



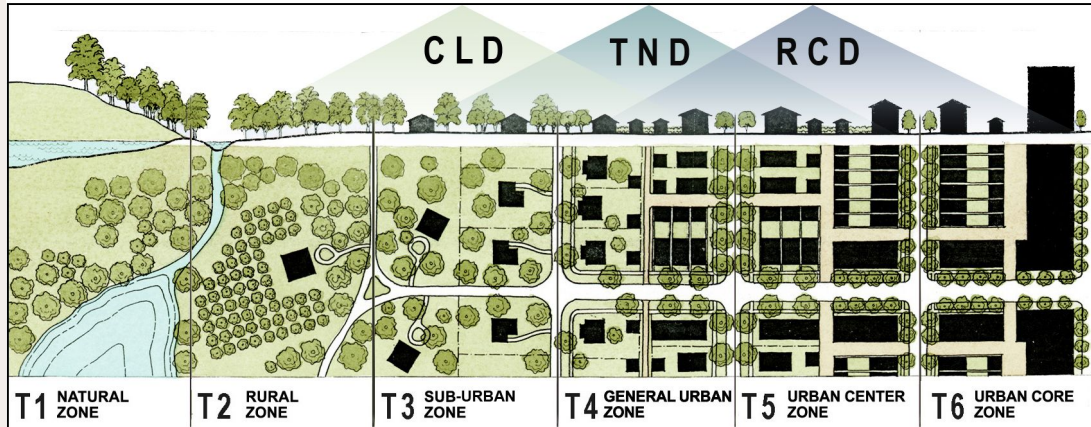
# Increasing Housing with Updated Land Use Policies

## The HOME Act & Act 181



# Vermont's Statewide Planning Goals (Chapter 117)

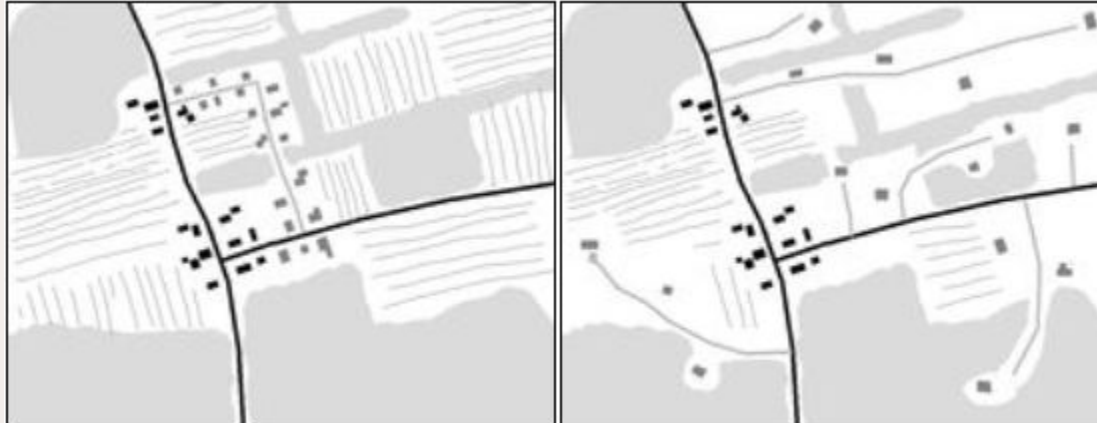
- Settlement pattern of compact village and urban centers separated by rural countryside
- Protection of important natural and historic features of the Vermont landscape
- High quality air, water, wildlife, forests, and other land resources
- Strong agricultural and forest industries
- Availability of safe and affordable housing for all Vermonters
- Flood resilient communities.



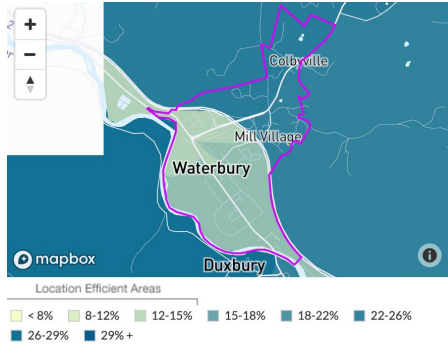
“to maintain Vermont’s historic settlement pattern of compact village and urban centers separated by rural countryside”

# Why These Goals?

- 📍 Low-density, car-dependent and single-use land use raises costs for households and towns, harms the environment, and undermines our working lands.
- 📍 Dense, mixed-use, walkable neighborhoods situated near transportation options are more affordable, sustainable, and inclusive of all income levels and abilities.

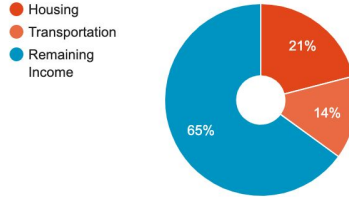


# Waterbury Village



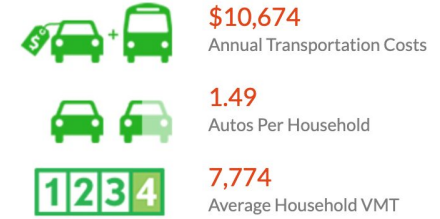
## Average Housing + Transportation Costs % Income

Factoring in both housing *and* transportation costs provides a more comprehensive way of thinking about the cost of housing and true affordability.

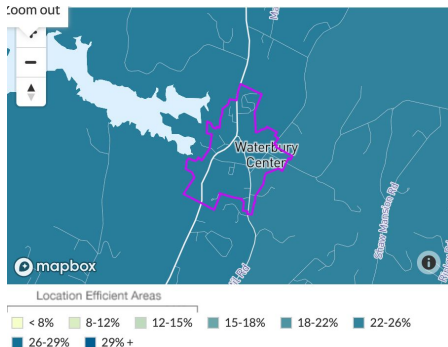


## Transportation Costs

In dispersed areas, people need to own more vehicles and rely upon driving them farther distances which also drives up the cost of living.

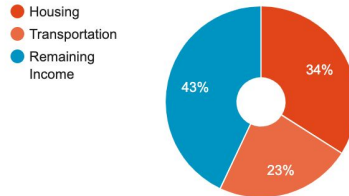


# Waterbury Center



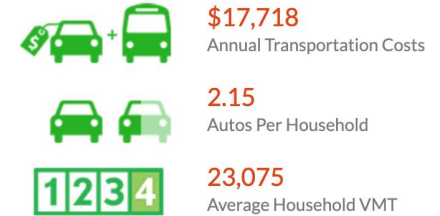
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Factoring in both housing *and* transportation costs provides a more comprehensive way of thinking about the cost of housing and true affordability.



## Transportation Costs

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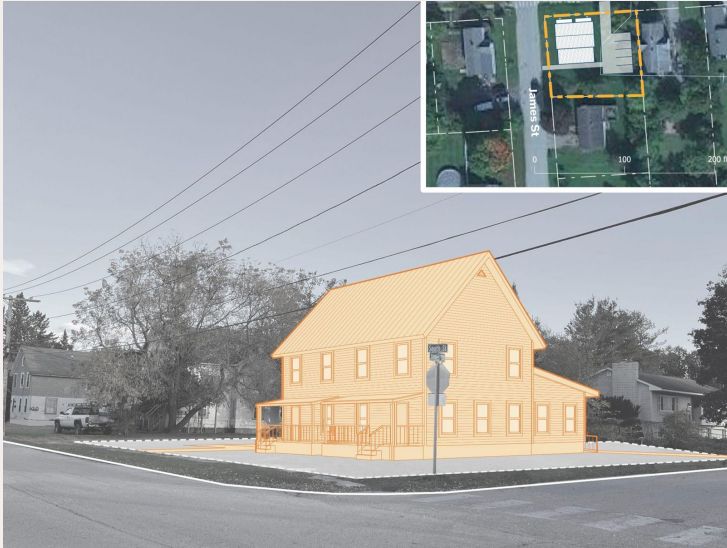
Concentrated Growth, Balanced Land Use	Dispersed Growth Scenario
Reduce weekly VMT* to 110 miles per capita;	Increase weekly VMT to nearly 120 miles per capita;
Reduce GHG emissions by over 13,000 metric tons annually;	Increase GHG emissions by over 17,000 metric tons annually;
Avoid 1 traffic death per year;	Increase traffic deaths per year by 1.5;
Avoid over 31 traffic injuries per year;	Increase traffic injuries per year by 52;
Reduce physical inactivity mortality by nearly 4 lives annually;	Increase physical activity mortality by nearly 3 lives annually;
Reduce annual maintenance costs by over \$1.5 million;	Cost an additional \$2 million in annual maintenance costs;
Avoid 364 additional road miles.	Require 500+ additional road miles.

\*VMT = Vehicle Miles Traveled



# The “HOME” Act

Promotes the expansion of housing availability through small-scale infill on lots serviced by existing infrastructure.



- Higher density development in areas with municipal sewer and water service;
- Reduced parking minimums;
- Limited local appeals; and,
- Increased the triggering threshold for Act 250

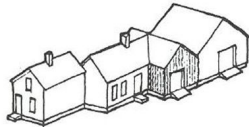
# The "HOME" Act



Side-by-Side



"Telescoping Home"  
Aggregation Pattern



## Zoning Atlas

This application depicts where different types of housing can be built according to an analysis of zoning districts across Vermont. Click on an area to learn more about the district.

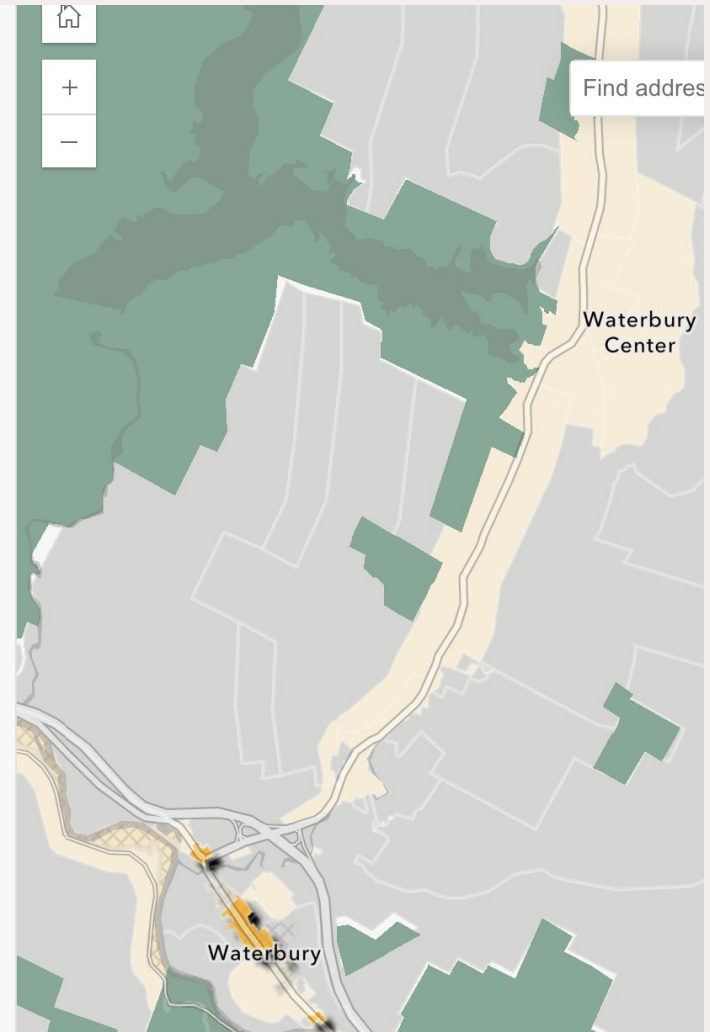
-  Permitted
-  Public Hearing Required
-  Prohibited
-  Protected Lands
-  Overlay District



Find address

Waterbury  
Center

Waterbury



# ACT 181

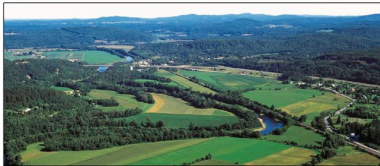
- 📍 Overhauls Vermont's planning framework for coordinating state, regional, and municipal land use.
- 📍 Modernizes how Vermont maps and directs public investments to designated growth centers.
- 📍 Provides flexible steps for towns of all sizes to unlock benefits like access to funding and tax credits.







## NATURAL RESOURCES BOARD NECESSARY UPDATES TO ACT 250



REPORT PREPARED BY  
ENVIRONMENTAL MEDIATION CENTER  
DECEMBER 2023

Report to the Vermont Legislature from the Act 171 Forest Integrity Study Commission

### Evaluation of potential changes to statewide and local forestland planning and regulation to support forest integrity

February 3, 2017

**Submitted to:**  
The House Committee on Natural Resources, Fish and Wildlife  
The House Committee on Agriculture and Forestry  
The Senate Committee on Natural Resources and Energy

**Designated participants:**  
1) Commissioner of Forests, Parks and Recreation – Michael Soper  
2) Commissioner of Housing and Community Development – Lora Larthe, Secretary, Agency of Community Development  
3) Chair of the Board of Natural Resources – Dawn Beall  
4) Assistant of Administration, supervising the Vermont League of Cities and Towns – Helen Han  
5) Vermont Association of Planning & Development Agencies – Steven Shewager  
6) Vermont Natural Resources Council and Forest Stewardship – Jerry Fife  
7) Vermont Working Lands Stewardship Board – Joe Hanson  
8) Vermont Forest Products Association – Ben Lincoln  
9) Vermont Woodlands Association – Phil Blodgett

## Regional Planning Report

Vermont Association of Planning and Development Agencies  
December 15, 2023

### Table of Contents:

1. Introduction and Background
2. Legislative charge
3. VAPDA's Goals
4. Findings
5. Process for developing recommendations
6. Recommendations for Consistent Future Land Use Areas
7. Recommendations for Regional Plan Review and Approval Process
8. Recommendations related to integration with other State policy initiatives
9. Recommendations related to equitable engagement
10. Recommendations related to implementation

Appendix 1 – Draft Future Land Use Areas

## 2015 Vermont Forest Fragmentation Report

### REPORT OF THE COMMISSION ON ACT 250:

#### THE NEXT 50 YEARS

#### PURSUANT TO 2017 ACTS AND RESOLVES NO. 47

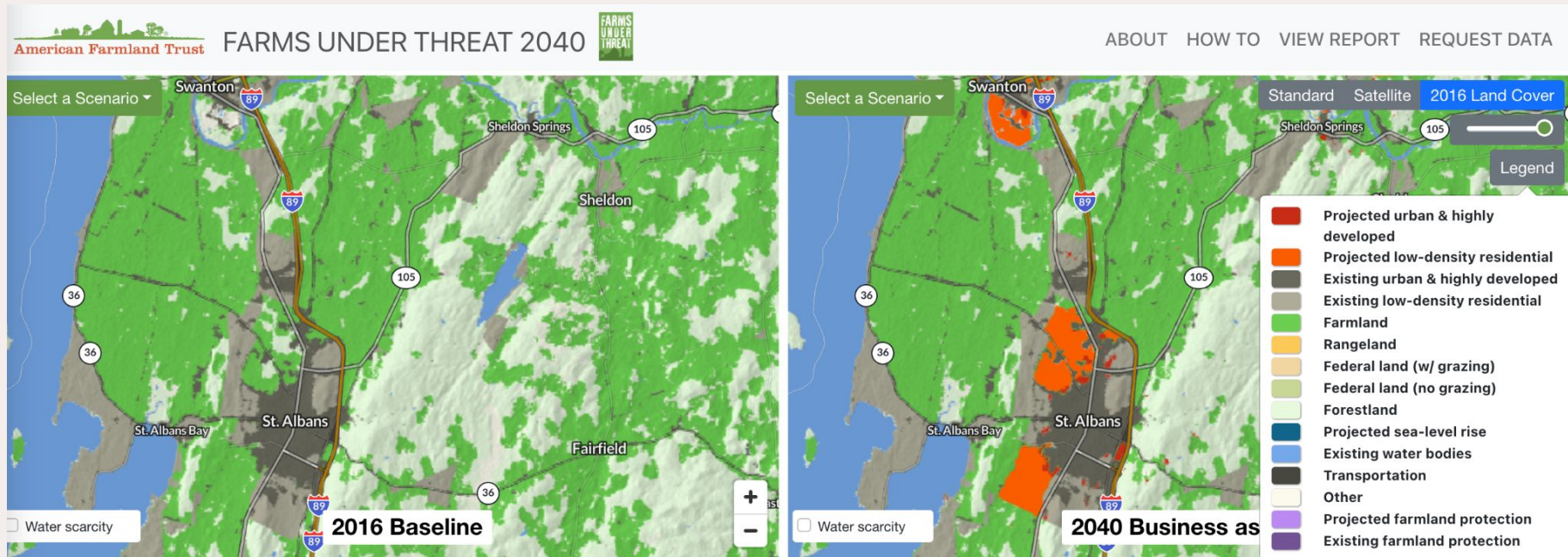
January 11, 2019

At the same time, Vermont has developed land at a much faster rate than its population has grown. It has seen the creation of thousands of new, smaller parcels across the State and, as discussed in Sec. V.C., below, it is now experiencing a decline in the acreage covered by forests. The number of Vermont waters that are impaired for one or more pollutants has increased substantially and the State's efforts to achieve and maintain water quality standards have not reversed that trend. In addition, as discussed in Sec. V.A.3. below, Vermont has begun to experience significant impacts from climate change.

Act 250 has had limited success at addressing these trends or achieving the goals of the Findings and the Capability and Development Plan. It was not set up to address climate change. The removal of its planning function in the 1970s has required the Act 250 program to rely on its regulatory functions to achieve the goals of the Act, but its regulatory authority is necessarily limited by the scope of its jurisdiction.

# ACT 181

📍 Acknowledges importance of protecting at-risk farmland, forests, and critical natural resources from low-density sprawl

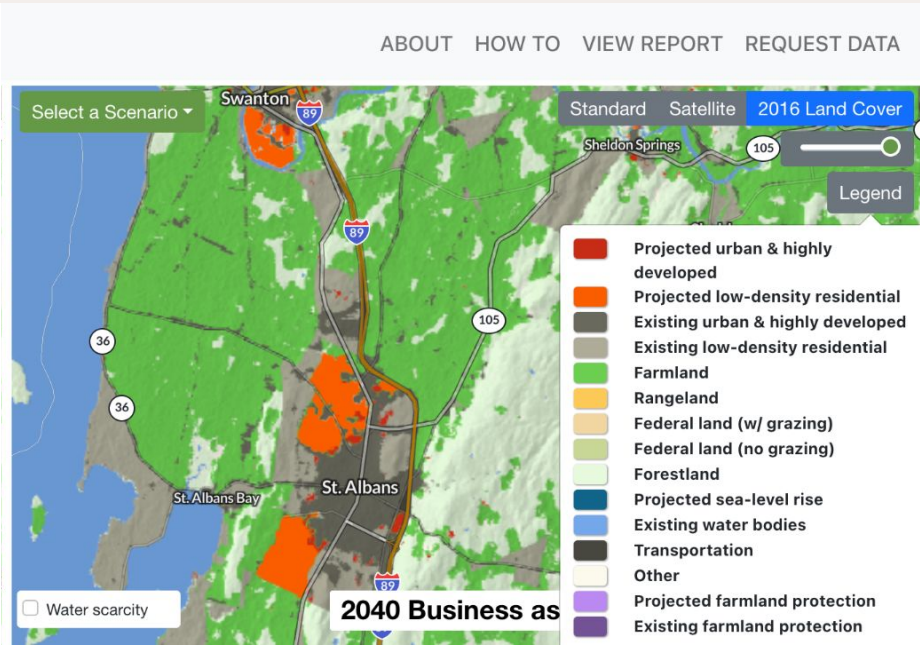
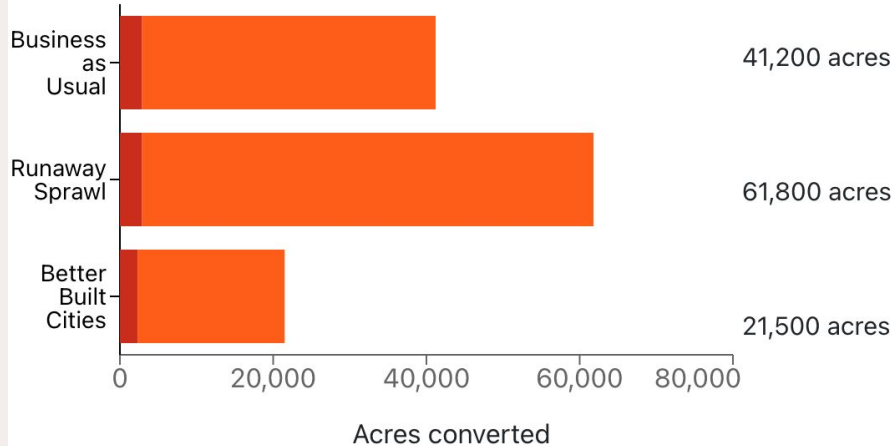


# ACT 181

📍 Acknowledges importance of protecting at-risk farmland, forests, and critical natural resources from low-density sprawl

## Projected Conversion of Farmland<sup>1</sup> from 2016-2040

### Vermont





# % Change | Parcel Acreage

*Residential*

*Farm*

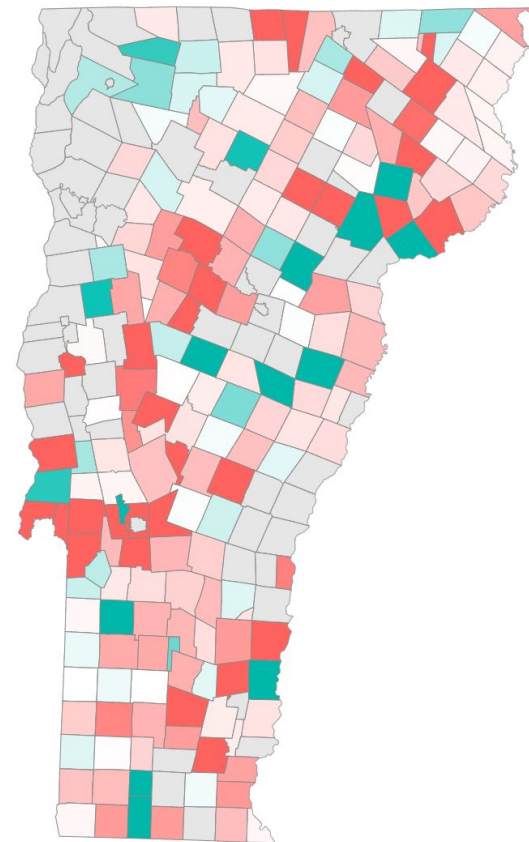
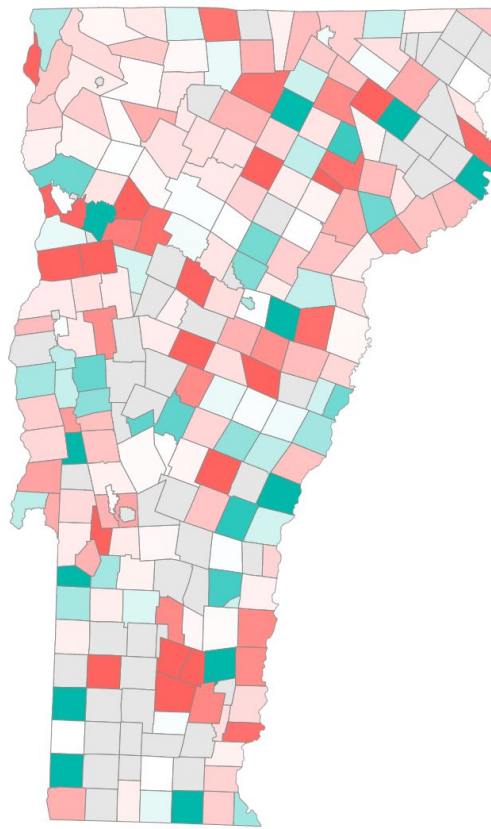
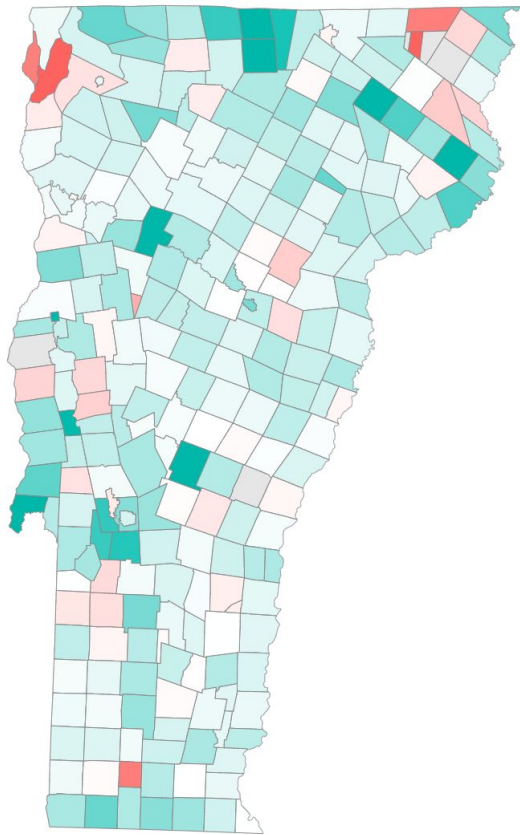
*Woodland*

**Start Year**

2005 ▾

**End Year**

2020 ▾




# ACT 181

Transitions Act 250 jurisdictional triggers from project size to location.

Establishes new professional “Land Use Review Board” to replace the NRB.

Requires various studies to determine how to accomplish goals of promoting affordable housing and mitigating sprawl.

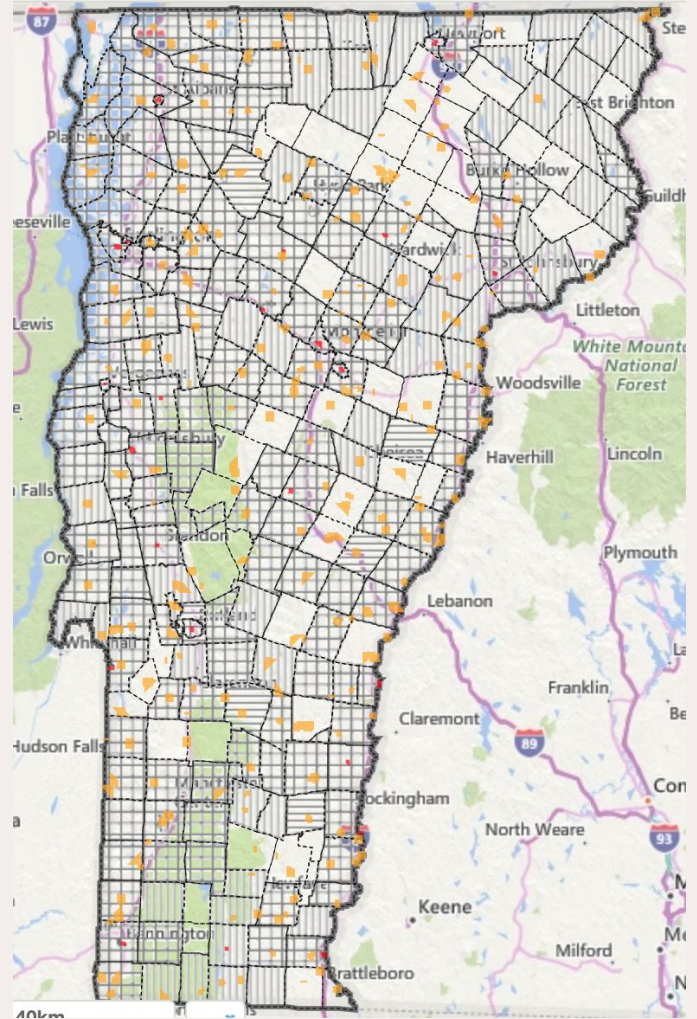


Tier 1A	Tier 1B	Tier 2	Tier 3
Transitions Act 250 jurisdiction for planned growth areas to towns with capacity	Limits Act 250 jurisdiction to encourage smart growth housing	Status quo jurisdiction with addition of “Road Rule” to reduce sprawl and fragmentation	Enhances jurisdiction to protect VT’s most critical natural resources
Full Act 250 exemption (residential, commercial, industrial)	Exempts residential & mixed-used projects with up to 50 units	Residential projects with 6-10+ units/subdivided lots require review	TBD
Towns ID areas on RPC maps; apply to LRB	Towns opt-in & ID areas on RPC maps	Areas that are not ID’d as Tier 1 or Tier 3	Areas based on LRB & Working Group
Requires adequate town planning, land use regulations, capital budgeting & infrastructure	Requires some level of town planning, land use regulations, & <u>potential</u> infrastructure		



# Potential Tier 1 Eligible Towns

# Towns with Zoning AND Subdivision Bylaws	147	58%
# Towns with Zoning AND/OR Subdivision Bylaws	212	84%
# Towns with Public Water OR Wastewater	224	89%
# Towns with Public Water AND Wastewater	80	32%



# Interim Act 250 Exemptions for Housing

Small Streams (50ft. setback)  
 .5 - 2 sqmi.  
 .25 - .5 sqmi.

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I.) Downtown District Area

- Area likely Exemption Eligible
- Area likely NOT Exemption Eligible

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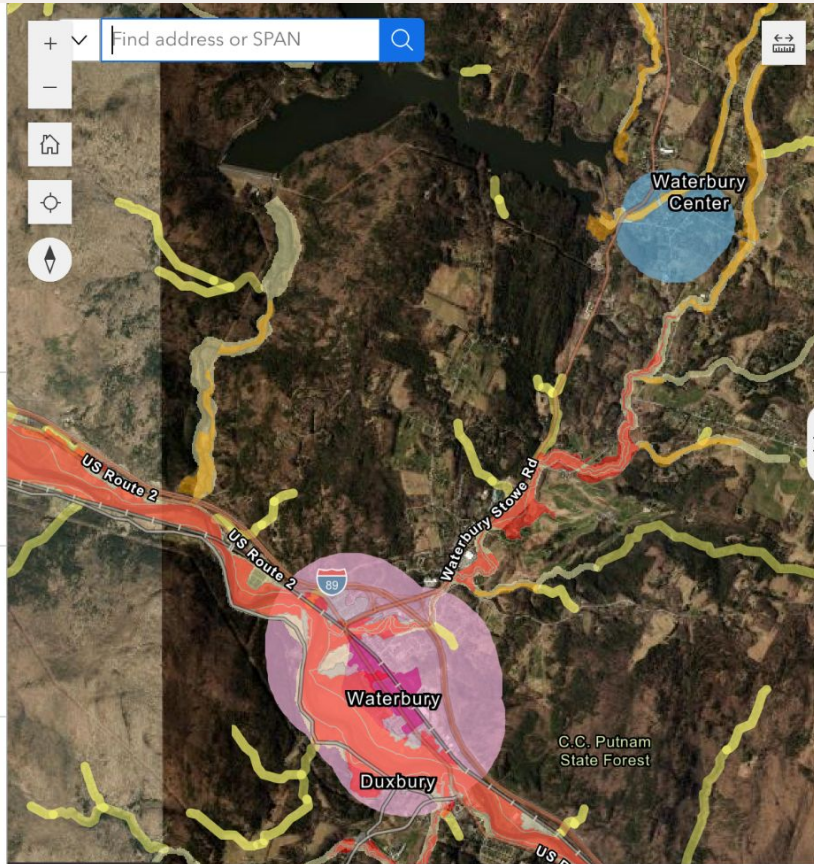
III.) Village Center & Buffer

- Area likely Exemption Eligible
- Area likely NOT Exemption Eligible

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IV.) Priority Housing Projects within Buffer

- Area likely Exemption Eligible
- Area likely NOT Exemption Eligible

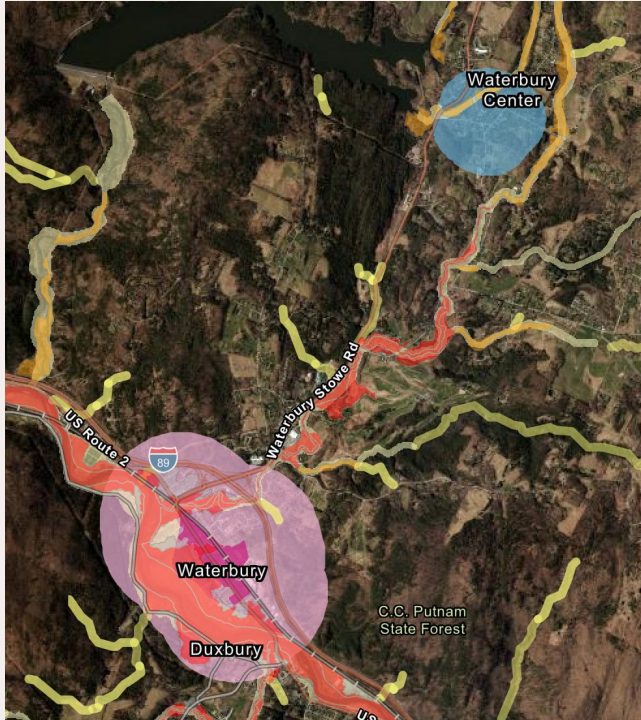


## Interim Act 250 Exemptions:

- I.) **Unlimited Dwellings in Downtown Centers** (Until January 1, 2027)  
 Requirements: DD: Zonina/Bvlaws: Sewer or Water or Adequate
- 
- II.) **75 Dwelling Units in New Town Center, Growth Center, and Neighborhood Development Area** (Until January 1, 2027)  
 Requirements: NTC, GC, NDA; Zoning/Bylaws; Sewer or Water or Adequate Soils
- 
- III.) **50 Dwelling Units in and around Villages** (Until July 1, 2027)  
 Requirements: VC + ¼ mile; Zoning/Bylaws; Sewer or Water or Adequate Soils
- 
- IV.) **Priority Housing Project (PHP) Expansion in & around Designations** (Until January 1, 2027)  
 Requirements: NDA, DD, GC + ½ mile; Zoning/Bylaws; Sewer or Water or Adequate Soils
- 
- V.) **50 Dwelling Units along Urbanized Transit Routes** (Until July 1, 2027)  
 Requirements: Tract or tracts of land 10 acres or less, located entirely within a census-designated urbanized areas with over 50,000 residents + ¼ mile of a transit route



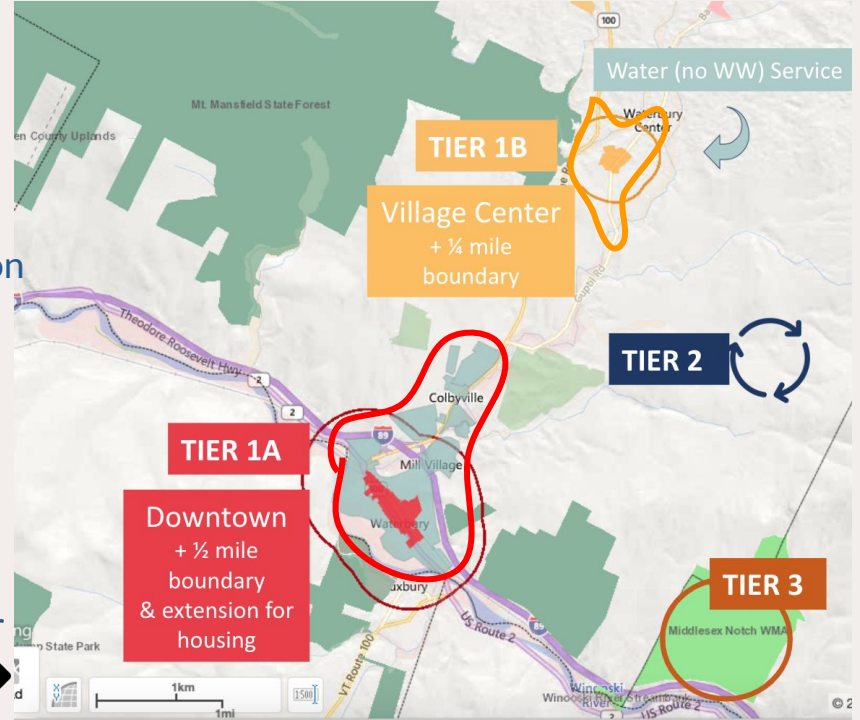
# What Might This Look Like?



Close to the  
Interim Exemption  
Maps



But Tier 1 areas  
could be  
expanded further



# What About Appeals?

- Further amends appeals and zoning process to facilitate housing:
  - Increases # of people needed to appeal a decision from 10 to 20.
  - Sets goal for the Environmental Division of the Superior Court to issue decisions within 90 days after a hearing.
  - Provides and prioritizes funding for municipalities to implement zoning and subdivision regulations if they do not have them.
- Requires the LRB & stakeholder group to study how to improve the efficiency, prioritization, and fairness of the Act 250 appeal processes, especially for housing projects, while ensuring that potential conflicts of interest are avoided. *(due 1/1/26)*

# Where Are We Now?



	2023	2024	2025	1/1 2026	12/31 2026	1/1 2027	7/1 2027	2027
Municipal Zoning Preemptions								
Interim Act 250 Exemptions - Designated Areas Except Village Centers								
Interim Act 250 Exemptions - Village Centers & Transit Corridors								
Tier 1A Applications Open								
Appeals Study Due								
Municipal Designations Transition (DHCD)								
Regional Plan Adoption (RPCs)								
Forest Fragmentation Criteria In Effect								
Act 250 Tiers In Effect								
Regional Plan Future Land Use Map Approval (LRB)								

There's a lot left to do...



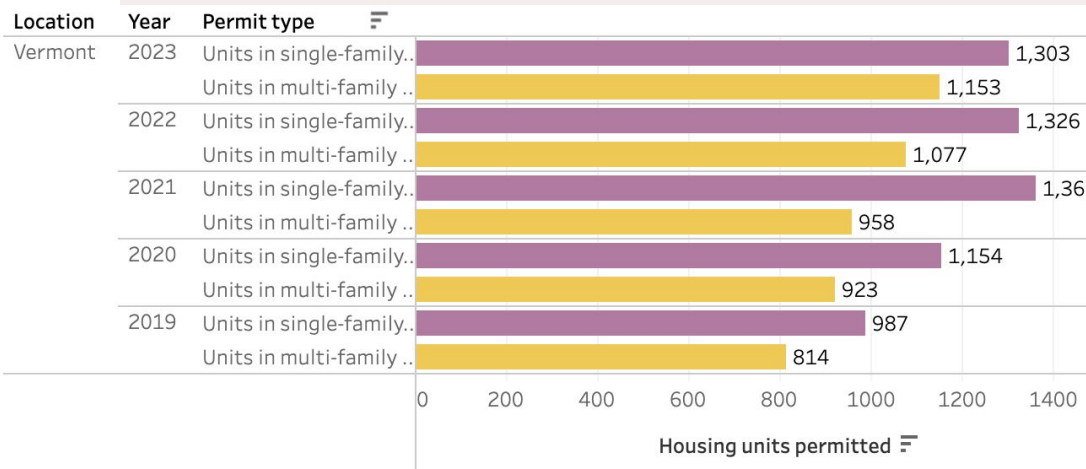
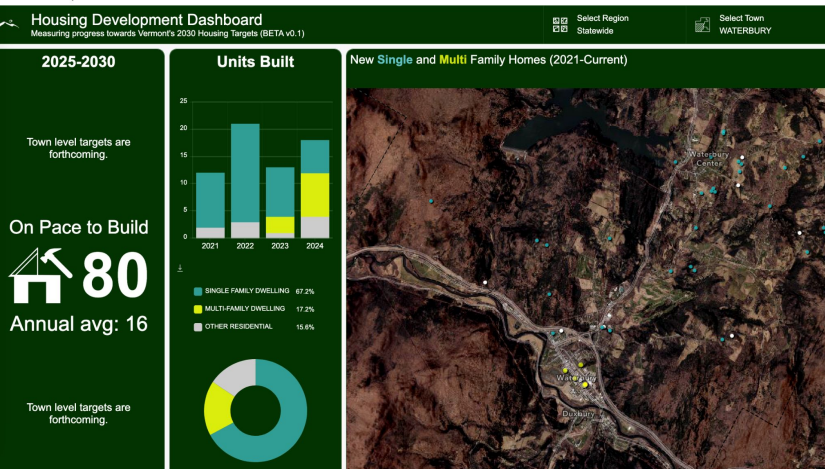




Glenn Russell / VTDigger

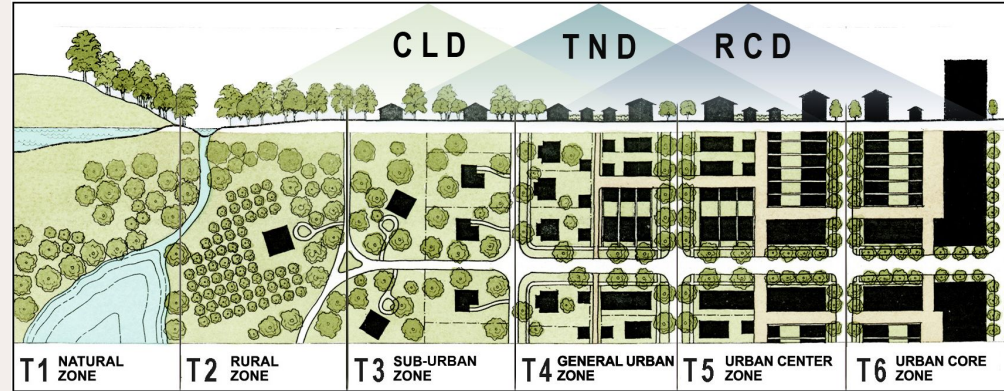
Developer Peter Kahn is using temporary adjustments to Act 250 to build workforce housing in Vergennes. Seen on Tuesday, Dec. 10, 2024.

...but we're on the right track.



# Next Steps: Continue to Support...

1. Thriving Rural Communities
  - a. Invest in infrastructure (and avoid the “growth ponzi scheme”)
2. Landscape Integrity
  - a. Mitigation of low-density development impacts on farm/forest fragmentation, community resiliency
3. Affordable Housing
  - a. “Re-legalize” - remove barriers to Missing Middle
  - b. Investments in low & middle income housing
  - c. Assessment of appeals processes







Thank you.

Kati Gallagher

Sustainable Communities Program Director | [kgallagher@vnrc.org](mailto:kgallagher@vnrc.org) | [www.vnrc.org](http://www.vnrc.org)

greater  
FALLS  
FARMERS  
MARKET

4:00-7:00  
EVERY  
FRIDAY  
*A Different Set of Produce,  
A Different Spread of Good.*



**VNRC**

VERMONT NATURAL  
RESOURCES COUNCIL