



Regional Plan Committee
November 7, 2023 at 4:00 - 5:30 pm

To join Zoom meeting:

<https://us02web.zoom.us/j/87815276521?pwd=Mmw5U080SGpCTUFNVHZFSEERQUlI0dz09>

Meeting ID: 878 1527 6521, Passcode: 783374

One tap mobile 1(929)436-2866 or 1(301)715-8592

Persons with disabilities who require assistance or alternate arrangements to participate in programs or activities are encouraged to contact Nancy Chartrand at 802-229-0389 or chartrand@cvregion.com at least 3 business days prior to the meeting for which services are requested.

AGENDA

- | | |
|----------------------------|---|
| 4:00 pm² | Adjustments to the Agenda |
| | Public Comment |
| 4:05 pm | Approval of Minutes |
| | Approval of the October 3, 2023 minutes. |
| 4:10pm | Winooski Basin Tactical Basin Plan |
| | Recommend Plan comments and a Regional Plan compatibility determination to the Board of Commissioners |
| 4:40 | Future Land Use Report |
| | Review of VAPDA's current draft of Future Land Use Report. |
| 5:10 | Regional Plan Update |
| 5:30 pm | Adjourn |

Next meeting: December 5, 2023
First Tuesdays at 4pm

¹ Dial-in telephone numbers are "Toll" numbers. Fees may be charged to the person calling in dependent on their phone service.

² All times are approximate unless otherwise advertised

**MEMO**

Date: 2 November 2023

To: Regional Plan Committee

From: Brian Voigt, Senior Planner & Lincoln Frasca, Planner

Re: Draft 2023 Winooski River Tactical Basin Plan

✉ ACTIONS REQUESTED:

- 1) Propose comments on the Draft 2023 Winooski River Tactical Basin Plan for adoption by the Board of Commissioners, and
- 2) Make recommendations to the Board of Commissioners regarding the Draft 2023 Winooski River Tactical Basin Plan's conformance with the 2016 Central Vermont Regional Plan

The Agency of Natural Resources is updating the 2018 Winooski River Tactical Basin Plan. Keith Fritschie, Department of Environmental Conservation Watershed Planner for the Winooski River Basin, presented the draft plan and discussed the planning process at the Clean Water Advisory Committee September 2023 meeting and at the Board of Commissioner's October 2023 meeting.

CVRPC has the opportunity to provide recommendations to the Agency of Natural Resources regarding tactical basin plans pursuant to 10 V.S.A §1253(d). Statute directs the Agency to "develop, in consultation with the regional planning commission, an analysis and formal recommendation on conformance with the goals and objectives of applicable regional plans." Plus, regional planning commissions are to assist the Secretary in implementing a project evaluation process to prioritize water quality improvement projects within the region to assure cost effective use of state and federal funds.

The Regional Plan Committee is tasked with providing a recommendation to the Board to approve CVRPC Basin Plan comments and conformance finding.

The Committee must prepare the recommendation for approval at the Board of Commissioner's 14 November 2023 meeting.

Staff reviewed the 2023 Draft Winooski River Tactical Basin Plan in June 2023 and provided detailed comments to the Department of Environmental Conservation's Watershed Planner. The Department of Environmental Conservation considered those comments prior to releasing the October 2023 draft of the plan for public comment. Appendix A offers a detailed accounting of the June 2023 and October 2023 drafts of the Tactical Basin Plan, highlighting which CVRPC comments were / were not incorporated into the October 2023 draft plan. In general, CVRPC Staff found the October 2023 Draft Winooski River Tactical Basin Plan:

- 1) easier to read (when compared to the June 2023 draft) through better organization, language consistencies, and the removal of (some) acronyms;
- 2) integrated municipal and regional updates; and
- 3) improved figure descriptions and simplified one map.

However, there is still room for improvement, particularly in the following areas:

- 1) The document would benefit from overall data simplification and increased accessibility of maps;
- 2) More detail could be provided on wetlands in the Winooski River Basin and the surface water (re)classification process;
- 3) Incorporate data that municipalities would find useful, such as additional information on permit compliance trends and funding opportunities.

Staff also completed a conformance analysis of the Draft 2023 Winooski River Tactical Basin Plan and the 2016 Central Vermont Regional Plan. The conformance table is included in Appendix B.

The Draft 2023 Winooski River Tactical Basin Plan can be viewed on the [Department of Environmental Conservation website](#). The public comment period extends through 10 November 2023.

Appendix A

CVRPC Staff Comments Incorporated in October 2023 Draft Winooski River Tactical Basin Plan
<ul style="list-style-type: none"> • Spelling, grammar, and mathematical corrections were integrated including: <ul style="list-style-type: none"> ○ language consistencies (e.g. watershed vs. basin) ○ elimination of redundant sentences ○ acronyms were defined and or eliminated • Suggested web links were added to improve accessibility • Paragraph labels were added to correspond with various sections of the Lake Scorecard Assessment. • Table descriptions were added to improve clarity of data represented (pg. 43) • Simplification of Agriculture land use map (pg. 81) • Definitions of Agency of Natural Resources terminology such as “developed lands” were added • Inclusion of the year a town’s Stormwater Master Plan was completed in a table • Inclusion of the completion status for CVRPC’s 2023 initial review of the Region’s flood by-laws in preparation for new FEMA maps
CVRPC Staff Comments Not Incorporated in October 2023 Draft Winooski River Tactical Basin Plan
<ul style="list-style-type: none"> • Data simplification recommendation to reduce redundancy of maps and tables in Lake Scorecard Assessment section (pg. 30) • Percentage of wetlands inventoried in the Wetland Bioassessment and Vermont Rapid Assessment Method (pg. 35) • Differentiation of surface water classification process through the Tactical Basin Plan vs. on a case by case basis (pg. 38) • More information on wetlands in the basin, acres of land covered by various wetland designations, and changes since the 2018 Winooski River Tactical Basin Plan (pg. 45) • Reasoning for not pursuing Outstanding Resource Waters Designation for recommended waters (pg. 46) • Reconsider captions for Land use sector framework in figure 25 to more accurately depict land use vs. land cover (pg. 80) • Explanation for Washington County’s low compliance with Required Agricultural Practices (pg. 84) • Map of three-acre school sites eligible for Green Schools Block Grant (pg. 89) • Funding sources for towns recommended to complete Illicit Discharge Detection and Elimination studies (pg. 93)

- Summary of results from Rethink Runoff and Storm Smart projects (pg. 94)
- Further explanation of Municipal Roads General Permit requirements (pg. 96)
- Simplification of Figure 30 Road miles by Municipal Roads General Permit improvement priority (pg. 98)
- Clarification of the goals in the Vermont Agency of Transportation's Transportation Separate Storm Sewer System general permit (pg. 99)
- Identify alternative funding to meet waste water treatment facility requirements and avoid competition for Clean Water State Revolving Fund (pg. 104)
- Explain, "Montpelier is very close to status of no combined sewer overflow, with just a hydrologic problem causing overflows." (pg. 107)
- Include a map of permitted indirect discharge systems in the basin (pg. 109)
- Define "area-weighted" reach assignment (pg. 113)
- Define "run-of-river operation" (pg. 120)
- Expand caption of Figure 31 to clarify whether mapped Use Value and Appraisal (aka Current Use) parcels include both forests and agricultural parcels or just forests (pg. 131)
- Mention Act 154 in relation to project scoring for Winooski Clean Water Service Provider program (pg. 133)

Appendix B

<i>Draft 2023 Winooski River Tactical Basin Plan Strategies by Sector</i>	<i>2016 Central Vermont Regional Plan, amended 2020 Goals, Policies, & Actions</i>
AGRICULTURE	
<p>Conservation practices that reduce sources of pollution from farm production areas and farm fields.</p> <ul style="list-style-type: none"> • Target field Best Management Practice implementation in high priority watersheds. • Improve nutrient management planning (NMP) through technical support, NMP workshops, and financial support for improved nutrient utilization. • Implement NMPs and associated agricultural water quality practices in high priority catchments. • Support farm teams, conservation equipment programs, soil health assessments, and farmer participation in the Vermont Pay for Phosphorus Program. 	<p><u>General Land Use Goals, Policies, and Strategies:</u></p> <p>Goal 1: To promote sound management, conservation and use of the Region's natural resources.</p> <p>Policy 3: Support the betterment of surface water quality in the Region.</p> <p>Strategy 3a: Storage and utilization of fertilizers, pesticides, petro-chemicals, herbicides, sludge, or other potentially harmful industrial, agricultural, commercial or residential materials, must be accomplished in a manner compatible with existing regulations.</p> <p>Goal 7: To manage the quality and quantity of storm water runoff in order to avoid property damage and negative impacts on surface and groundwater.</p> <p>Policy 3: Acceptable Management Practices (AMP's, as defined by the Vermont Agency of Natural Resources) should be employed on all agricultural, silvicultural and earth extraction operations.</p>

<i>Draft 2023 Winooski River Tactical Basin Plan Strategies by Sector</i>	<i>2016 Central Vermont Regional Plan, amended 2020 Goals, Policies, & Actions</i>
DEVELOPED LANDS - STORMWATER	
<p>Practices that reduce or treat polluted stormwater runoff from developed lands, such as parking lots, sidewalks, and rooftops.</p> <ul style="list-style-type: none"> • Develop, design, and implement stormwater treatment projects identified in Phosphorus Control Plans, Stormwater Master Plans, stormwater mapping reports, or other assessments. • Support the design and implementation of small-scale stormwater practices through formula grant funding. • Provide outreach and technical support to landowners with 3-acre impervious parcels. • Promote and, where appropriate, coordinate existing campaigns to raise awareness and adoption of simple residential stormwater management approaches and chloride application best practices. 	<p><u>General Land Use Goals, Policies, and Strategies:</u></p> <p>Goal 7: To manage the quality and quantity of storm water runoff in order to avoid property damage and negative impacts on surface and groundwater.</p> <p>Policy 1: New development should, through design and maintenance, attempt to minimize changes in the volume and chemical composition of runoff. (The strategy includes a bulleted list of recommended methods on page 2-44).</p> <p>Policy 2: Structural Best Management Practices should be used, as appropriate, to control storm water on new development sites before, during and after construction, including plans for long term maintenance and operations. (The strategy includes a bulleted list of objectives and applications on page 2-44).</p> <p>Policy 4: Efforts should be made to minimize the extent of impervious surfaces and surface runoff associated with parking facilities. (The strategy includes a bulleted list of recommended methods on page 2-44).</p> <p>Policy 5: Municipalities should consider adopting policies and practices to reduce the volume and impacts of storm water runoff. (The strategy includes a bulleted list of policies and practices on page 2-44).</p>

<i>Draft 2023 Winooski River Tactical Basin Plan Strategies by Sector</i>	<i>2016 Central Vermont Regional Plan, amended 2020 Goals, Policies, & Actions</i>
DEVELOPED LANDS - ROADS	
<p>Stormwater and roadside erosion control practices that prevent erosion and treat road-related sources of pollution.</p> <ul style="list-style-type: none"> • Provide technical support and funding to towns to implement priority Municipal Roads General Permit projects and to update road erosion inventories. • Develop private road phosphorus reduction estimates and complete private road segmentation and assessments. 	<p><u>Transportation Goals and Policies:</u></p> <p>Goal 2: To preserve and maintain the existing transportation system.</p> <p>Policy 1: Support the necessary steps for evaluating, prioritizing, and implementing preventive maintenance programs for all elements of the transportation system.</p> <p>Goal 5: To establish a transportation system that minimizes consumption of resources and maximizes the protection of the environment.</p> <p>Policy 1: Support efforts to minimize negative environmental impacts associated with the transportation system (including air quality, noise levels, surface water, vegetation, agricultural land, fragile areas, and historical/archaeological sites).</p>

<i>Draft 2023 Winooski River Tactical Basin Plan Strategies by Sector</i>	<i>2016 Central Vermont Regional Plan, amended 2020 Goals, Policies, & Actions</i>
WASTEWATER	
<p>Improvements to municipal wastewater infrastructure that decrease pollution from municipal wastewater systems through treatment upgrades, combined sewer overflow (CSO) abatement, and refurbishment of aging infrastructure.</p> <ul style="list-style-type: none"> • Support municipalities pursuing wastewater treatment facility phosphorus optimization, expansion projects, and upgrades to meet total maximum daily load allotments, phosphorus optimization and combined sewer overflow requirements. • Support and ensure monitoring and permit compliance for waste management systems. • Provide technical assistance and funding to towns interested in exploring and implementing village wastewater systems and septic replacement through ANR Village Wastewater Solutions. • Promote septic system maintenance in communities adjacent to nutrient- or bacteria-degraded waters via Wastewater Workshops. 	<p><u>Facilities, Services and Utilities Goals, Policies and Strategies:</u></p> <p>Goal: Improvement and expansion of wastewater treatment facilities and options so as to protect public health, maximize public investment, and reinforce desired patterns of growth.</p> <p>Policy 3: Encourage continued efforts to improve water quality through the separation of combined sewers or other method to ameliorate the harmful impacts of combined sewer overflows.</p> <p>Policy 4: Support efforts to upgrade components of aging wastewater systems to address depreciation, improve energy efficiency and increase flood resilience of the Region's systems.</p> <p>Policy 4B: Perform outreach to municipalities whose systems are approaching 20-yr design life and connect local operators/commissions with available technical assistance.</p> <p>Policy 13: CVRPC encourages the use of shoreline zoning powers (24 V.S.A., Chapter 117, and Section 4411), in compliance with the Vermont Shoreland Protection Act, to regulate the design of sanitary facilities on lands adjacent to surface waters.</p>

<i>Draft 2023 Winooski River Tactical Basin Plan Strategies by Sector</i>	<i>2016 Central Vermont Regional Plan, amended 2020 Goals, Policies, & Actions</i>
NATURAL RESOURCE RESTORATION	
<p>Restoration of “natural infrastructure” functions that prevent and abate pollution. Natural infrastructure includes: floodplains, river channels, lakeshores, wetlands, and forest lands.</p> <p><i>Rivers:</i></p> <ul style="list-style-type: none"> • Evaluate water quality benefits of protection and restoration projects identified in state-supported plans and develop and implement priority projects. • Pilot the identification, development, and implementation of low-tech, process-based restoration projects to improve stream equilibrium. • Support municipalities in updating flood hazard bylaws and considering adoption of river corridor protections with new Federal Emergency Management Agency maps. • Scope, develop, and implement priority culvert upgrade and dam removal projects. • Encourage landowner and recreationist stewardship of riparian areas through established social marketing and signage campaigns for water quality and biodiversity benefit, e.g., Stream Wise. • Support outreach to towns on opportunities to reclassify waters based on recreation-fishing, 	<p><u>General Land Use Goals, Policies, and Strategies:</u></p> <p>Goal 1: To promote sound management, conservation and use of the Region's natural resources. Policies 3: Support the betterment of surface water quality in the Region.</p> <p>Strategy 3d. Native vegetated buffer strips in riparian zones and shoreland areas should be protected or maintained according to Best Management Practices outlined in the Vermont Handbook for Shoreland Development and VT Agency of Natural Resources Guidance Regarding Riparian Buffers to protect functional habitat and improve water quality.</p> <p>Strategy 3g. Assist landowners in identifying funding opportunities to support buffer plantings on their properties that would support stream bank and shoreland restoration.</p> <p>Strategy 5b. Encourage and provide technical assistance to municipalities in enhancing the regulatory standards in their municipal flood hazard regulations, including the incorporation of River Corridor regulations.</p> <p>Strategy 5e. Assist municipalities in identifying and limiting development on lands adjacent to waterways that provide flood storage or other beneficial function through acquisition, easement, deed restriction or zoning that encourages cluster</p>

aquatic biota and wildlife, and aquatic habitat uses.

Lakes:

- Implement Next Generation Lake Assessments to rapidly assess lake stressors and evaluate the need for more detailed lake assessments.
- Evaluate community support for and implement Lake Wise assessments and Lake Watershed Action Plans in populated lake communities with fair to poor shoreland or watershed conditions.
- Develop and implement priority projects identified during Lake Wise or Lake Watershed Action Plan assessment.
- Maintain and build the capacity for existing aquatic invasive species management and prevention programs.
- Where applicable, increase protections for high-quality lakes through reclassification or evaluate reclassification potential through additional monitoring.

Wetlands:

- Develop a process for crediting the phosphorus reduction of wetland protection and restoration projects.
- Scope and develop small-scale (10 – 50-acre) wetland protection and restoration opportunities.
- Provide support to the Wetlands Program for publicizing updated wetland mapping and local efforts for reclassification.

design, particularly for those upstream floodplains that provide flood protection functions for the Region 's downtowns and village centers.

Policy 6: Improve flood resilience planning, education and outreach activities to create a citizenry aware of flood risks, potential costs, and actions that can serve to reduce risk and future property loss.

Facilities, Services and Utilities Goals, Policies and Strategies – Emergency Management

Goal 1: To build disaster resistant communities in Central Vermont through sound emergency planning and management.

Goal 2: To ensure that all communities in Central Vermont have the appropriate information, resources, and tools to respond to disaster events and recover from their impacts.

Policy 6: Discourage residential, commercial, or residential development in floodplains.

Forests:

- Pilot forest road inventories and implement priority projects on state, municipal, and potentially private lands.
- Identify and implement feasible forest erosion projects identified with emerging forest erosion mapping tools.
- Support the use of skidder bridges through rental and incentive programs.
- Encourage land conservation and Use Value Appraisal enrollment where landowners are interested, especially in drinking water source protection areas.

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Regional Planning Report

Vermont Association of Planning and Development Agencies

December 15, 2023

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1. Introduction and Background
2. Legislative charge
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8. Recommendations related to integration with other State policy initiatives
9. Recommendations related to equitable engagement
10. Recommendations related to implementation
11. Comments from State Agencies and other stakeholders with responses

Appendix 1 – Draft Future Land Use Areas

Appendix 2 Future Land Use Element Statutory Recommendations

Appendix 3 – Other Statutory Recommendations Related to Act 250, Designations, State Investments

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1. Introduction and Background

The HOME Act (Act 47 of 2023, Section 15) required the Vermont Association of Planning and Development Agencies (VAPDA) to report on statutory recommendations to better integrate and implement municipal, regional, and State plans, policies, and investments by focusing on regional future land use maps and policies by December 15, 2023. The VAPDA is the statewide association of regional planning commissions.

The below sections describe the goals under which VAPDA proceeded with this study, findings, approach in carrying out this work, recommendations for consistent regional planning, recommendations related to integration with other State policy initiatives, recommendations for equitable engagement, and finally, how we addressed comments from stakeholders.

2. Legislative Charge

S.100 Sec. 15. REGIONAL PLANNING REPORT

(a) On or before December 15, 2023, the Vermont Association of Planning and Development Agencies shall report on statutory recommendations to better integrate and implement municipal, regional, and State plans, policies, and investments by focusing on regional future land use maps and policies. In the

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process of creating the Regional Planning Report, the Vermont Association of Planning and Development Agencies shall consider possible new methods of public engagement that promote equity and expand opportunity for meaningful participation by impacted communities in the decisions affecting their physical and social environment.

(b) The recommendations shall address how to accomplish the following:

- (1) Aligning policies and implementation between municipalities, regional planning commissions, and State entities to better address climate change, climate resiliency, natural resources, housing, transportation, economic development, other social determinants of health, and other place-based issues.
- (2) Building upon municipal and regional enhanced energy plans and their implementation.
- (3) Evaluating place-based policy and project decisions by the State, regional planning commissions, and municipalities related to implementing regional future land use maps and policies and recommending changes to which of those governmental levels those decisions should occur, if necessary.
- (4) Ensuring that State agency investment and policy decisions that relate to land development are consistent with regional and local plans. The investments assessed should include, at a minimum:
 - (A) drinking water;
 - (B) wastewater;
 - (C) stormwater;
 - (D) transportation;
 - (E) community and economic development;
 - (F) housing;
 - (G) energy; and
 - (H) telecommunications.
- (5) Achieving statewide consistency of future land use maps and policies to better support Act 250 and 30 V.S.A. § 248.
- (6) How Act 250 and 30 V.S.A. § 248 could better support implementation of regional future land use maps and policies.
- (7) Better support implementation of regional future land use maps and policies in the State designation program under 24 V.S.A. chapter 76A.
- (8) Improving the quality and effectiveness of future land use maps in regional and municipal plans through changes to 24 V.S.A. chapter 117 including:
 - (A) future land use map area delineations, definitions, statements, and policies;
 - (B) existing settlement definitions and their relationship to future land use maps;
 - (C) the role of regional plans in the review and approval of municipal plans and planning processes; and
 - (D) a review mechanism to ensure bylaws are consistent with municipal plans.

(c) The report should also discuss how best to implement the recommendations, including the following:

- (1) how best to phase in the recommendations;
- (2) how to establish a mechanism for the independent review of regional plans to ensure

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consistency with statutory requirements;

(3) what guidance and training will be needed to implement the recommendations; and

(4) what incentives and accountability mechanisms are necessary to accomplish these changes at all levels of government.

(d) The Vermont Association of Planning and Development Agencies shall consult with the Agency of Transportation, the Agency of Natural Resources, the Agency of Commerce and Community Development, the Department of Public Service, Vermont Emergency Management, the Natural Resources Board, the regional development corporations, the Vermont League of Cities and Towns, statewide environmental organizations, and other interested parties in developing the report and shall summarize comments.

(e) On or before December 15, 2023, the Vermont Association of Planning and Development Agencies shall submit the report to the following committees: the Senate Committees on Economic Development, Housing and General Affairs, on Government Operations, on Natural Resources and Energy, and on Transportation and the House Committees on Commerce and Economic Development, on Environment and Energy, on General and Housing, on Government Operations and Military Affairs, and on Transportation.

(f) The Vermont Association of Planning and Development Agencies shall be funded in fiscal year 2023 and fiscal year 2024 for this study through the regional planning grant established in 24 V.S.A. § 4306

3. VAPDA's Goals

VAPDA supports a consistent framework for regional land use planning that:

- More consistently defines areas planned for growth through collaborative coordination of municipal and regional plans;
- Supports shifting the mapping and delineation of areas for the purpose of achieving State Designations from the State to the RPCs while leaving the decision to approve a State Designation at the State level;
- Strengthens the weight of regional plans in State capital investment decisions; and,
- Defines areas that should be exempt from Act 250 on the basis of established regional and municipal planning for compact development and provision of infrastructure.

Why is this important? There are a number of broader benefits to Vermont in having consistent land use plans supporting both municipal and state policy decisions including investments. These benefits include:

- Better implementing the first State planning goal: To plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside. (24 V.S.A. § 4302).
- Providing clarity about the planned scale of development in different parts of the State to achieve the planning goal above.
- Advancing the State, regional, and municipal housing targets that will be developed as part of the State's Housing Needs Assessment in the spring of 2024.
- Addressing the housing shortage through policy change such as updating municipal and state regulations as we know that we can't publicly fund our way to a healthy housing market. The

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lack of housing is exacerbating the mental health, substance misuse, and homelessness issues throughout the State.

- Achieving the State's climate goals including reducing greenhouse gas emissions through smart, planned growth that reduces the overall vehicle miles of travel.
- Reducing development pressure on our farms and forests by increasing opportunities for housing in our existing and planned growth areas.
- Improving public health by increasing physical activity and reducing social isolation with more walkable communities.
- Benefits our transit system by concentrating growth and having more riders closer to our transit routes.
- Supporting economic growth in all areas of the State consistent with municipal and regional plans.
- Maximizing the impact of State and Federal infrastructure investments.
- Other?

4. Findings

VAPDA find the following after review of the future land use elements of all eleven regional plans:

- There are several common elements (including land use categories) within regional plans and maps, but there is not always consistency in terms or how they are used.
 - While each region has areas clearly defined as having little to no development, there is less consistency in defining whether these areas are grouped together or further divided into rural residential, working lands (agriculture and forestry), or conservation areas.
 - Each region identifies development centers, but the terms used (or the scales of development) do not always translate among regions (and are not necessarily consistent with state planning area designations). Examples include Regional Center, Center, Town Center, Village Center, Service Center, and Hamlet.
 - All regional plans create distinctions between developed and undeveloped areas, often using a spectrum of urban to rural development patterns.
- There is variation in the level of detail future land use designations are addressed in regional plans.
 - Variation in how closely land use plan language is tied to maps
 - Specificity of desired future conditions
 - The degree to which regional plans contain regulatory provisions for use in Act 250
 - Mapping detail (ranging from simple point data, approximate areas, and specific geographic designations or districts)
- Several regions are using unique land use areas that showcase the variation in planning issues across the state. Examples include:
 - CCRPC's Transit-Oriented Development Overlay
 - LCPC's State Forest and Shoreland Regional Areas
 - TRORC's Interstate Interchange Areas
 - Resort Center Areas in CVRPC, MARC, and WRC

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The following describes the process undertaken by VAPDA to arrive at this report and its recommendations.

1. From July 1 to October 20, VAPDA developed and refined the following recommendations:
 - a. Use polygon data to denote planning areas.
 - b. Identify common features or elements of planning area descriptions.
 - c. Identify criteria by which to define land use designations. VAPDA reviewed the criteria by which these land use areas might be defined based on review of current regional plans. This data helped VAPDA understand the different RPC FLU areas to make better recommendations about statewide consistency.
 - Intent for Future Land Use.
 - Residential density and/or e911 point density.
 - Scale & type of development.
 - Infrastructure available, or planned, to support development.
 - Natural and Historic/Cultural Resources.

VAPDA reviewed the results of this analysis in August, September, and October to reach a consensus on the common future land use areas.

2. From October 1 to December 15, VAPDA refined recommendations on the following:

How future land use areas interface with statewide policy. VAPDA discussed recommendations on how the new core regional land use areas and their associated criteria will be used in the following contexts:

- **State planning designations.**
- **Act 250.**
- **Updates to Chapter 117.**
- **State capital investment planning.**

3. From October – December VAPDA sought stakeholder feedback:

On November 3, 2023, VAPDA sent the draft FLU areas and criteria to the following organizations and offered meetings to review and discuss. One meeting for state agencies: Agency of Transportation, the Agency of Natural Resources, the Agency of Commerce and Community Development, the Department of Public Service, Vermont Emergency Management, and the Natural Resources Board; one meeting for regional development corporations; one meeting for the Vermont League of Cities and Towns and Vermont Planners Association; and one meeting for Vermont Natural Resources Council. Comments were requested by December 1, 2023.

4. From October 1-December 1, 2023, RPC Boards and Committees reviewed and commented on the draft recommendations.

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5. **Final Report Submission:** VAPDA completed edits and submitted this report by December 15 to the following committees: the Senate Committees on Economic Development, Housing and General Affairs, on Government Operations, on Natural Resources and Energy, and on Transportation and the House Committees on Commerce and Economic Development, on Environment and Energy, on General and Housing, on Government Operations and Military Affairs, and on Transportation.

6. Recommendations for Consistent Future Land Use Plans

VAPDA has determined that all regional plans should use a core set of land use designations that represent a spectrum of development patterns and intensities. It is noted that regions should retain the ability to define special land use categories or overlays to address their unique circumstances, but which may not be treated equivalently at a statewide level. **More details can be found in Appendix 1.**

a. Proposed future land use planning area descriptions.

This initial list of land use areas were used for discussion purposes as the RPCs developed agreement on these definitions. Initial regional land use areas included:

- **Planned Growth Areas:** Includes the densest existing settlement and future growth areas with the highest concentrations of population, housing, and employment in each town. They include a mix of commercial, residential, and civic or cultural sites with active streetscapes, supported by land development regulations, public water and/or wastewater and multi-modal transportation systems. These areas typically surround historic or new commercial downtowns and village centers.
- **Village Areas:** Includes the traditional settlement area or a proposed new settlement area, typically comprised of a cohesive mix of residential, civic, religious, commercial, and mixed-use buildings, arranged along a main street and intersecting streets that are within walking distance for residents who live within and surrounding the core. Village Areas may not have one of the following: water, sewer, or land development regulations. They provide some opportunity for infill development or new development areas where the village can grow and be flood resilient. These areas may typically include existing village center designations or plan to seek this designation (this area is not limited to the designation).
- **Transition/infill area (optional):** Includes areas of existing or planned commercial, office, mixed-use development, or residential uses either adjacent to a Planned Growth or Village Area or a new Transition Area and served by, or planned for, water and/or wastewater. The intent of this land use category is to transform these areas into higher-density, mixed use settlements, or residential neighborhoods through infill and redevelopment or new development. New commercial strip auto-oriented development is not allowed as to prevent negatively impacting the economic vitality of commercial areas in the adjacent or nearby Planned Growth or Village Area. This area could also include adjacent greenfields safer from flooding.
- **Resort-based Recreation Areas:** Includes large-scale resource-based, recreational facilities, often concentrated around ski resorts, lakeshores, or concentrated trail networks, which provide infrastructure, jobs, and housing to support recreational activities.
- **Enterprise:** Includes locations of high economic activity and employment which are not adjacent to Planned Growth Areas. These include industrial parks, areas of natural resource extraction, or

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other commercial uses which involve larger land areas. Enterprise areas typically have ready access to water supply, sewage disposal, electricity, and freight transportation networks.

- **Hamlet:** Small historic clusters of homes and perhaps a school, church, store, or other public buildings not planned for significant growth; no public water supply or wastewater systems, and mostly focused along 1-2 roads. These may be depicted as points on the FLU map.
- **Rural - General:** Include areas that promote the preservation of Vermont's traditional working landscape and natural area features. They allow for low-density residential and sometimes limited commercial development that is compatible with productive lands and natural areas. This area could also include an area that a municipality is planning to make more rural than it is currently.
- **Rural - Agricultural and Forestry:** Include blocks of forest or farmland that sustain resource industries, provide critical wildlife habitat and movement, outdoor recreation, flood storage, aquifer recharge, and scenic beauty, and contribute to economic well-being and quality of life. Development in these areas should be carefully managed to promote the working landscape and rural economy, and address regional goals, while protecting the agricultural and forest resource value. Consistent with Act 171 requirements.
- **Rural - Conservation:** Include areas intended to be conserved often with regulations or property rights limiting development, fragmentation, and conversion in order to maintain ecological health and scenic beauty. These lands have significant economic value, and require special protection due to their uniqueness, fragility, or ecological importance. They may include protected lands, areas with specific features like steep slopes or endangered species, wetlands, flood hazard areas, and shoreline protection areas, and are intended to remain largely undeveloped for the benefit of future generations. Consistent with Act 171 requirements.

- b. Use polygon data to denote planning areas.** VAPDA agreed that the regions that use point data for land use designations will convert these to polygon areas to support clearer application of state-level policy. There may be exceptions, if necessary, potentially for small crossroads or hamlet settlement areas or site-specific industrial parks. Decisions on these delineations will be led by the municipalities and the regional planning commission, and should not be associated with specific zoning requirements, but rather an overall goal for development patterns.

7. Recommendations for Regional Plan Review and Approval Process

Below is a proposed process for reviewing and approving Regional Plans to maintain long term consistency:

1. Draft Plan Development – The RPC will develop the Draft Regional Plan in consultation with their member municipalities and seek review by State agencies and other stakeholders. As part of the plan development process, the RPC should document efforts to engage marginalized communities. Equitable engagement best practices are included in Section 9 below. [Link to new VT law](#). The RPC will hold one public hearing in their region to obtain any comments from their municipalities and other stakeholders prior to approval of the draft regional plan by the RPC. After initial approval of the RPC, the RPC will provide their regionally approved regional plan to the enhanced NRB requesting approval with a letter or report documenting compliance with statutory requirements.

Commented [CB2]: Can't remember what this is tied to. Environmental Justice law? Something else?

Commented [CD3]: Now it is two, are we proposing cutting down to one?

Commented [CB4R3]: Yes, with the second hearing at the NRB. Maybe? What do folks think?

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2. Approval –The enhanced NRB shall hold a **second** public hearing to review the regionally approved regional plan for compliance with statutory requirements. One major criterion in the review and approval should be how well the Regional Plan addresses fair housing and documents the ability to meet regional housing targets. The enhanced NRB can either approve the Regional Plan or approve the Regional Plan with conditions identifying changes that must be made to meet statutory requirements.
3. Accountability: There should be consequences of not following statute. The enhanced NRB shall provide a reasonable amount of time (up to 12 months depending upon what needs to be revised) to correct before any RPC member municipalities lose benefits related to Designations, Act 250, or State infrastructure investments.

Commented [CB5]: Do RPCs have ability to appeal? List of criteria for an appeal? Peer review recommendation to appeal board?

8. Recommendations related to integration with other State policy initiatives

Describe how future land use areas interface with statewide policy. VAPDA provides the following recommendations on how the updated regional future land use areas and their associated criteria will be used in the following contexts:

- **State Designation Program.** VAPDA envisions the State requiring RPCs to delineate the areas that will be used in an updated State Designation Program. The State Designation Study is recommending two designations to replace the five that are currently in statute. The first new proposed designation is a “Center” designation to replace the Downtown and Village Center designations. The proposed Center designation area would be included in the core of the Planned Growth Areas and those Village Areas with current or future Village Center designation if desired by the municipality.

The second new proposed designation would be a Neighborhood designation to replace the New Town Center, Growth Center, and Neighborhood Development Area designations. The Neighborhood designated area would be included in the Planned Growth Areas if desired by the municipality.

Commented [CB6]: New language. I met with the designation team on 10/23 and this is where their preliminary recommendation is so far.

- a. **Planned Growth Areas – In order to obtain a State Designation and benefits a recommendation letter** from RPC should be required. Should require identification in regional plan future land use element and regionally approved municipal plan. General benefits should apply to an area potentially as large as the entire Planned Growth Area while tax benefits, etc. would apply to properties in the mapped Center and/or meeting certain criteria – historic preservation predominantly. Center designations would be approved by the Downtown Board. Neighborhood designation for the purposes of obtaining Act 250 exemption will require land development regulations similar to those required for NDA, and water and sewer (unless not needed to meet 5 du/ac threshold of Act 47) and would be approved by the new NRB (see below). Need State review for river corridors/floodplains and multi-modal transportation.
- b. **Transition Areas-** Transition areas planned for increased development should be able to be included in the Neighborhood designation that encourages the redevelopment of auto-oriented strip development or the development into greenfields adjacent to a

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Planned Growth or Village Area. These areas may also be outside of any state designation.

- c. **Village Areas** –Existing and any future Village Center designations (not included as Planned Growth Areas) will be included within the Village Areas. General benefits such as state grants and infrastructure investments should apply to the entire Village, while tax benefits should apply to properties meeting certain criteria – historic preservation predominantly.
 - d. **Resource-based Recreation Areas** – These are likely outside of any State designation.
 - e. **Enterprise Areas** – These are likely outside of any State designation.
 - f. **Hamlet** - Hamlets are outside of any State designation. Any currently designated village centers should be identified in a Village Area in regional plans' FLU element.
 - g. **Rural – General** – These are outside of any State designation.
 - h. **Rural - Agricultural and Forestry** - These are outside of any State designation.
 - i. **Rural- Conservation** - These are outside of any State designation.
- **Act 250.** All or portions of Planned Growth Areas may meet criteria and be reviewed by the State to achieve exemption from Act 250 review or specific criteria.
 - a. **Planned Growth Areas** - Planned Growth Areas should be exempt from Act 250 jurisdiction when the municipality receives a Neighborhood Designation and the community demonstrates good (NDA criteria) planning and regulation that requires new development to adhere to Vermont's land use goals. If exempt for future Act 250 jurisdiction, need a process for a property owner to transition any remaining Act 250 conditions to municipal jurisdiction when seeking a new permit. This process could include existing Act 250 permits in areas exempted to be superseded by, or relevant conditions get included in, a subsequent municipal permit. Need state review for river corridors/floodplains, historic preservation, and transportation – 60 days for review, include DEC permits before town issues final permit (could trails/paths be exempted?). Maybe different standards in the planned growth areas. (4449e)
 - b. **Transition** - Transition areas could be exempt from Act 250 jurisdiction when the community demonstrates planning and regulation that requires all new development to adhere to Vermont's land use goals (similar to current NDA requirements?).
 - c. **Village Areas** – Villages could be exempt from Act 250 jurisdiction or held to a different jurisdictional threshold than Rural areas. Planning and regulations that require new development to adhere to Vermont's land use goals should be required for reductions in, or exemptions from, Act 250 jurisdiction. Consider removing the 5-year, 5-mile jurisdictional trigger. Consider treating all Act 250 applications in these areas as minors. Consider reducing jurisdictional thresholds for commercial but not residential.
 - d. **Resource-based Recreation Areas** – These areas should be under Act 250 jurisdiction due to their potential impact on natural resources.
 - e. **Enterprise Areas** – These areas should be under Act 250 jurisdiction. Different Act 250 criteria could be considered. Nuisance type impacts should be reviewed at edge of area, rather than individual lots. Enable offsite ag soil mitigation.
 - f. **Hamlet** - These areas should be under Act 250 jurisdiction.
 - g. **Rural – General** – These areas should be under Act 250 jurisdiction.

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- h. **Rural - Agricultural and Forestry** - These areas should be under Act 250 jurisdiction. This area may be defined by constraint mapping done as part of Act 174 for Enhanced Energy Plans.
- i. **Rural- Conservation** - These areas should be under Act 250 jurisdiction and may have a lower jurisdictional threshold and/or a higher standard of review. This area may be defined by constraint mapping done as part of Act 174 for Enhanced Energy Plans.
- **State capital investment planning.** For each FLU Area, we offer the following types of State investment that should be prioritized. These lists are not intended to be all inclusive.
 - a. **Planned Growth Areas** - Water, wastewater, stormwater, sidewalks, paths, complete streets, transit, EVSE, urban trees, state offices, schools, housing, historic preservation and adaptive re-use. Consideration of climate resilience is critical.
 - b. **Transition Areas** - Water, wastewater, stormwater, sidewalks, paths, complete streets, transit, EVSE, housing, historic preservation. Consideration of climate resilience is critical.
 - c. **Village Areas** – Water, wastewater, stormwater, sidewalks, paths, complete streets, transit, EVSE, urban trees, state offices, schools, housing, historic preservation and adaptive re-use. Consideration of climate resilience is critical.
 - d. **Resource-based Recreation Areas** – Water, wastewater, stormwater, sidewalks, paths, complete streets, transit, EVSE. Consideration of climate resilience is critical.
 - e. **Enterprise Areas** – Water, wastewater, stormwater, sidewalks, paths, complete streets, transit, EVSE.
 - f. **Hamlet** - Sidewalks, paths, EVSE.
 - g. **Rural – General** – Clean water, working lands, conservation easements, recreational trails.
 - h. **Rural - Agricultural and Forestry** - Clean water, working lands, conservation easements, recreational trails.
 - i. **Rural- Conservation** - Clean water, working lands, conservation easements, recreational trails.
- **Updates to Chapter 117.** Specifically, the required elements of regional plans in 24 V.S.A. § 4348a and consistency of municipal plans with regional plans as required in 24 V.S.A. §4382(a). See Appendix 2 for detailed suggestions regarding statutory changes.
- **Other State Policy.** See Appendix 3 for detailed suggestions regarding statutory changes.
 - a. **Speed Limits** - In Planned Growth and Village Areas, consider allowing municipalities with these areas to adopt speed limits less than 25 mph.

Commented [CD7]: Are we considering all of these equally? For example, does sidewalk investment in an enterprise area hold as much priority as sidewalks in planned growth areas? Or are we just staying silent on that question?

Commented [CB8]: We are working on drafting these for the December VAPDA meeting

Commented [CB9R8]: Looking at changes to Sections: 4302, 4303, 4345a, 4347, 4348, 4351, 4382, 4404, maybe Act 250 to reference FLU element,

9. Recommendations related to equitable engagement

VAPDA shall consider methods of public engagement that promote equity and expand opportunity for meaningful participation by impacted communities in the decisions affecting their physical and social environment.

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When drafting and implementing regulations that dictate land use, community participation is important to eliminate racism and discrimination and achieve better outcomes.ⁱ However, as it pertains to topics such as future land use planning and mapping, inclusive engagement is not always seen as a priority, oftentimes because the work is considered too technical. Effective public education on what land use policies is, and what land use planning has the potential to do for a community can be a crucial element in enabling participation from broader and more representative groups of citizens. However, inviting underrepresented and marginalized groups to attend events and meetings is not enough, pro-active recruitment, education, relationship building, and empowerment is needed for effective engagement around critical decisions about land use.ⁱⁱ

Additionally, the following recommendations from the American Planners Association should apply to updating land use policies:

- Those framing, writing, and/or reviewing land use should reflect the demographic composition of the community and include those most marginalized.
- Drafting should allow for multiple opportunities for review of potential impacts on marginalized communities.
- Overly complicated language and regulations should be avoided. Planners should speak to the community in the language(s) they understand and use clear and objective, equity-based standards and review criteria.ⁱⁱⁱ

Equity in Mapping Processes

Recently, many land use maps have been revised to plan for climate resilience and promote residential affordability, but these actions may have unintended consequences. For example, future land use maps must avoid constraining land supply needed to support our communities, concentrating pollution or other harmful land uses in certain neighborhoods, limiting access to services and facilities, and perpetuating segregations.^{iv} When considering a change to planning maps, community and advisory engagement is essential, with a focus on centering the voices of marginalized groups. As previously advised, those recommending maps changes should reflect the demographics of the community, and should include marginalized community members.^v

Meaningful Community Engagement

A good land use plan leads to positive human health outcomes, a resilient and healthy environment, and economic strength. Given the need for all people to be involved in land use planning that serves their communities and given that there are harmful power dynamics at play that exclude based on identities such as race, class, education level, etc, it is critical to think intentionally about inclusive engagement. The Spectrum of Community Engagement to Ownership Figure below shows a pathway that aims to strengthen and transform our local democratic processes.^{vi} The resource highlights that, “Thriving, diverse, equitable communities are possible through deep participation, particularly by communities commonly excluded from democratic voice and power. The stronger our local democracies, the more capacity we can unleash to address our toughest challenges, and the more capable we are of surviving and thriving through economic, ecological, and social crises. It is going to take all of us to adequately address the complex challenges our cities and regions are facing. It is time for a new wave of community-driven civic leadership.”^{vii}

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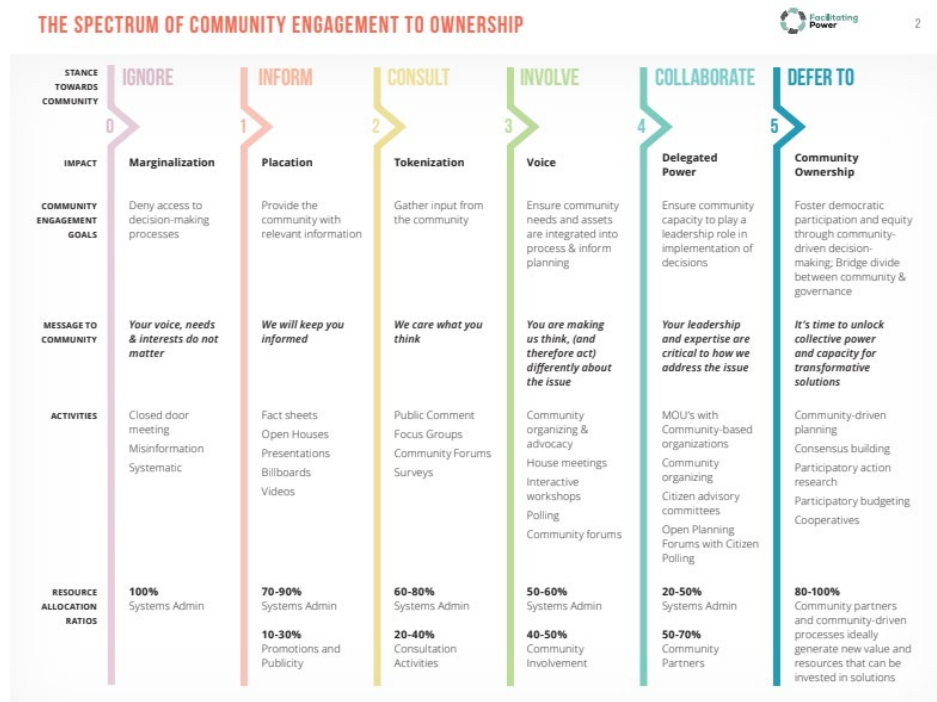


Figure 1 Gonzales, R. (2019). *The Spectrum of Community Engagement to Ownership*. Facilitating Power.
<https://movementstrategy.org/resources/the-spectrum-of-community-engagement-to-ownership/>.

To achieve Community Ownership regarding Land Use Mapping, the engagement processes for doing so should involve robust efforts that involving and collaborating with the public. There is no one-size-fits-all solution. External or mandated timelines, and budgets often hamper well intended engagement efforts. If the chosen engagement strategies are not adequate, planners should work with decision makers to add more tools, time, and budget.^{viii}

Example

Although there are nearly always capacity constraints, thoughtful selection of a community engagement framework should consider not overburdening the community members who already face barriers to engaging with decision-making, while also allowing those same community members agency to have a voice in how Future Land Use Maps are developed. Achieving this will require that any engagement effort or activity is made accessible through providing services such as transportation, translation, and childcare. Food should be provided, and stipends whenever possible. Venue locations should be carefully selected while considering what spaces may or may not be inviting depending on lived experiences or generational trauma.

One framework that could be considered is *Mobilizing for Action through Planning and Partnerships* (MAPP). The MAPP approach is a community-driven strategic planning process for improving community

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health.^{ix} It could be used as a blueprint for approaching Land Use Map changes on a variety of governance levels. The framework includes three roles for leadership, the core support team, a steering committee, and broad community involvement in line with MAPP's framework. The core support team would be responsible for shepherding the process of updating land use maps, the steering committee would provide guidance throughout the entire process, and broad community involvement will constantly provide revisions and feedback to results and interventions.^x It is important to clarify roles, responsibilities, and timelines at the onset of collaboration, while allowing for flexibility and adaptability. This approach may be useful for future land use maps changes because all levels of a community are impacted by these decisions. It is essential to elevate all voices at the table, while avoiding burdening partners who are already stretched thin. Instead, organizing community members based on interest, feasibility, and capacity - with an achievable plan to engage them at every level of the process of decision making and planning- may be a good approach to inclusive engagement regarding Future Land Use Map changes.

10. Recommendations related to implementation

Here are initial recommendations for the sequencing and scheduling of activities needed to properly implement the proposed changes described above. These recommendations assume that Act 250 and the State Designation Program have been updated consistent with the recommendations included in this report and the statute generally becomes effective July 1, 2024.

Commented [CB10]: New content. Please review.

Action – Responsible Party	Timeframe or deadline
Training and Education – The RPCs, NRB, and DHCD should collaborate on a training presentation for municipalities, RPCs, NRB, District Environmental Commissions, State agency staff, developers, and other interested parties.	7/24-6/25
Updated State Designation Guidance - DHCD	12/31/24
Updated Act 250 Rulemaking as required - NRB	12/31/25
Updated Regional Plan Future Land Use Elements – RPCs. To include additional time for equitable engagement process.	Beginning as early as 7/24 to as late as the eight year expiration of the regional plan

11. Comments from State Agencies and other stakeholders with responses

To be added after they review in November...

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Appendix 1 – Draft Future Land Use Areas

Appendix 2 Future Land Use Element Statutory Recommendations

Appendix 3 – Other Statutory Recommendations Related to Act 250, Designations, State Investments

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APPENDIX 1 DRAFT FUTURE LAND USE AREAS

PLANNED GROWTH AREA	
Description	Includes the densest existing settlement and future growth areas with the highest concentrations of population, housing, and employment in each town. They include a mix of commercial, residential, and civic or cultural sites with active streetscapes, supported by land development regulations, public water and/or wastewater and multi-modal transportation systems. These areas typically surround historic or new commercial downtowns and village centers.
Key Criteria description	
Residential Density	Among highest in town or region; per Act 47 at least 5 du/ac net densities should be allowed in zoning. If zoning is not yet updated in compliance with Act 47, delineate the PGA anyway.
Housing Target	They are planned to accommodate most, if not all, of the municipal housing target through a diversity of residential building types when considered in combination with adjacent Transition Areas.
Types of Appropriate Development	Redevelopment, renovation and adaptive re-use of historic buildings, infill, adjacent greenfield development where needed to meet housing targets, serve civic and commercial needs and be flood resilient.
Zoning/Subdivision	land development regulations required
Community Water	Existing or planned water service area required (if needed to meet Act 47 minimum densities) (still PGA even if limited)
Community Sewer	Existing or planned sewer service area required (if needed to meet Act 47 minimum densities) (still PGA even if limited)
Transportation	Varied options emphasizing walking, biking, and transit.

OR

Planned Growth Areas

- Description/Definition: Includes the densest existing settlement and future growth areas with the highest concentrations of population, housing, and employment in each town. They include a mix of commercial, residential, and civic or cultural sites with active streetscapes, supported by land development regulations, public water and/or wastewater and multi-modal transportation systems. These areas typically surround historic or new commercial downtowns and village centers.
- The FLU element and map shall also delineate the core Downtown or Village Center within each Planned Growth Area consistent with the State Designation Program statute (24 V.S.A. § 2790 et. seq.) and guidance.
- Criteria:
 - Residential density in zoning of at least five dwelling units per acre (5 du/ac). If the area has public water and sewer, but the municipality has not yet updated their zoning to 5 du/ac, include the area anyway as Act 47 requires that density.
 - This area should be planned to accommodate most, if not all, of the municipal housing target through a diversity of residential building types when considered in combination with adjacent Transition Areas.

Commented [CB11]: Open question as to whether RPCs will have to map a core area within these for Center designation

Commented [CB12]: Should we keep the tables or move to a more paragraph version such as below?

Commented [CB13]: New provision based upon what is coming out of the designation study. Should be added to the Village Areas as well if we keep this.

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- Types of appropriate development will include, but not limited to; redevelopment, renovation and adaptive re-use of historic buildings, infill, adjacent greenfield development where needed to meet housing targets, serve civic and commercial needs and be flood resilient.
- Land development regulations like zoning are required.
- Existing or planned municipal water and/or wastewater are required. If a municipality can achieve 5 du/ac without either municipal water or wastewater, that area of the municipality should be included in this future land use area.
- Transportation options should be available or planned and provide opportunities for walking, biking, and transit access.

VILLAGE AREA	
Description	Includes the traditional settlement area or a proposed new settlement area, typically comprised of a cohesive mix of residential, civic, religious, commercial, and mixed-use buildings, arranged along a main street and intersecting streets that are within walking distance for residents who live within and surrounding the core. Village Areas may not have one of the following: water, sewer, or land development regulations . They provide some opportunity for infill development or new development areas where the village can grow and be flood resilient. These areas may typically include existing village center designations or plan to seek this designation (this area is not limited to the designation).
Key Criteria description	
Residential Density	Relatively denser and more diverse housing types than surrounding rural areas in that town but does not achieve Act 47 required densities.
Housing Target	Demonstrate ability to accommodate some portion of municipal housing target within this area.
Types of Appropriate Development	Redevelopment, renovation and adaptive re-use of historic buildings, infill, adjacent greenfield development where needed to meet housing targets and be flood resilient.
Zoning/Subdivision	land development regulations optional
Community Water	Possible without having either sewer or zoning
Community Sewer	Possible without having either water or zoning
Transportation	Pedestrian-oriented including at least some existing or planned sidewalks or walking opportunities(?)

TRANSITION/INFILL AREA (OPTIONAL)	
Description	Includes areas of existing or planned commercial, office, mixed-use development, or residential uses either adjacent to a Planned Growth or Village Area or a new Transition Area and served by, or planned for, water and/or wastewater. The intent of this land use category is to transform these areas into higher-density, mixed use settlements, or residential neighborhoods through infill and redevelopment or new development. New commercial strip auto-oriented development is not allowed as to prevent negatively impacting

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	the economic vitality of commercial areas in the adjacent or nearby Planned Growth or Village Area. This area could also include adjacent greenfields safer from flooding.
Key Criteria description	
Residential Density	Per Act 47, at least 5 du/ac net densities allowed in zoning. Intent to add housing to these strip commercial corridors or in adjacent greenfields safe from flooding.
Housing Target	Demonstrate ability to accommodate some significant portion of municipal housing target within this area.
Land Uses	Should be planned (and zoned) for a mix of uses
Zoning/Subdivision	land development regulations optional
Community Water	Existing or planned water service area required
Community Sewer	Existing or planned water service area required
Transportation	Varied options emphasizing walking, biking, and transit.

RESOURCE-BASED RECREATION AREA (OPTIONAL)	
Description	Includes large-scale resource-based, recreational facilities, often concentrated around ski resorts, lakeshores, or concentrated trail networks, which provide infrastructure, jobs, and housing to support recreational activities.
Key Criteria description	
Housing Density	High but less overall than Planned Growth Areas, often seasonal housing
Land Uses	Recreation, accessory and/or seasonal residential & commercial
Community Water	Often present but limited capacity
Community Sewer	Often present but limited capacity
Transportation	Road access and transit may be seasonal

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ENTERPRISE (OPTIONAL)	
Description	Includes locations of high economic activity and employment which are not adjacent to Planned Growth Areas. These include industrial parks, areas of natural resource extraction, or other commercial uses which involve larger land areas. Enterprise areas typically have ready access to water supply, sewage disposal, electricity, and freight transportation networks.
Key Criteria description	
Housing Density	None or low (from existing homes)
Employment	High employment
Land Uses	Industrial, Office, Limited retail, resource extraction not adjacent to a Planned Growth Area
Community Water	May be present
Community Sewer	May be present
Transportation	Driven by freight transportation (large truck, rail, air, and/or boat)

HAMLET	
Description	Small historic clusters of homes and perhaps a school, church, store, or other public buildings not planned for significant growth; no public water supply or wastewater systems, and mostly focused along 1-2 roads. These may be depicted as points on the FLU map.
Key Criteria description	
Housing Density	low density residential
Land Uses	Hamlets may become Village Centers and/or Areas when they meet either the designation or future land use criteria.
Community Water	None required
Community Sewer	None required

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RURAL AREAS	
Description	<p>Rural – General: Include areas that promote the preservation of Vermont's traditional working landscape and natural area features. They allow for low-density residential and sometimes limited commercial development that is compatible with productive lands and natural areas. This area could also include an area that a municipality is planning to make more rural than it is currently.</p> <p>Rural - Agricultural and Forestry: Include blocks of forest or farmland that sustain resource industries, provide critical wildlife habitat and movement, outdoor recreation, flood storage, aquifer recharge, and scenic beauty, and contribute to economic well-being and quality of life. Development in these areas should be carefully managed to promote the working landscape and rural economy, and address regional goals, while protecting the agricultural and forest resource value. Consistent with Act 171 requirements.</p> <p>Rural – Conservation: Include areas intended to be conserved often with regulations or property rights limiting development, fragmentation, and conversion in order to maintain ecological health and scenic beauty. These lands have significant economic value, and require special protection due to their uniqueness, fragility, or ecological importance. They may include protected lands, areas with specific features like steep slopes or endangered species, wetlands, flood hazard areas, and shoreline protection areas, and are intended to remain largely undeveloped for the benefit of future generations. Consistent with Act 171 requirements.</p>
Key Criteria description	
Housing Density	Very low
Employment	Resource-based employers and scattered sites
Land Uses	Predominantly farms, forests, and very low density residential

We should keep in mind that RPCs may call out special land use areas beyond this list and include some statutory language providing the ability and parameters.

ⁱ American Planners Association (2022). Equity in Zoning Policy Guide. [Equity in Zoning Policy Guide \(planning-org-uploaded-media.s3.amazonaws.com\)](#)

ⁱⁱ American Planners Association (2022). Equity in Zoning Policy Guide. [Equity in Zoning Policy Guide \(planning-org-uploaded-media.s3.amazonaws.com\)](#)

ⁱⁱⁱ American Planners Association (2022). Equity in Zoning Policy Guide. [Equity in Zoning Policy Guide \(planning-org-uploaded-media.s3.amazonaws.com\)](#)

^{iv} American Planners Association (2022). Equity in Zoning Policy Guide. [Equity in Zoning Policy Guide \(planning-org-uploaded-media.s3.amazonaws.com\)](#)

^v American Planners Association (2022). Equity in Zoning Policy Guide. [Equity in Zoning Policy Guide \(planning-org-uploaded-media.s3.amazonaws.com\)](#)

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^{vi} Gonzales, R. (2019). The Spectrum of Community Engagement to Ownership. Facilitating Power.

<https://movementstrategy.org/resources/the-spectrum-of-community-engagement-to-ownership/>

^{vii} Gonzales, R. (2019). The Spectrum of Community Engagement to Ownership. Facilitating Power.

<https://movementstrategy.org/resources/the-spectrum-of-community-engagement-to-ownership/>

^{viii} US DOT (2022). Promising Practices for Meaningful Public Involvement in Transportation Decision Making.

[PROMISING PRACTICES FOR MEANINGFUL PUBLIC INVOLVEMENT IN TRANSPORTATION DECISION-MAKING](#)

^{ix} [Phase 1: Organizing and Engaging Partners - NACCHO. \(n.d.\). Retrieved February 26, 2021, from](#)

<https://www.naccho.org/programs/public-health-infrastructure/performance-improvement/community-health-assessment/mapp/phase-1-organize-for-success-partnership-development>

^x [Phase 1: Organizing and Engaging Partners - NACCHO. \(n.d.\). Retrieved February 26, 2021, from](#)

<https://www.naccho.org/programs/public-health-infrastructure/performance-improvement/community-health-assessment/mapp/phase-1-organize-for-success-partnership-development>