



The ROOT Act: Unlocking Home Building In Tier 1 Areas

Vermont's Housing Shortage and the Limits of Our Current Tools

Vermont's housing shortage is eroding affordability, workforce vitality, and community stability. Act 181 (2024) was a breakthrough in the state's efforts to turn this around: it launched a process to map Tier 1 areas where Vermonters agree new homes belong and created temporary Act 250 exemption areas for the short-term. Early results are promising, but the impact of Act 181 will be limited without additional steps:

- Zoning permit appeals – and their constant threat – will still block and chill progress.
- The size and development intensity of some Tier 1 areas will not be sufficient to meet the State's housing targets.
- Vermont's rural and small towns (roughly half of the state's 252 total municipalities) will not enjoy any permanent housing boost because they lack the current plans and zoning to become Tier 1 areas.

The Solution: Create ROOT Zones

The Residential Opportunity Overlay for Towns (ROOT) Act would address these issues by empowering any Vermont community to create and adopt a ROOT Zone – a modern, local overlay district that replaces discretionary hearings with clear, objective rules. ROOT Zones will:

1. Ensure good design, placemaking, and the protection of critical public interests through a state-created, "Vermont Code" that addresses all critical land use issues with clear and objective standards.
2. Enable communities to democratically plan and determine their land use regulations up front, instead of at the review board level on a project-by-project basis.
3. End most permit appeals in mapped Tier 1 areas by replacing discretionary review with a transparent certification process.
4. Give every town – large or small – a path to meet its state housing targets with technical and financial help from the State, RPCs and other agencies.

How the ROOT Act Would Work

1. The State Creates a Model "Vermont Code."

Following legislative authorization, a state agency will publish a model, illustrated Vermont Code that deploys only clear and objective standards for critical land use issues, and embeds New England town-building principles, and integrates flood and historic protections.

2. Municipal Adoption.

Following the state release of the Vermont Code municipalities choose whether to pursue a ROOT Zone or opt out. Municipalities that choose to pursue ROOT Zones will be awarded substantial planning grants for the local work necessary to adapt and apply the Vermont Code to their

community. The lead state agency, the RPCs, and VLCT will be resourced to support municipalities in this process.

3. State Review and Incentives.

The lead state agency will verify that the adopted local ROOT Zones are dense enough to meet the municipality's share of state's housing target, and meet the state's goal of including only clear, objective and focused standards. If the municipality is proposing a ROOT Zone in an area with no Tier 1 area, or that exceeds the existing Tier 1 physical area, the boundaries are subject to additional review confirming consistency with state goals. Municipalities with approved ROOT Zones will qualify for substantial financial benefits.

4. Streamlined Approval: Certification, Not Subjective Decision.

Inside a ROOT Zone, if a submitted project meets the code, the zoning administrator issues a Certification of Compliance – no hearing, no discretion, no appeal.

Alignment with Ongoing State Reforms

ROOT would complement and complete many of Vermont's recent efforts to encourage housing development:

- Act 181 (2024): Enables Tier 1 areas statewide to realize full potential for housing growth.
- Act 47 (2023): Codifies HOME Act gentle infill density mandate.
- Act 69 (2025): Accelerates the construction of CHIP-financed infrastructure and housing in planned growth areas.
- Homes for All: The award-winning program's prototypes will be legalized in ROOT Zones.
- Appeals Reform: Creates a path to move from current study effort to lasting appeals relief through objective code.

Why This Matters

1. More Homes, Faster.

Eliminating appeals in ROOT Zones would address the largest remaining regulatory barrier to new home production.

2. Local Democracy Up Front.

ROOT shifts public input to the planning stage – when communities set the zone locations and development intensity – and ends current system of relitigating policy with each new project.

3. Beloved, walkable new neighborhoods.

ROOT ensures that Vermont grows in the compact, walkable form of traditional New England towns and continues state's tradition of protecting critical public interests.

A Practical, Unifying Path Forward

The ROOT Act will turn the growth consensus of Tier 1 areas into on the ground progress. It empowers local decision-making, delivers predictability for builders and residents, and ensures new homes enhance Vermont communities. Let's Build Homes is ready to work with legislative leaders, state agencies, and communities statewide to make ROOT Zones a reality in 2026.

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