mixed-use buildings, arranged  
18 along a main street and intersecting streets that are within walking distance for  
19 residents who live within and surrounding the ~~core~~ downtown center or village  
20 center. ~~These areas include existing village center designations and similar~~

1 ~~areas statewide, but this area is larger than the village center designation.~~

2 Village areas shall meet the following criteria:

3 \* \* \*

4 (iv) The municipality has either ~~municipal~~ public water or  
5 wastewater. If no public wastewater is available, the area must have soils that  
6 are adequate for wastewater disposal.

7 (v) The area has some opportunity for infill development or new  
8 development areas where the village can grow, support the development of  
9 housing to meet the regional and municipal housing targets, and be flood  
10 resilient.

11 \* \* \*

12 (J) Rural; conservation. These are areas of significant natural  
13 resources, identified by regional planning commissions or municipalities based  
14 upon existing Agency of Natural Resources mapping that require special  
15 consideration for aquifer protection; for wetland protection; for the  
16 maintenance of forest blocks, wildlife habitat, and habitat connectors; or for  
17 other conservation purposes. ~~The mapping of these areas and accompanying~~  
18 ~~policies are intended to help meet requirements of 10 V.S.A. chapter 89. Any~~  
19 ~~portion of this area that is approved by the LURB as having Tier 3 area status~~  
20 ~~shall be identified on the future land use map as an overlay upon approval.~~

21 \* \* \*

1 (d) With the exception of preexisting, nonconforming designations  
2 approved prior to the establishment of the State Community Investment  
3 program, the areas eligible for designation benefits under that program upon  
4 the Land Use Review Board's approval of the regional plan future land use  
5 map for designation as a downtown center or village center shall not include  
6 development that is disconnected from a downtown or village center and that  
7 lacks an existing or planned pedestrian connection to the center via a complete  
8 street.

9 \* \* \*

10 Sec. 14. 24 V.S.A. § 4303 is amended to read:

11 § 4303. DEFINITIONS

12 ~~The following definitions shall apply throughout~~ As used in this chapter  
13 ~~unless the context otherwise requires:~~

14 \* \* \*

15 (43) "Smart growth principles" means growth that:

16 (A) maintains the historic development pattern of compact village  
17 and urban centers separated by rural countryside;

18 (B) develops compact mixed-use centers at a scale appropriate for the  
19 community and the region;

1           (C) enables choice in modes of transportation;

2           (D) protects the State's important environmental, natural, and historic  
3 features, including natural areas, water quality, scenic resources, and historic  
4 sites and districts;

5           (E) serves to strengthen agricultural and forest industries, including  
6 homesteading, small-scale agriculture and forestry, and the housing that  
7 supports these activities, while minimizing conflicts of development with these  
8 industries;

9           (F) balances growth with the availability of economic and efficient  
10 public utilities and services;

11           (G) supports a diversity of viable businesses in downtowns and  
12 villages;

13           (H) provides for housing that meets the needs of a diversity of social  
14 and income groups in each community; and

15           (I) reflects a settlement pattern that, at full build-out, is not  
16 characterized by:

17           (i) scattered development located outside compact urban and  
18 village centers that is excessively land consumptive;

19           (ii) development that limits transportation options, especially for  
20 pedestrians;

21           (iii) the fragmentation of farmland and forestland;



1 requirements of subdivision 4348a(a)(12)(B) of this title and that may be  
2 designated as a neighborhood.

3 \* \* \*

4 (10) “Sprawl repair” means the redevelopment of lands with buildings,  
5 traffic and circulation, parking, or other land coverage in a pattern that is  
6 consistent with smart growth principles as defined in section 4303 of this title.

7 \* \* \*

8 (12) “~~State Designated Downtown~~ and Center or Village Center” or  
9 “designated center” means a ~~contiguous~~ downtown or village ~~a portion of~~  
10 ~~which is listed or eligible for listing in the national register of historic places~~  
11 ~~area~~ center approved as part of the LURB review of regional plan future land  
12 use maps, ~~which may include an approved preexisting designated~~ ~~designated~~  
13 ~~downtown, village center, or designated new town center established prior to~~  
14 ~~the approval of the regional plan future land use maps.~~

15 (13) “~~State designated~~ Designated neighborhood” or “neighborhood”  
16 means a ~~contiguous geographic~~ village area or planned growth area approved  
17 as part of the ~~Land Use Review Board~~ LURB review of regional plan future  
18 land use maps that is ~~compact and adjacent and~~ contiguous to a center.

19 \* \* \*

20 (15) “Village area” means an area on the regional plan future land use  
21 maps ~~adopted pursuant to section 4348a of this title, which may encompass a~~

1 ~~village center on the regional future land use map~~ meeting the requirements of  
2 subdivision 4348a(a)(12)(C) of this title and that may be designated as a  
3 neighborhood.

4 Sec. 18. 24 V.S.A. § 5803 is amended to read:

5 § 5803. DESIGNATION OF DOWNTOWN AND VILLAGE CENTERS

6 (a) Designation established. A regional planning commission may apply to  
7 the LURB for approval and designation of all downtown and village centers by  
8 submitting the regional plan future land use map adopted by the regional  
9 planning commission. ~~The regional plan future land use map shall identify~~  
10 ~~downtown centers and village centers as the downtown and village areas~~  
11 ~~eligible for designation as centers.~~ The Department and State Board shall  
12 provide comments to the LURB and the regional planning commission on  
13 areas eligible for center designation as provided ~~under~~ in section 4348 of this  
14 chapter title.

15 \* \* \*

16 (c) ~~Exclusions. With the exception for preexisting, nonconforming~~  
17 ~~designations approved prior to the establishment of the program under this~~  
18 ~~chapter or areas included in the municipal plan for the purposes of relocating a~~  
19 ~~municipality's center for flood resiliency purposes, the areas eligible for~~  
20 ~~designation benefits upon the LURB's approval of the regional plan future land~~  
21 ~~use map for designation as a Center shall not include development that is~~

1 ~~disconnected from a Center and that lacks a pedestrian connection to the~~  
2 ~~Center via a complete street. [Repealed.]~~

3 \* \* \*

4 Sec. 19. 32 V.S.A. § 5930bb is amended to read:

5 § 5930bb. ELIGIBILITY AND ADMINISTRATION

6 \* \* \*

7 (c) Application shall be made in accordance with the guidelines set by the  
8 State Board. The guidelines shall clearly indicate that only applications  
9 located in Step 2 and Step 3 State-designated centers or Step 1 centers where a  
10 portion of the designated center is listed or eligible for listing in the national  
11 register of historic places shall be considered.

12 \* \* \*

13 Sec. 20. 24 V.S.A. § 5808 is added to read:

14 § 5808. ANNUAL REPORT

15 On or before January 15 of each year, the Vermont Community Investment  
16 Board shall submit a written report to the House Committees on Environment  
17 and on General and Housing and the Senate Committees on Natural Resources  
18 and Energy and on Economic Development, Housing and General Affairs.

19 The report shall include, at a minimum:

20 (1) a summary of the Community Investment Program's activities  
21 during the preceding fiscal year, including which municipalities received a

1 designation or new Step, or other actions taken by the Board that confer  
2 eligibility for or priority access to State funding, tax credits, and other Program  
3 benefits;

4 (2) an analysis of the types of municipalities benefiting from the  
5 Program by:

6 (A) county;

7 (B) population size;

8 (C) future land use category or categories;

9 (D) State designation status; and

10 (E) whether the municipality contains areas eligible for Act 250  
11 exemption through 2024 Acts and Resolves No. 181; and

12 (3) any legislative, regulatory, or programmatic changes recommended  
13 by the Board to improve the effectiveness, accessibility, and geographic equity  
14 of the Community Investment Program.

15 Sec. 21. MUNICIPAL APPEALS AND DISCRETIONARY REVIEW OF

16 HOUSING; REPORT

17 (a) On or before January 15, 2027, the Department of Housing and  
18 Community Development, after consultation with the Vermont League of  
19 Cities and Towns, Let's Build Homes, the Vermont Natural Resources  
20 Council, the Vermont Planners Association, the Land Access and Opportunity  
21 Board, the Vermont Association of Planning and Development Agencies, the

1 Vermont Bar Association, the Vermont Realtors Association, Vermonters for a  
2 Clean Environment, and the Secretary of Natural Resources or designee shall  
3 report on the following:

4 (1) mechanisms for limiting appeals of municipal permits while  
5 allowing municipalities to address legitimate concerns with projects, including:

6 (A) the most commonly raised issues on appeal; and

7 (B) an evaluation of statutory or procedural tools to limit duplicative  
8 or frivolous appeals and recommend legislative action needed, if any;

9 (2) impacts of discretionary review on residential development,

10 (3) the potential value of the federal Right to Build Zone legislation and  
11 steps the State can take to maximize that value;

12 (4) assistance the State can offer municipalities seeking to limit  
13 discretionary review, including incentives, planning, and whether the State  
14 should develop objective standards, including model codes;

15 (5) data on housing that has been built in the areas exempt from Act 250  
16 jurisdiction under 10 V.S.A. § 6081(dd), including the number of units; the  
17 type of units, including the number of affordable units, market-rate units,  
18 second homes, units for short-term rental, units for long-term rental, single-unit  
19 dwellings, and multiunit dwellings; the price; and where the units were  
20 constructed; and

21 (6) a status update on the 802 Homes pilot program.



1 Council, shall adopt or amend policies and procedures, plans, guidance, and  
2 rules, where applicable, to implement this chapter.

3 \* \* \*

4 § 6007. ENVIRONMENTAL JUSTICE MAPPING TOOL

5 \* \* \*

6 (c) On or before January 1, ~~2027~~ 2028, the mapping tool shall be available  
7 for use by the public as well as by the State government.

8 \* \* \* Effective Date \* \* \*

9 Sec. 23. EFFECTIVE DATE

10 This act shall take effect on July 1, 2026, except that in Sec. 6 (10 V.S.A.  
11 § 6081), subsection (t) shall take effect on July 1, 2027.