

Act 250 Legislative Changes

Developing CVRPC's Perspective

05/14/19 Commission Meeting

Board Discussion

April:

- Reviewed findings and supporting data.
- Discussed legislation and areas of consensus.

Developed Perspectives on:

- Local and Regional Plan Approval and Use
- Transportation Criteria

Tonight's Goal

Continue the Discussion

Understand current Legislative discussions and identify CVRPC's perspectives on changes related to:

- interstate interchange jurisdiction,
- enhanced designation jurisdiction,
- energy criteria, and
- forest integrity.

Board activity is to identify areas where Commission consensus exists, where consensus does not exist, and whether/how current proposals could be modified to achieve consensus.

Summary of Recommendations

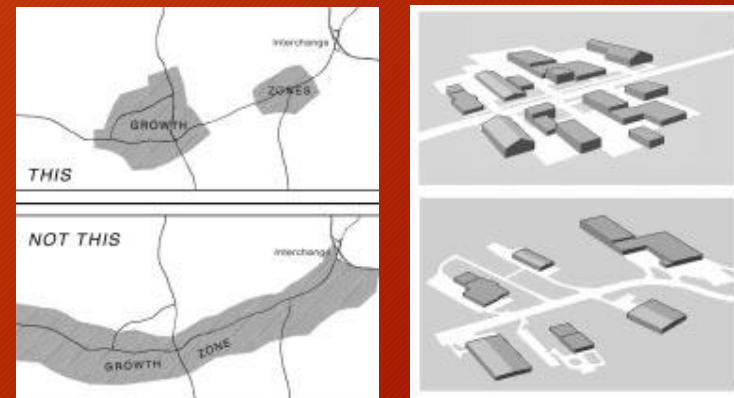
Interstate Interchange Jurisdiction

Applies to:

- commercial or industrial construction
- within a 3,000 ft. radius of an interchange, unless within an existing settlement

Must comply with:

- the *Vermont Interstate Interchange Planning and Design Guidelines*
- applicable to the category of land use identified for the area in the *regional plan*



Source: Vermont Interstate Interchange Design Guidelines

Interstate Interchange Design Guidelines

Planning and Development

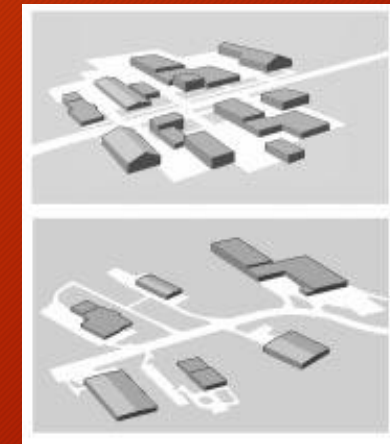
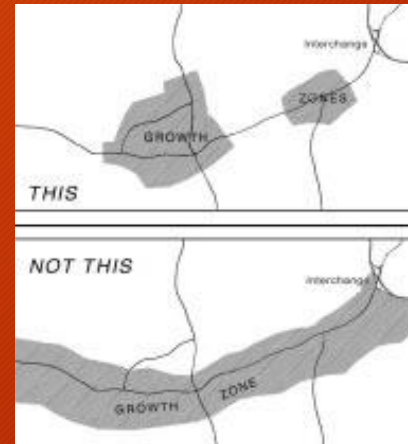
Planning

Define what you have, and where you want to go



Development

Guiding growth into patterns and appearances to reach that future



It is good to have an end to journey toward, but it is the journey that matters in the end.
~Ursula K. LeGuin

2016 Regional Plan

Land Use Planning Areas

Land Use Element

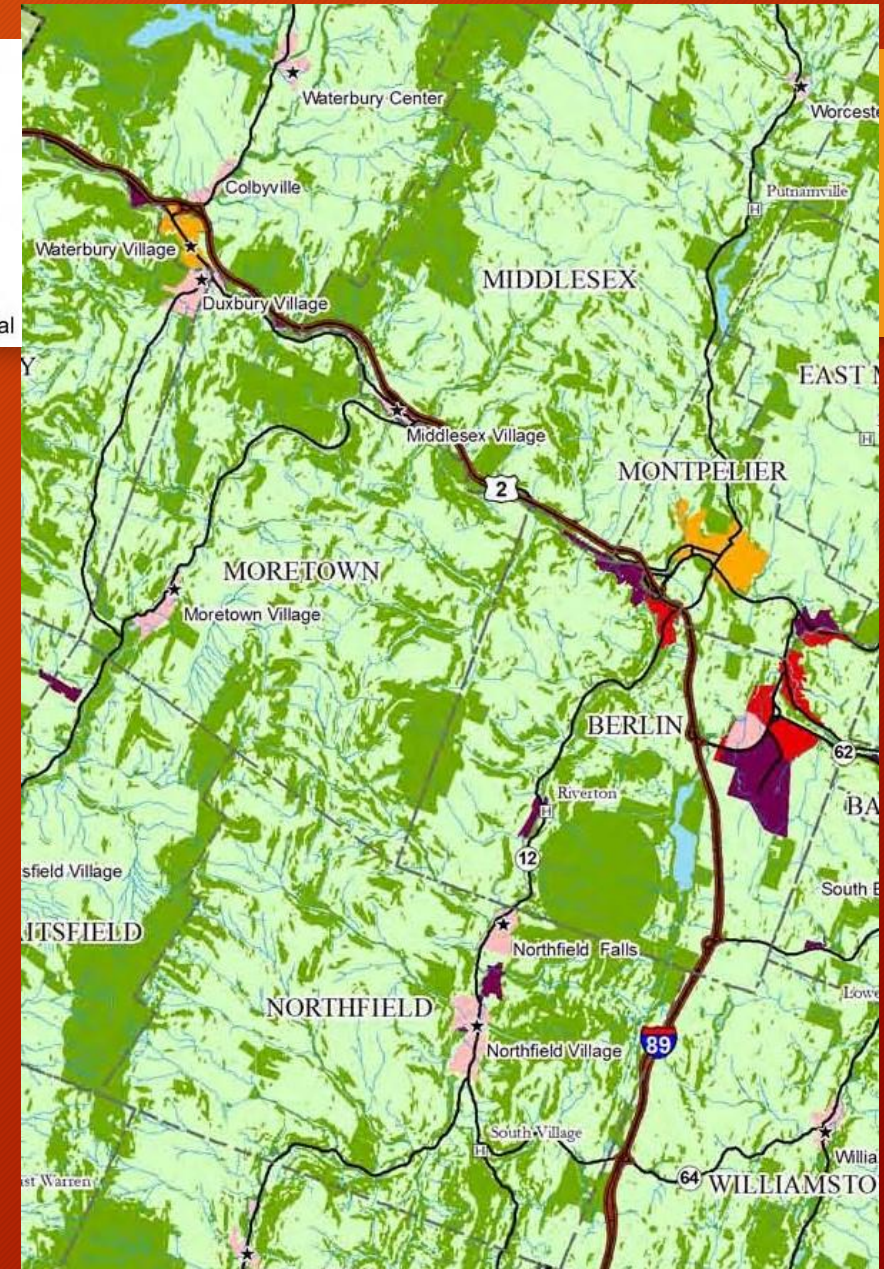
General Goals, Policies & Strategies

Goal 6:

To ensure that new development in the vicinity of the Region's interstate interchanges is appropriate to the setting and considers the impact of such development on adjacent village and urban centers.

Future Land Use

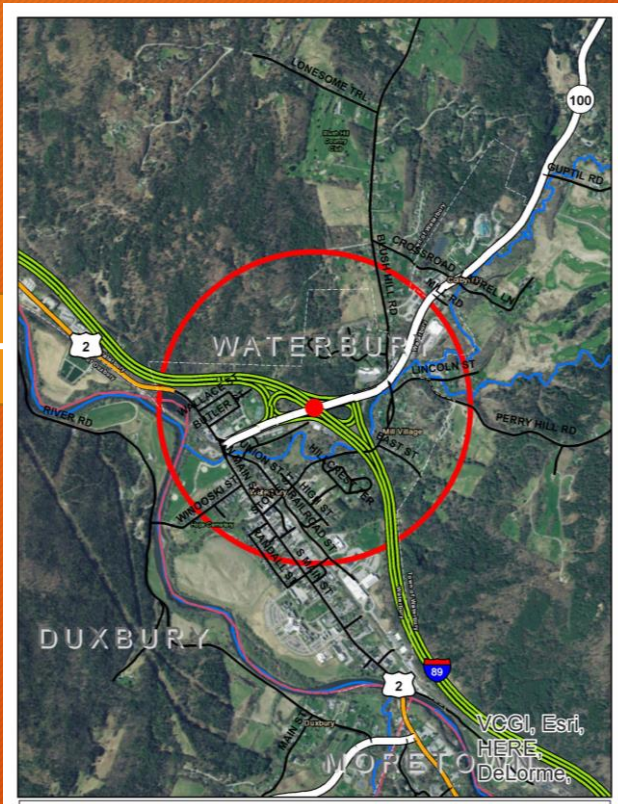
- Resource
- Rural
- Regional Center
- Town Centers
- Industrial
- Mixed-Use Commercial



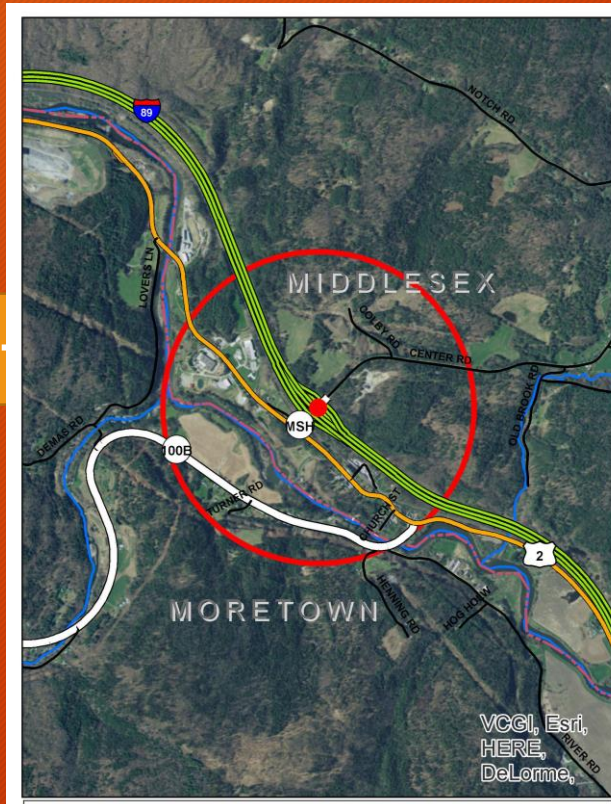
Central Vermont's Interstate Interchanges

Affected Lands

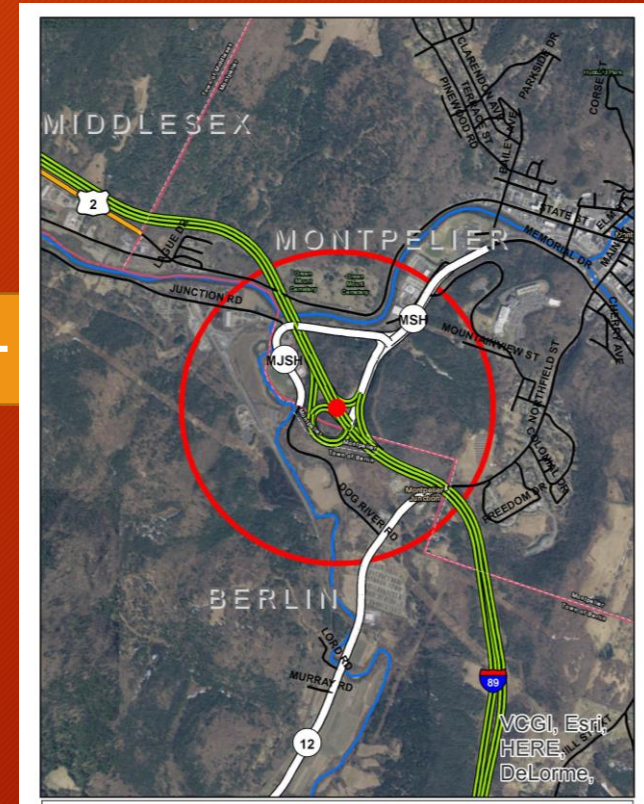
Waterbury



Middlesex



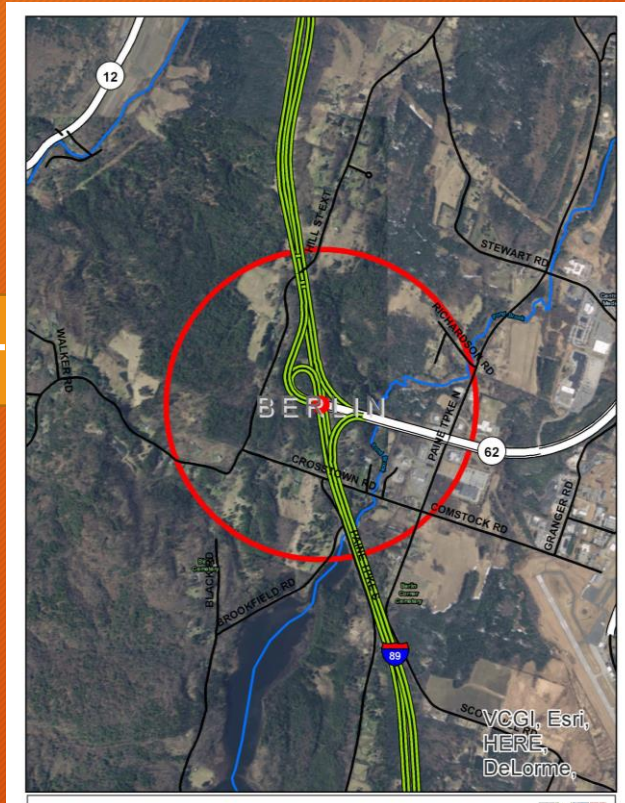
Montpelier



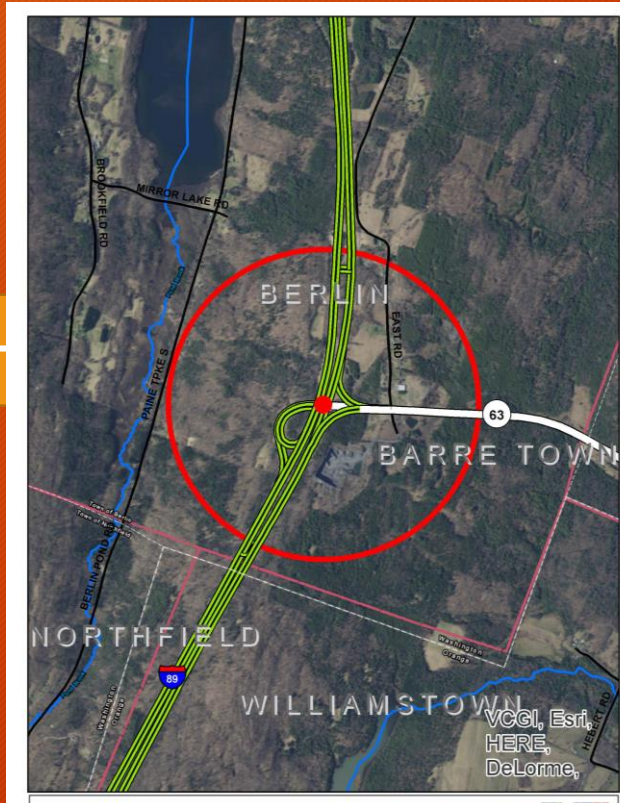
Central Vermont's Interstate Interchanges

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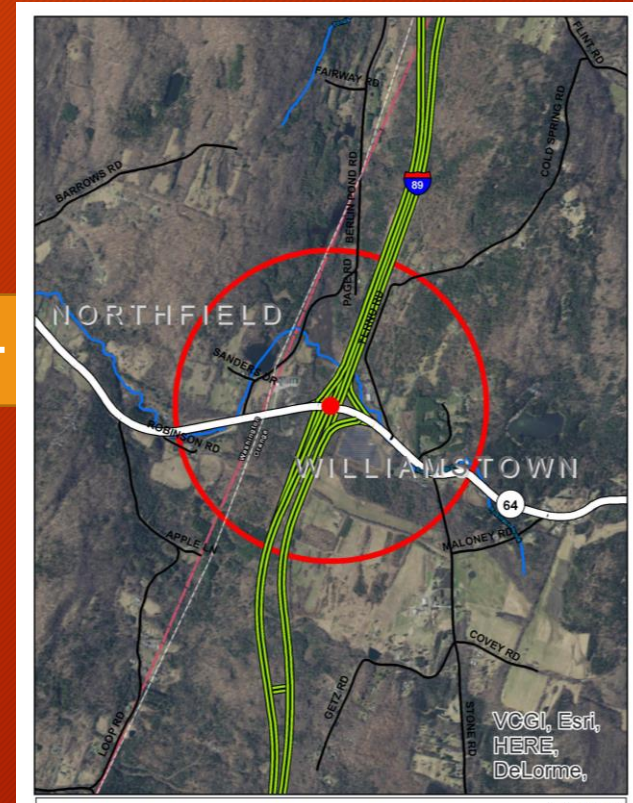
Berlin



Barre Town



Williamstown



Summary of Recommendations

Enhanced Designation Jurisdiction

Municipality applies to take over Act 250 review

In designated downtowns, growth centers, village centers, new town centers, and/or neighborhood development areas (existing State designated areas only)

Municipality must demonstrate:

- bylaws compliant with Act 250 criteria.
- review and enforcement capacity.
- *critical resource areas* identification. *(proposed new term for Act 250)*
(river corridors, Class I or II wetlands, land at or above 2,000 feet, ridgelines, and land characterized by slopes greater than 15 percent and shallow depth to bedrock)
- satisfies other requirements. *(as adopted by the VT Downtown Board)*

“Enhancement” can be appealed.

Summary of Recommendations

Energy Criteria

Energy

- Updates statutory language to include 2015 energy efficiency *stretch code*
- Adds new requirement that applicants provide a *certification through inspection* that the proposed development complies with stretch codes
- Requires Environmental Board to *adopt rules for the inspection process*

What is a Stretch Code?

The Vermont Residential Building Energy Standards (RBES) was adopted in 1997. It applies to all residential buildings 3 stories or less above grade. Passed in 2013, the Stretch Code is defined as *a building energy code for residential buildings that achieves greater energy savings than the RBES*. The stretch code includes air leakage testing and electric vehicle charging stations for multifamily developments of 10 or more units. The Stretch Code has been applied in Act 250 since 2015. Municipalities can chose to adopt the stretch code.

For More Information

The Commission on Act 250 Report

<https://legislature.vermont.gov/committee/document/2018.1/333/Date/1-4-2019#documents-section>

Current Legislative bills to modify Act 250

<https://legislature.vermont.gov/>

The bills receiving the most attention are **S.165**, which can be found by entering the bill number in the Legislative webpage search box, and **discussion bill 19-0040**, which can be found through the “Bills” tab under the House Committee on Natural Resources, Fish & Wildlife.

Thank you for providing policy direction!