

MEMORANDUM

To: Richmond Selectboard
Copy: Keith Osborne, Director of Planning and Zoning, Virginia Clarke, Planning Commission Chair
From: Maya Balassa, CCRPC Planner, Kate McCarthy, CCRPC Senior Planner and Project Manager
Date: June 9, 2025
Re: Act 181 – Regional Future Land Use Map, Housing Targets, and Act 250 Tier 1B

There are three connected topics contained within this agenda item. Each is addressed below. Chittenden County Regional Planning Commission (CCRPC) staff will be present to answer questions.

Background

Acts 47 and 181 laid out several new requirements for regional planning commissions that connect to local planning. One change is that the State has set a new, common format for Future Land Use Maps, which now tie to optional Act 250 exemptions and State investments through the Community Investment Board (former Downtown Board). Act 47 also assigned housing targets to each regional planning commission and tasked RPCs with allocating these to the municipal level.

CCRPC staff attended a Richmond Planning Commission meeting in February to present the first draft of the Future Land Use Map using the eleven statewide categories and shared a draft outreach plan for Richmond. Since that meeting, staff have held input events throughout the region and are refining the map based on community input.

Regional Future Land Use Map

Once finalized, the map will be submitted to the State's new Land Use Review Board for review and eventual approval.

The Map is relevant to local planning in a few ways:

- As before, municipal plans will need to be consistent with the Regional Plan.
- Downtown Centers and Village Centers are eligible for the "centers" incentive programs that are replacing the "village, new town center, and designated downtown" programs.
- Planned Growth Areas and Village Areas are eligible for the new "neighborhood" incentive programs that are replacing the "neighborhood development area" programs.
- Downtown Centers and Village Centers, Planned Growth Areas, and Village Areas are eligible for Act 250 Tier 1B status; the town chooses whether to "opt in."
- Downtown Centers, Village Centers and Planned Growth Areas are eligible for Act 250 Tier 1A status.

The draft map has not changed significantly since it was presented to the Planning Commission in February. However, based on input received to date and an updated methodology from the Vermont

Association of Planning and Development Agencies, CCRPC plans to modify the three Rural land use categories (Conservation, Agriculture & Forestry, and General) to update how the data is layered. The FLU map will now prioritize Rural Conservation over Rural Ag & Forestry on parcels that are both conserved and in current use. The map released in March relied more heavily on Current Use data to inform the Rural Ag and Forestry category and prioritized it over Rural Conservation. The updated map will be released in a few weeks.

Note that the Regional Future Use Map does not have the same level of specificity as the Town's Zoning map in its categories (except as required by law, such as for river corridors). Village Areas, for example, may include locally-identified and regulated parks and habitat blocks, or may include both residential and commercial zoning districts of different kinds; they may also be more limited than corresponding areas in municipal zoning due to statutory guidance about walkability or infill development opportunity.

Selectboard action:

No action required. Selectboard members are invited to provide any additional feedback on the draft map if there is any.

Act 250 Tier 1B Opt-In

Under Act 181, the Regional Planning Commission identified areas eligible for Tier 1B status in the regional Future Land Use Map. The local legislative body decides whether to opt-in for Tier 1B status before the RPC submits a request for map approval to the Land Use Review Board. CCRPC has requested that local legislative bodies submit their decision on whether to "opt in" by June 30, 2025.

Context

Tier 1B status extends the present Interim Act 250 Exemptions in Act 181 and aligns their geographic boundaries to the Regional Future Land Use Map.

[Interim Exemptions](#) have been in place for the past year and capture areas within and ¼ mile around the designated Village Center. In addition, there is an exemption for up to 50 units of housing within ¼ mile of fixed transit routes in census-designated urbanized areas. Without Tier 1B status, upon expiration of the Interim Exemptions, all areas would revert to prior Act 250 thresholds (in which jurisdiction would apply to projects with 10 or more homes, including any other projects from the same developer within 5 miles within 5 years prior).

If a municipality obtains Tier 1B status for an area, new development projects in those areas consisting of 50 or fewer dwelling units on 10 acres or less are exempt from Act 250. Importantly, Tier 1B status does not override local zoning. All development would still be subject to local zoning reviews as well as any applicable state regulations and permits. Existing Act 250 permit conditions would still apply and be enforced, but new permits and conditions would not be added.

In Richmond, the mapped Village Center and Planned Growth Area are eligible for Tier 1B.

Selectboard Action:

CCRPC requests that the Selectboard consider the following options and decide whether or not to opt-in to Tier 1B status for the eligible areas:

1. **Proceed with Tier 1B Request:** The Selectboard may move forward with requesting Tier 1B status for all eligible areas or any subarea within the mapped eligible areas.

If the Selectboard decides to move forward with a Tier 1B request, a sample resolution is attached.

2. **Decline Tier 1B at this time:** The Selectboard may choose not to request Tier 1B status at this time. No motion is required, or the board may choose to formally decline the request. A Tier 1B request can be made at a later date if desired.

Proposed motion: "I move to request that the Chittenden County Regional Planning Commission not apply for Tier 1B status on the Regional Future Land Use Map for any eligible areas in Richmond."

Act 47 & 181 Housing Targets

As established under Act 47, this winter the VT Department of Housing and Community Development released a statewide Housing Needs Assessment and Housing Targets for each region for 2030 and 2050. Under the Act, Regional Planning Commissions must allocate these to the municipal level, and municipalities must incorporate the target into municipal plans. Enclosed with your packet are materials prepared by the CCRPC, including the targets.

Staff have been closely involved in the preparation for the draft allocation between the CCRPC's 19 municipalities. We have been focused on the 2050 "Middle" target and encourage Selectboard members to do so as well. They represent a meaningful planning target for the region and municipalities.

Methodology

As the materials describe, separate methodologies were established for the region's four cities, the mixed urban/rural towns, and the rural towns, as a reflection of their different infrastructure capacities and land use patterns. The methodology allocates housing in a way that builds our resilience as a region and within each community - environmental, fiscal, economic, and social. It also lays out a roadmap for thoughtful infrastructure investment over the next 25 years. Importantly, the targets do not assume that every city or town has the capacity for the entire target today. It's a 25-year plan that lays out a thoughtful, strategic approach to investment.

Mixed Urban and Rural Communities

The region's eight municipalities classified as "Mixed Urban and Rural" by CCRPC are collectively allocated 36.2% of the regional housing target. The specific target for each community was developed

according to its share of the regional future land use map's planning areas and the availability of public water and sewer infrastructure within those areas.

The state planning goals in 24 V.S.A. § 4302 and specifically subsection (c)(1)(A) require that communities plan for compact development surrounded by open countryside, directing a substantial majority of their target for housing growth to be accommodated within Downtown Centers, Village Centers, Planned Growth Areas, and Village Areas. In addition, it follows the goal of the ECOS Plan to direct 90% of growth to areas planned for growth. Compact development supports viable transit, access to services, thoughtful investment in infrastructure, and conservation of natural resources and working lands. These targets and goals for housing development are complementary to the Town's own land use goals, map, and plan.

The municipal plan must include actions to reach the targets. Taking advantage of the benefits of the Community Investment Program and requesting Tier 1B exemption are two examples of actions that would advance this goal and potentially others in the municipal plan.

Selectboard Action

No action required. Selectboard members are invited to ask questions of CCRPC staff on the methodology and next steps.