

# Act 250 Modernization:



# Collaborating to Create Livable Communities



## Moderator:

- Kati Gallagher, *Sustainable Communities Program Director, Vermont Natural Resources Council*

## Panel:

- Sabina Haskell, *Chair, Vermont Natural Resources Board*
- Jenny Ronis, *Associate General Counsel, Vermont Natural Resources Board*
- Megan Sullivan, *Vice President of Government Affairs, VT Chamber of Commerce*
- Kathy Beyer, *Senior Vice President for Real Estate Development, Evernorth*
- Catherine Dimitruk, *Executive Director, NRPC*



# Land Use Planning in Vermont

**ACT 181**



## REGIONAL PLANNING

*Technical assistance for towns*

## MUNICIPAL PLANNING & ZONING

## ACT 250

*State land use & development law; regulates community-significant development*

## STATE DESIGNATION PROGRAM

*Non-regulatory benefits to smart growth areas*

\*Not to scale

\*State agencies support planning for energy, transportation, health services, etc.

# Wait: What is Act 250?

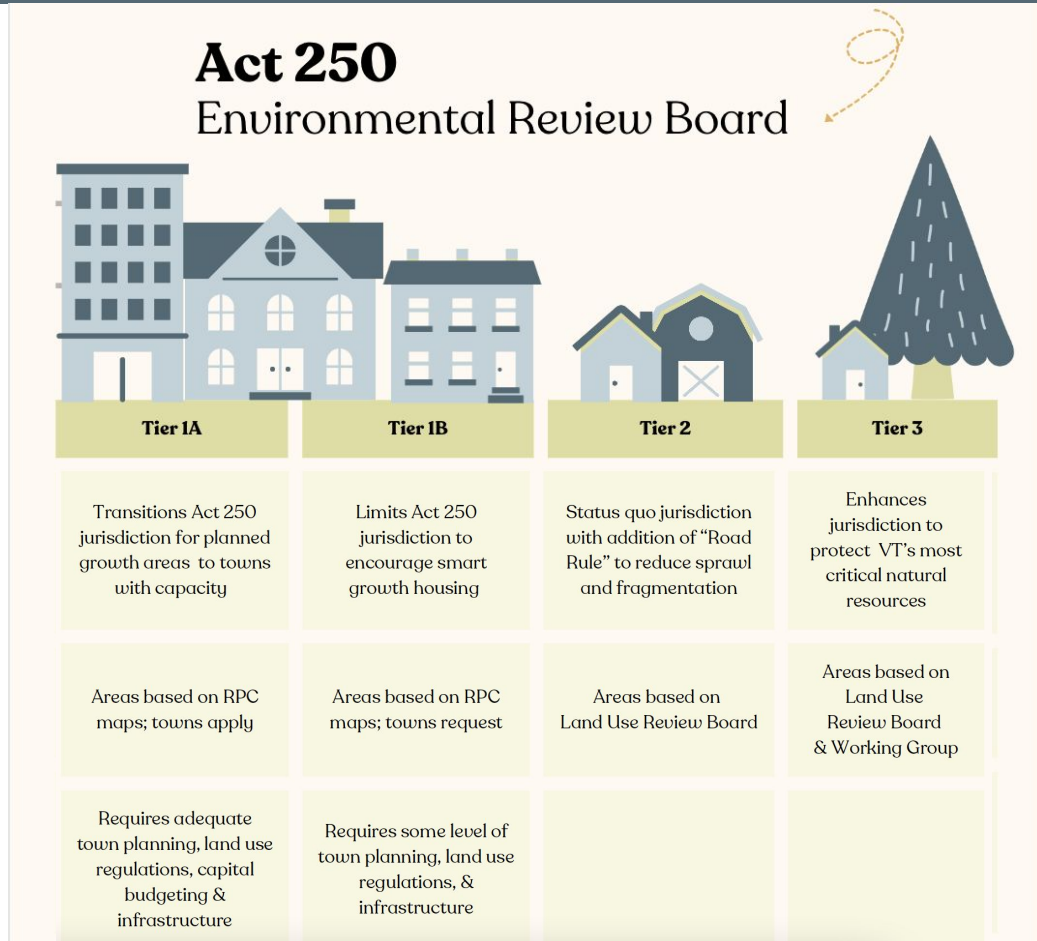


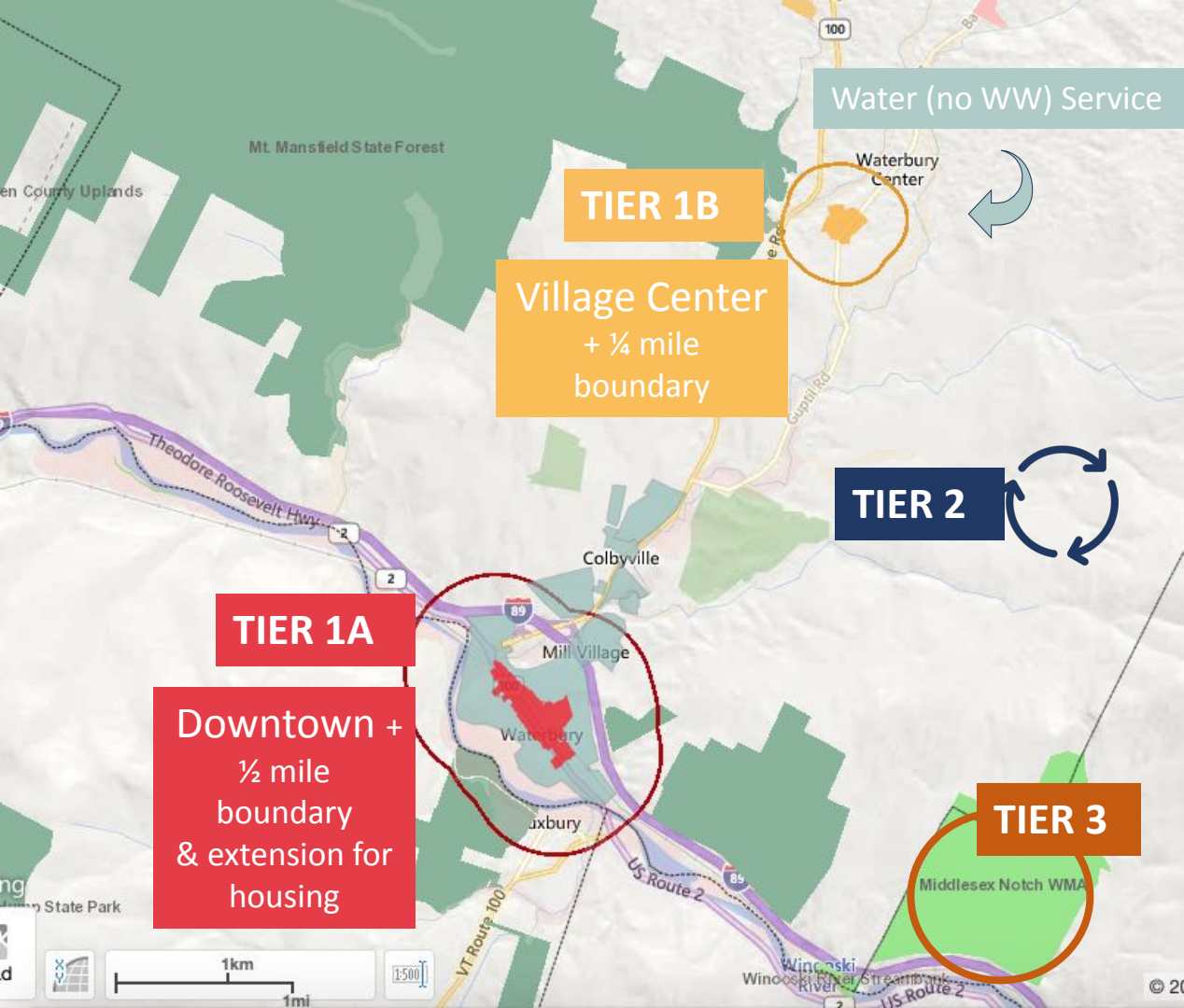
*Act 250 is an environmental review and permitting process that regulates development in Vermont by reviewing the largest development projects for their potential impacts on the surrounding area.*

*There are ten criteria used to evaluate a project, related to issues such as water, transportation, and conformance with local and regional plans.*

# Act 250 Locational Jurisdiction

- Changes based on 2023 NRB study, building on 7+ years of work
- Changes Act 250 jurisdiction from size → location
- Location-based “tiers” will be identified, helping to:
  - Streamline environmental review;
  - promote housing in well-planned areas like downtowns and village centers; and,
  - reduce harm to critical natural resource areas, farms and forests
- Interim Act 250 exemptions for community centers to promote housing

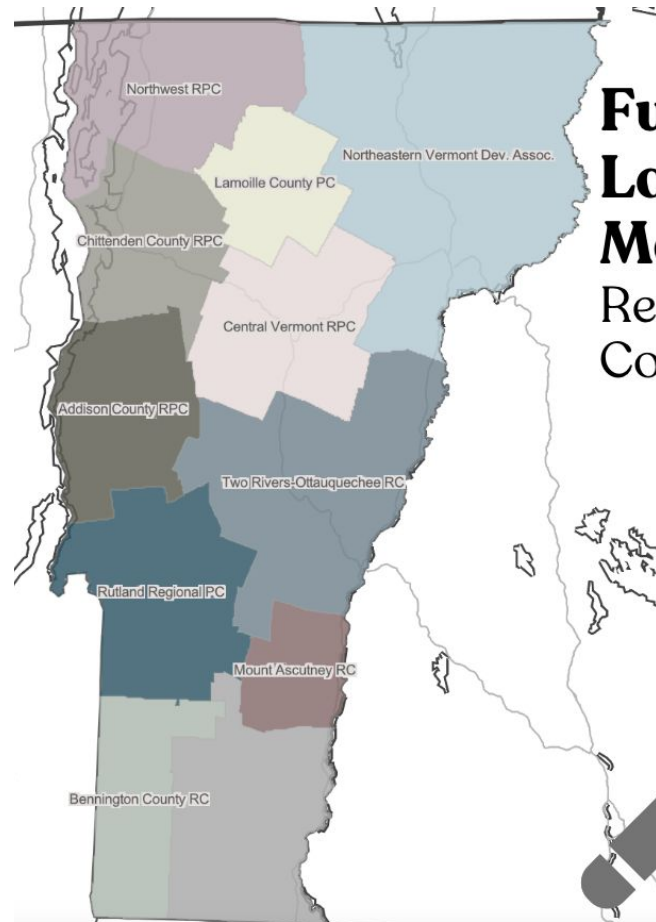




# Act 250 Tiers Example

# Regional Planning

- Based on 2023 RPC study
- Strengthens regional land use planning and mapping to guide place-based regulatory recognition and investments
- Aligns local, regional & state land use planning
- Strengthens requirements for equity and inclusion in citizen participation



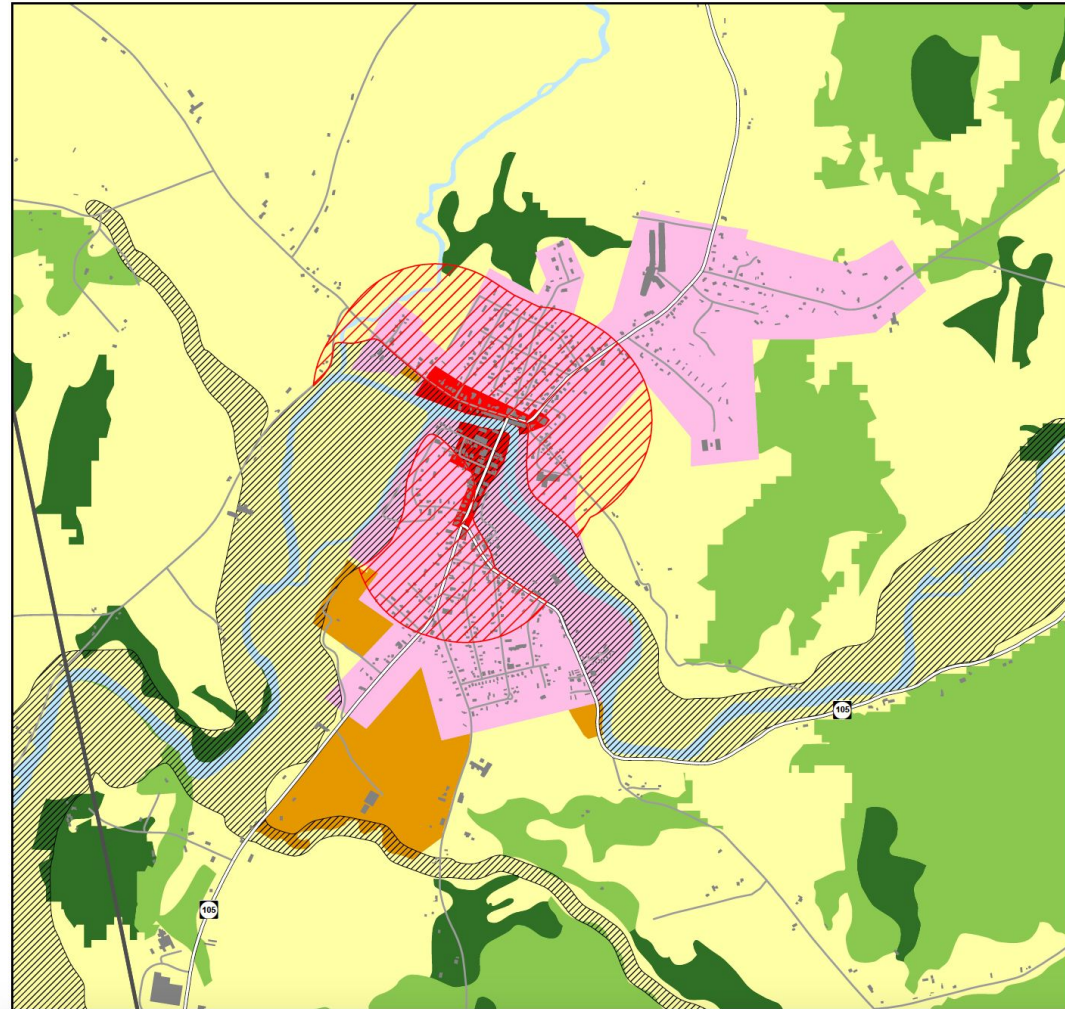
## Future Land Use Maps Regional Planning Commissions



RPCs work with towns to map planned areas for growth and conservation

# Richford - Future Land Use and River Corridors

Future Land Use  
Map Example



## Legend

### Designated Centers

- Richford Village Center
- 1/4 Mile Buffer Area

### NRPC Future Land Use

- Downtown/Village Centers
- Village Area
- Transitional
- Rural - General
- Rural - Agricultural and Forestry
- Rural - Conservation
- Surface Water

### River Corridors

- Building Footprints



Vermont Coordinate System  
Transverse Mercator, NAD 83.  
For planning purposes only.

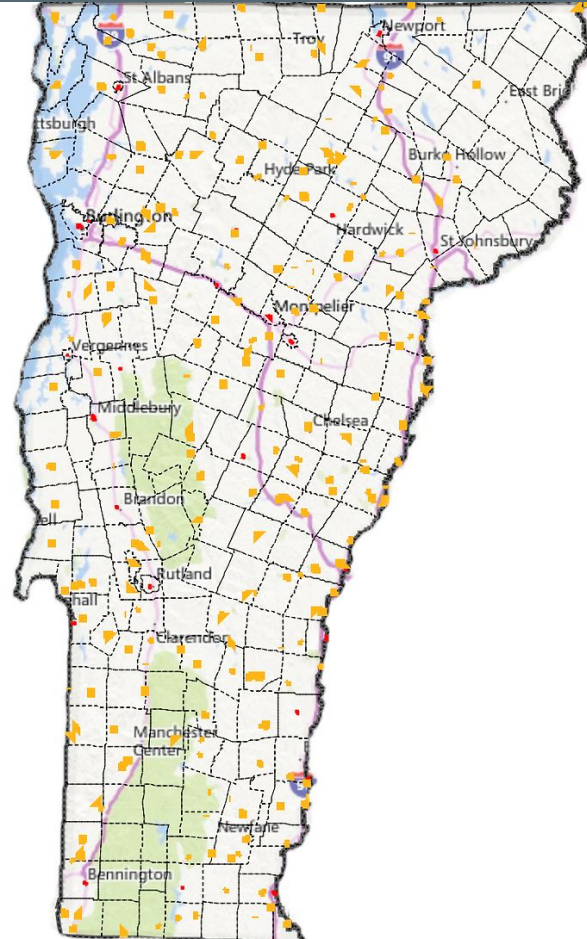
Prepared by:  
Northwest Regional Planning Commission  
75 Fairfield Street  
St. Albans, VT 05478  
802.524.5958  
www.nrpcvt.com

February 2024.  
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richfordflu.aprx

0 0.25 0.5 Miles

# State Designation Program

- Changes based on [Designation 2050 Report](#) & public engagement
- Improves compatibility with local and regional plans
- Improves accessibility for lower-capacity communities, including simplifying the designation requirements and benefits





# Act 181 Summary

**Act 181, passed into law June 2024, overhauls Vermont's planning framework for coordinating state, regional, and municipal land use.** It modernizes how Vermont maps and directs public investments to designated centers and speeds up Act 250's transition to location-based jurisdiction. It also allocates additional funding for housing and local and regional planning, and makes additional changes to Chapter 117 (*Municipal & Regional Planning and Development* policies).



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# Act 181 Implementation Timeline

## **Regional Plan Updates** - Keep an eye out!

- Will solicit the participation of each of their member municipalities, local citizens, and organizations, and will hold two or more public hearings within the region;
- Your RPC will provide each of its member municipalities with a written description of map changes within the municipality, a municipality-wide map showing old versus new areas with labels, and information about the new Tier structure, including how to obtain Tier 1A or 1B status, and the process for updating designated area boundaries.
- The Land Use Review Board will hold a public hearing within 60 days after receiving a regional plan. Your RPC shall notify its municipalities and post on its website the public hearing notice.

## **Tier 1A Status**

- Beginning on January 1, 2026, your town, by resolution of its legislative body, may apply to the Land Use Review Board for Tier 1A status.
- Your town may apply for multiple noncontiguous areas to receive Tier 1A area status.
- On or before January 1, 2026, the Land Use Review Board will publish guidelines to direct municipalities seeking to obtain the Tier 1A area status.
- The Board will issue a determination within 45 days after the application is received.

## **Tier 1B Status**

- The methodology will be issued for municipalities to review on or before December 31, 2024.
- A municipality may have multiple noncontiguous areas receive Tier 1B area status.
- The municipality must request to have the area mapped for Tier 1B by their RPC.