



Clarifications to Act 181

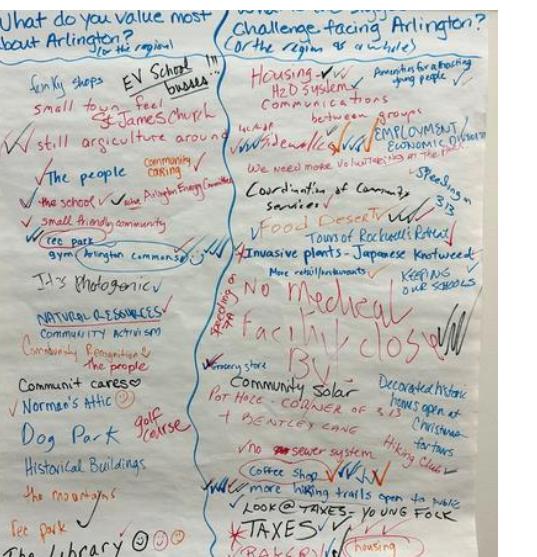
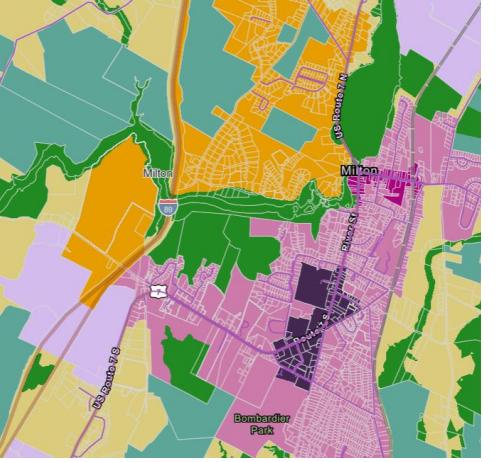
Presented to:

Senate Committee on Natural Resources and Energy

February 19, 2026

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Catherine Dimitruk, Executive Director, Northwest Regional Planning Commission

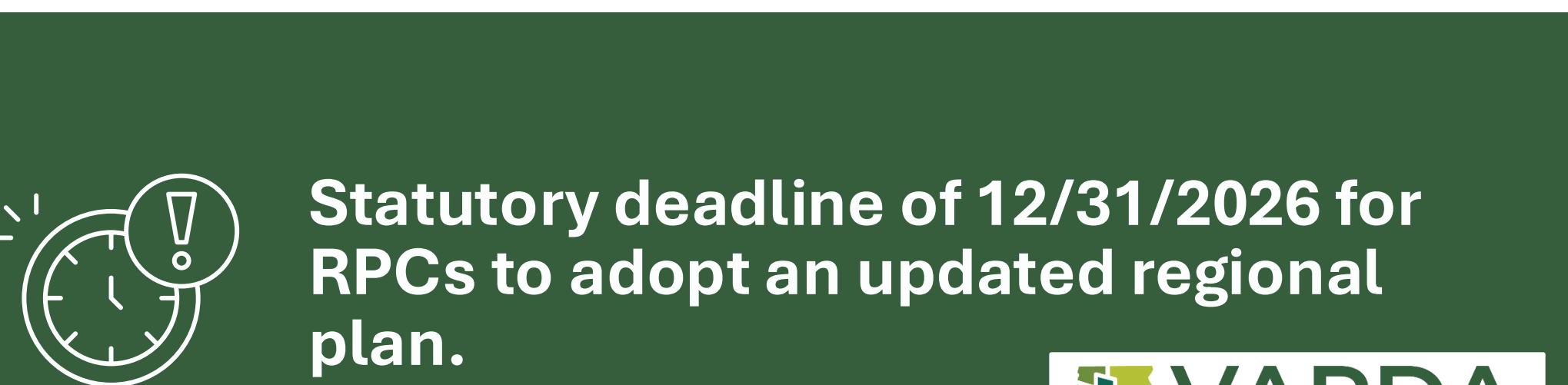


Act 181 – with an RPC lens

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.

Local and Regional Housing Targets



All regional plans will have **regional and local** housing targets



Regional targets were developed by VHFA & decided upon by DHCD



Planning purposes only; demonstrates the need and sets a goal

Total additional home targets, 2025-2030 and 2025-2050

Region	2025-2030		2025-2050	
	Lower	Upper	Lower	Upper
Addison County	1,296	1,978	4,103	8,088
Bennington County	1,453	2,188	4,483	8,836
Central Vermont	2,540	3,864	8,045	15,856
Chittenden County	7,301	10,537	15,783	47,407
Lamoille County	1,387	1,959	3,359	6,621
Mount Ascutney	1,207	1,781	3,750	7,391
Northeastern Vermont	2,836	4,193	9,014	17,768
Northwest Vermont	2,144	3,249	6,755	13,315
Rutland Regional	2,707	4,065	8,100	15,965
Two-Rivers Ottauquechee	2,424	3,640	7,692	15,162
Windham Regional	2,571	3,730	7,933	15,635
Vermont	27,867	41,185	79,018	172,044

2025-2030: “Lower” assume VT year-round households increase at the 2016-2019 average annual rate of 1.02%. “Higher” assume the 2019-2022 rate of 1.77%.

2025-2050: “Lower” based on population projection. “Higher” assume VT year-round households increase at the long-term annual average rate of 1.4%.

All targets include additional projected year-round households PLUS homes needed to normalize vacancy rates, eliminate homelessness, replace destroyed homes, and provide a margin to address Vermont’s 15% seasonal home rate.

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. May need statutory fix.

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

Regional Plan Schedule



Estimated timeframe for submission to LURB for **initial 60-day review** in date order

Rutland RPC | Submitted September

Northwest RPC | Submitted early October

Chittenden County RPC | Submitted October

Addison County RPC | Submitted January 2026

Lamoille County PC | Submitted January 2026

Mount Ascutney RC | February 2026

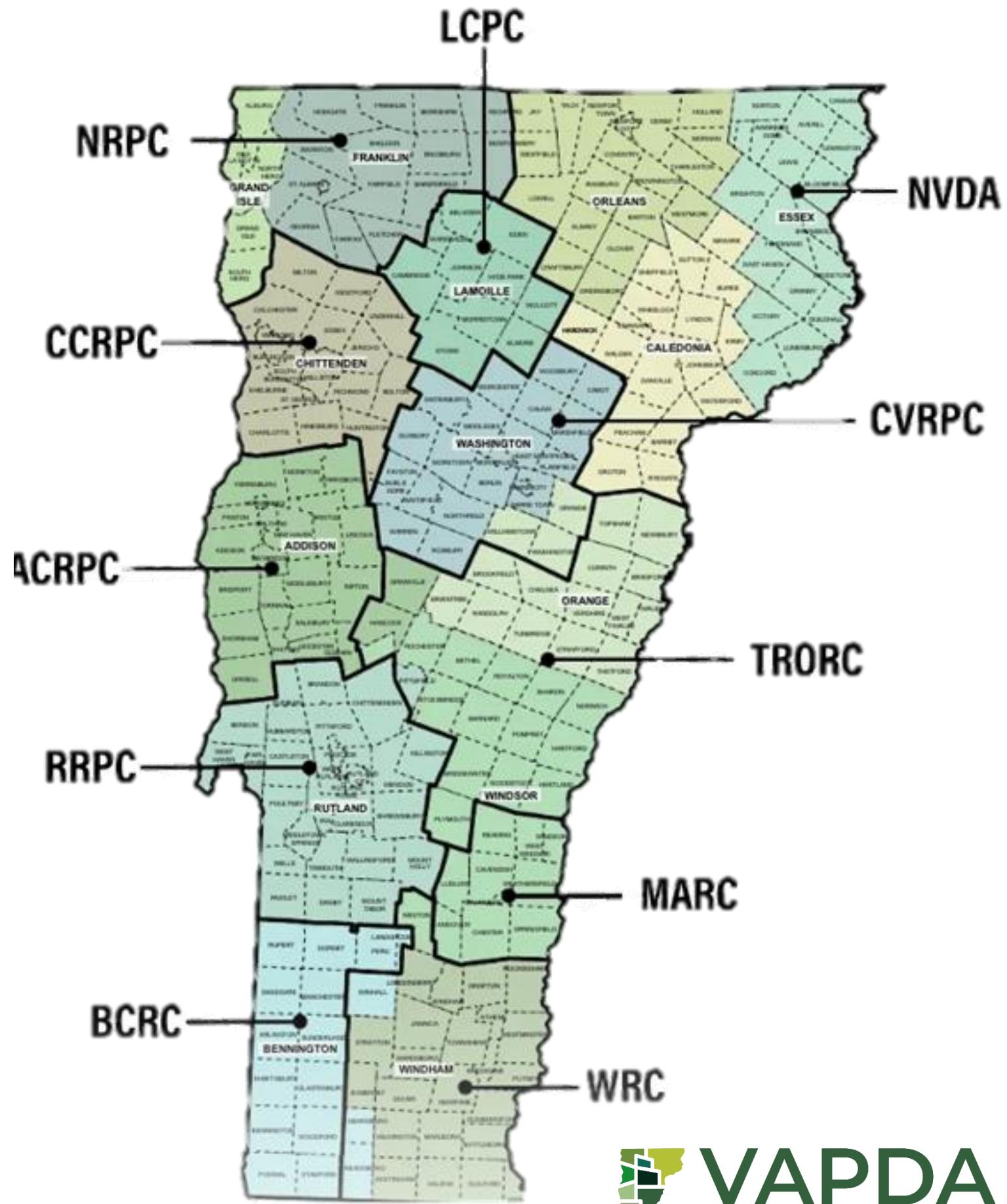
Northeastern Vermont DA | March 2026

Bennington County RC | April 2026

Windham RC | May 2026

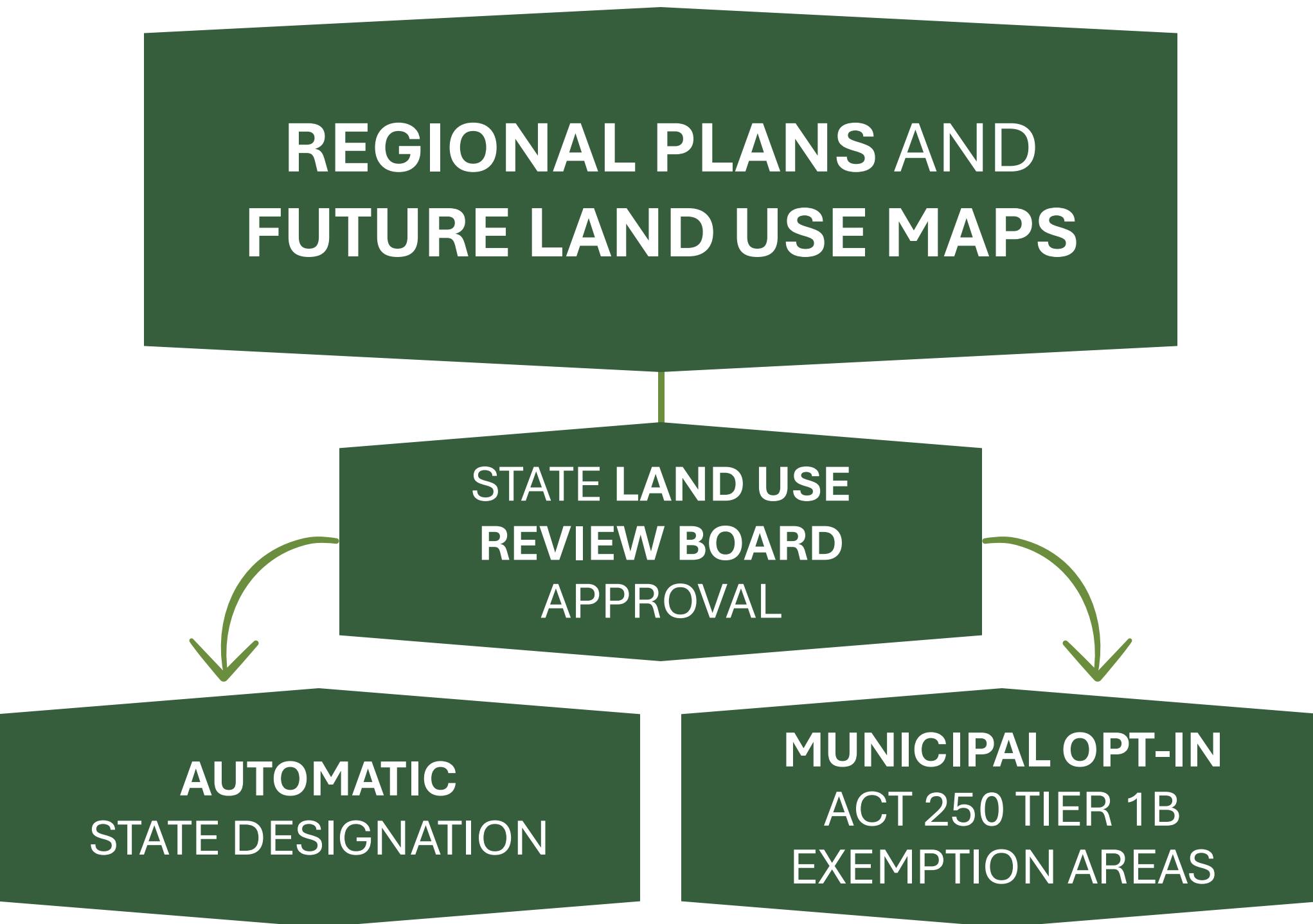
Central Vermont RPC | May 2026

Two Rivers-Ottauquechee RC | July 2026





Regional Plan Approvals





REGIONAL PLAN FUTURE LAND USE CATEGORIES

Downtown Center

Village Center

Planned Growth Area

Village Area

Transition (optional)

Enterprise

Resource-Based Recreation

Hamlet

General Ag / Forest

Conserv.

STATE DESIGNATION / COMMUNITY INVESTMENT

Center

Neighborhood

ACT 250

Tier 2: Status Quo

Tier 1a: Full Exemption – ‘consistent with’ FLU

Tier 1b: Partial Exemption

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”
- ✓ 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

RPC-proposed 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.
 - Goal of almost all towns having at least one Tier 1B eligible area (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.
- Important to do now – RPCs can adapt plans, if needed, before submitting to LURB for final approval, reduce municipal frustration, provides more clarity and certainty to property owners.

RPC-proposed amendments 1 of 2

Improve Regional Plan Adoption and Amendment Process

1. Move comments from the CIB 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
4. Delete unnecessary duplication for energy plan reviews

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-proposed amendments 2 of 2

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

1. Align definitions between Regional Plan future land use areas, Tier 1B, and Designations by having the mapping all in one section.
2. 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
3. Clarify that Step 1 centers do not have to have historic districts
4. Add smart growth language back into statute (inadvertently deleted)

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
2. Extension of Interim Exemption dates
3. Extension of Tier 3 rulemaking
4. Delete language requiring towns with Tier 1A from having to enforce Act 250 permits
5. Study to exam cause of municipal permit appeals



Thank you! Questions?

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For more information, visit: **VAPDA.org**