



VAPDA

VERMONT ASSOCIATION OF
PLANNING AND DEVELOPMENT AGENCIES

Clarifications to Act 181

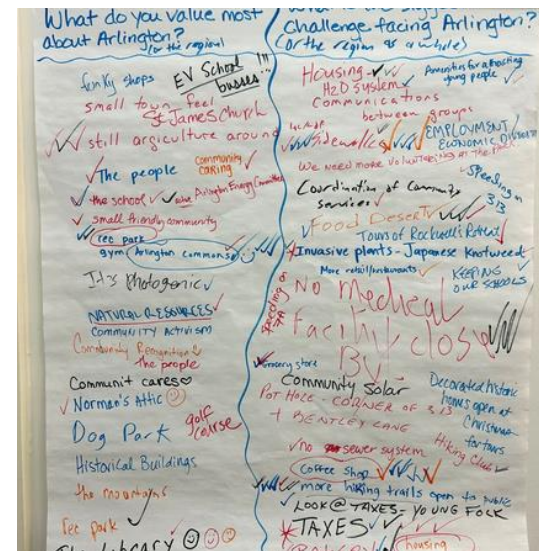
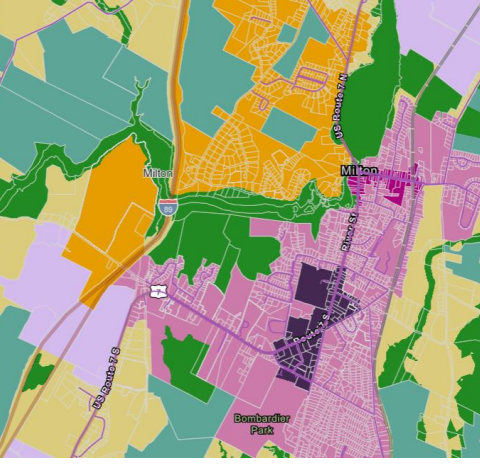
Presented to:

House Committee on Environment

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Act 181 – with an RPC lens


Regional Planning Commissions (RPCs) are updating regional plans:

- Housing!
- Tier 1B, Act 250 partial housing exemption
- Align growth areas (town/region/state)

Land Use Review Board (LURB) reviews and approves regional plans, Tier 1B and Tier 1A, designation areas, Act 250 exemption areas, Tier 2 rules, and Tier 3 map and rules.

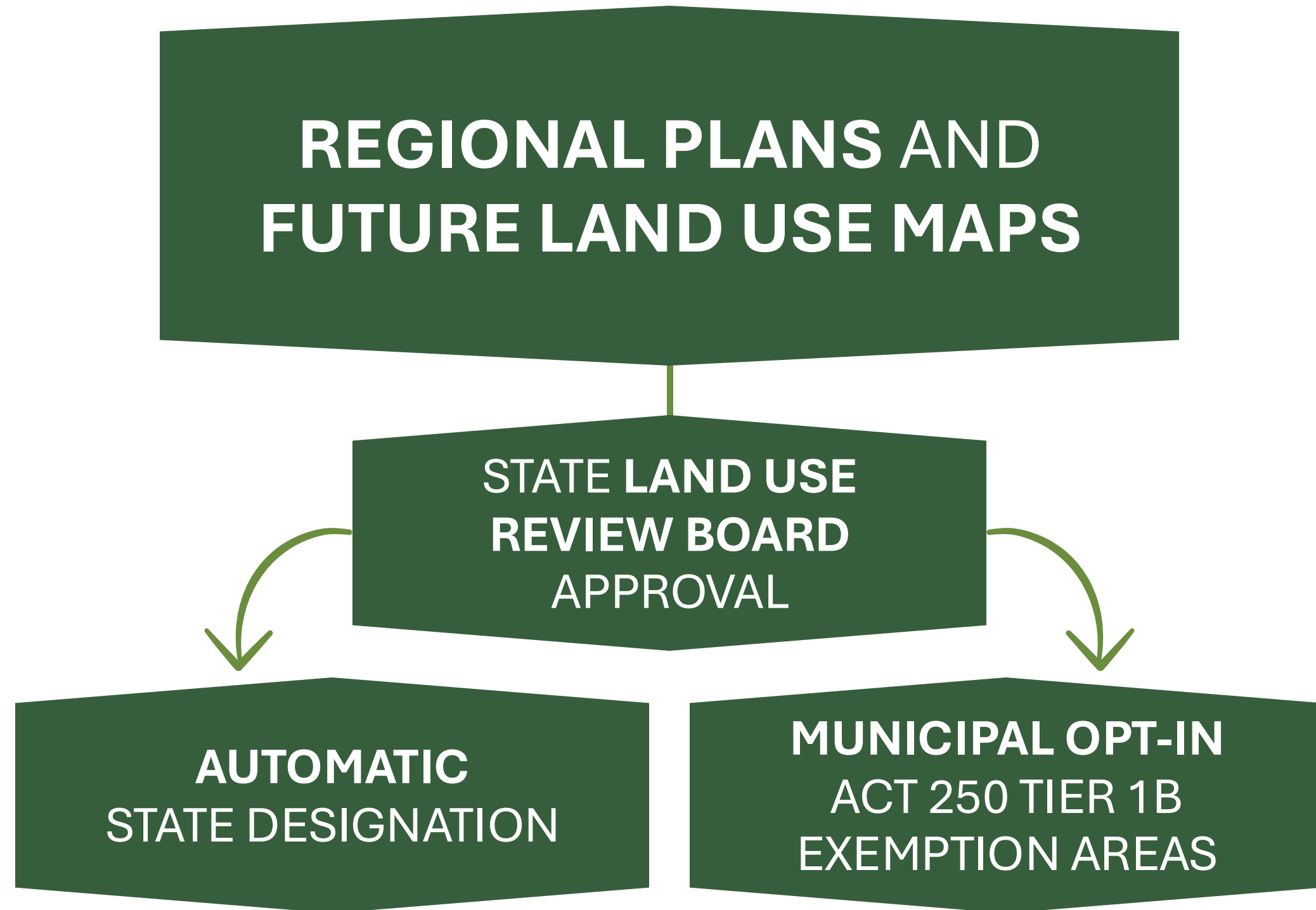


Statutory deadline of 12/31/2026 for RPCs to adopt an updated regional plan.





Regional Plan Approvals



ACT 181 FRAMEWORK

Updated: 7/15/2025



REGIONAL PLAN FUTURE LAND USE CATEGORIES



STATE DESIGNATION / COMMUNITY INVESTMENT



ACT 250



Tier 3 subject to rulemaking by the Land Use Review Board; not derived from regional maps.

This table represents land use, designation, and Act 250 jurisdiction categories, not land area acreage or percentage of land area.

Tiers and Responsibilities

RPCs

Tier 1 (growth areas)

- ✓ RPCs mapping includes Tier 1B eligible areas
- ✓ RPC maps do not impact any local regulations
- ✓ RPC maps do not change the characteristics of parcels
- ✓ 1B provides 50-unit exemption; 1A provides full exemption

LURB

Tier 2 (everywhere else)

- ✓ Tier 2 is generally “status quo” with
- ✓ Road rule – rulemaking by LURB

LURB

Tier 3 (critical natural resources)

- ✓ The Land Use Review Board (LURB) is responsible for Tier 3 mapping and rulemaking

Draft RPC Tier 1B Eligible Areas

Draft Tier 1B eligible areas are about the same as the interim exemptions in terms of land area but adapted to fit each municipality.

~ 2.2% of the State.

Legacy designations were **0.3%** of the State.

RPC	% of region eligible for Tier 1B - DRAFT	Acres eligible for Tier 1B - DRAFT
Addison County RPC	3.3%	15,304
Bennington County RC	2.6%	9,411
Central Vermont RPC –	0.8%	4,284
Chittenden County RPC	10.5%	36,395
Lamoille County PC	2.5%	7,767
Mount Ascutney RC	2.0%	4,050
Northeastern VT Dev. Assn.	0.6%	7,616
Northwest RPC	2.1%	9,691
Rutland RPC	2.4%	13,894
Two Rivers-Ottauquechee RC	1.5%	12,120
Windham RC	1.3%	7,951
Statewide Average/Total	2.2%	128,483
Statewide Acreage		5,898,880
Interim Exemption Total	2.3%	135,622

RPC-supported amendments background

- RPCs have had over 500 meetings with towns and residents with 1000s engaged
- RPC focus has been on working with our towns to map Tier 1B eligible areas.
- Almost all towns have at least one center, many of them Tier 1B eligible (does not mean that they will opt-in, but they should have the option of obtaining Act 250 relief if desired)
- 2 Major Issues have bubbled up from these conversations
 1. There needs to be a process to amend our regional plans and make Tier 1B requests to the LURB more easily than updating the regional plan every 8 years.
 2. The definitions around the four Tier 1B eligible future land uses (downtown centers, village centers, planned growth areas, and village areas) need to be clarified.

RPC amendments 1 of 2 – Sec. 11

Improve Regional Plan Adoption and Amendment Process

1. Move comments from the Community Investment Board to the pre-application review rather than later in the adoption process
2. Add a new streamlined process (2-3 months) for regional plan amendments
3. Streamline the process for Tier 1B changes

These amendments will allow the system to adapt to municipal decisions (Tier 1B, subdivision regs, capital plans, etc.) without a full regional plan review process which takes 8-9 months.

RPC amendments 2 of 2

Clarification of statutory language around centers and planned growth and village areas

1. Sec. 12 - Align definitions between Regional Plan future land use areas, Tier 1B, and Designations by having the definitions all in one section of statute.
 - Clarify that every town should have at least one center and that there may be emerging or new centers to address flood resiliency and housing needs
 - Bringing consistency around multimodal, pedestrian access and smart growth
2. Sec. 13 - Add smart growth language to planning definitions
3. Sec. 16 - Clarify that Step 1 centers do not have to have historic districts; also clarified in Sec. 12

These changes will make the regional plan future land use map development and approval process easier and better support municipal planning decisions (“bottoms up map development”).

RPC support for other non-policy amendments

1. Extension of Road Rule implementation date
2. Extension of Interim Exemption dates
3. Extension of Tier 3 rulemaking and implementation date
4. Delete language requiring towns with Tier 1A from having to enforce Act 250 permits
5. Study to examine negative impacts of municipal discretionary review



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Thank you! Questions?

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