

NVDA Act 181 Training

What we'll cover

1. What is Act 181

- New regional plan requirements
- Additional changes under Act 181

2. Tiers for Act 250 Jurisdiction

3. Consistent Future Land Use Categories

4. Housing Targets

5. Town and Community Engagements

What we'll cover in future trainings

1. Changes to Downtown/Village Center Designation Program
2. Understanding subdivision regulations
3. Housing Targets

What is Act 181?

- Makes major changes to Vermont's land use planning and regulatory framework
 - Regional Future Land Use Maps
 - State Designation Programs
 - Act 250 Jurisdiction
- Strengthens place-based regulatory recognition and investments guided by regional planning and municipal action
- Technical changes to local zoning pre-emptions made by HOME Act of 2023

New Regional Plan Requirements

- **Local and Regional Planning Goals (24 V.S.A. 4302)**
 - Accommodate a substantial majority of housing needed to reach housing targets
 - To equitably distribute environmental benefits and burdens
- **Regional Plan Elements (24 V.S.A. 4382)**
 - Future Land Use Element
 - 10 consistent land use categories

How Vermont will change under Act 181

- Housing Exemptions
- Land Use Review Board (LURB) to replace Natural Resource Board (NRB)
- Community Investment Board (CIB) to replace Downtown Board
- “Tiers” or location-based jurisdiction:
 - Encourages well-planned development in community “centers”
 - Keeps forests and farms working
 - Protects natural resources

Land Use Review Board

- 5-person, full-time professional board will oversee and implement changes in Act 181
 - Reviews and approves Tier 1A, Tier 1B applications
 - Reviews and approves regional maps and regional plans
- LURB will write new rules, policies, guidance for Tiers 2 and 3, and road rule, with public input from stakeholders, interagency partners
- Implement new criterion 8C designed at preventing forest fragmentation and protecting critical habitat corridors

The Tiers

Three Tiers for Act 250 Jurisdiction

Derived from regional plan future land use categories, except Tier 3

Tier 1

Tier 1A

*Full Act 250
Exemption*

- Municipal application
- LURB review
- Guidelines by January 1, 2026
- Specific requirements

Tier 1B

*50 units or fewer of
housing Exempt*

- Methodology by December 31, 2024
- Municipal requested
- RPC mapped
- LURB review
- Specific requirements

Tier 2

*Act 250 Status
Quo*

- All areas not 1A, 1B, or Tier 3
- Road rule July 1, 2026

Tier 3

*Expanded
jurisdiction to be
established by
Board rules
February 1,
2026*

- Not based on regional maps
- Road rule July 1, 2026

Future Land Use Map will determine eligibility for Tier 1A and 1B status

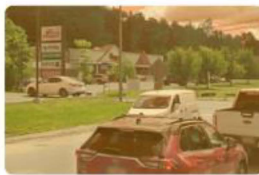
- Future land use map has always been a requirement of regional and local plans, but now...
 - Regional future land use map will use a set of consistent land use categories across all regional planning commissions
 - Local plans adopted after 12/2026 will need to be consistent with regional plans
- Act 250 exemptions will be permanent, but municipality has to “opt-in”
- Future land use maps will not be a determinant of Tier 3 jurisdictions.

Consistent Future Land Use Areas Relation to Act 250 Tiers

- **Tier 1A**—Optional Municipal Action
 - Municipal application, LURB Reviewed
 - **Full Act 250 Exemption**
 - Requirements:
 - Boundaries consistent with **downtown or village centers and planned growth areas** on Regional FLU map
 - Infrastructure
 - “Good” zoning (4 stories, smart growth, housing projects, address significant natural areas)
 - Adequate municipal capacity (staffing, capital planning)
- **Tier 1B**—**Downtowns, Village Centers, Village Areas, and Planned Growth areas** on the Regional Future Land Use Map
 - Municipal requested, RPC mapped, LURB review/approval
 - **Limited Act 250 Exemption**
 - 50 units or fewer of housing

Consistent Future Land Use Areas Relation to Act 250 Tiers

- **Tier 2** – Act 250 Status Quo- Regional Plan Policies Apply
 - RPC mapped, LURB review/approval
 - Downtown or Village Centers and Planned Growth areas on the Regional Future Land Use Map, or municipalities not requesting Tier 1B or Tier 1A
 - Transition or Infill Areas
 - Resource-based Recreation Areas
 - Enterprise Areas
 - Hamlets
 - Rural; general
 - Rural; agriculture and forestry
 - Rural; conservation
- **Tier 3** – Defined by LURB Rule
 - Included on Regional Land Use Maps in future editions
 - Not based on Regional Plan maps; not the Rural- Conservation boundary



REGIONAL PLAN FUTURE LAND USE CATEGORIES

**Downtown
Center**

**Village
Center**

**Planned
Growth
Area**

**Village
Area**

Transition

Enterprise

**Resource-
Based
Recreation**

Rural
Hamlet
General
Ag / Forest
Consv.

STATE DESIGNATION / COMMUNITY INVESTMENT

Center

Neighborhood

ACT 250

Tier 2: Status Quo

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

Tier 1b: Partial Exemption

Tier 3 - TBD

Tier 3 subject to rulemaking; not derived from regional maps.

This table represents land use, designation, and Act 250 jurisdiction categories, not land area acreage or percentage of land area.

Consistent Future Land Use Areas Act 181

- ✓ **Downtown/Village Centers**
- ✓ **Planned Growth Areas**
- ✓ **Village Areas**
- ✓ **Transition/Infill Area (optional)**
- ✓ **Resource-Based Recreation Areas**
- ✓ **Enterprise**
- ✓ **Hamlet**
- ✓ **Rural – General**
- ✓ **Rural - Agricultural and Forestry**
- ✓ **Rural - Conservation**

The following maps are drafts meant for planning purposes only. We will be working with all of our towns to develop a final version of these maps before they are presented for review to the LURB.

Downtown or Village Centers

- Vibrant, mixed-use centers bringing together community economic activity and civic assets.
- Includes all existing designated village centers and downtowns, as well as villages and larger downtowns seeking benefits under the State Designation Program.
- The Downtown/Village Centers are the central business and civic centers within Planned Growth Areas, Village Areas, or may stand alone.
- Provide opportunities for Downtown & Village Centers to grow in a flood resilient way.
- **No requirement for zoning, subdivision or infrastructure (unless your town is pursuing Tier 1A or 1B status).**

Proposed Village Center: Concord Village

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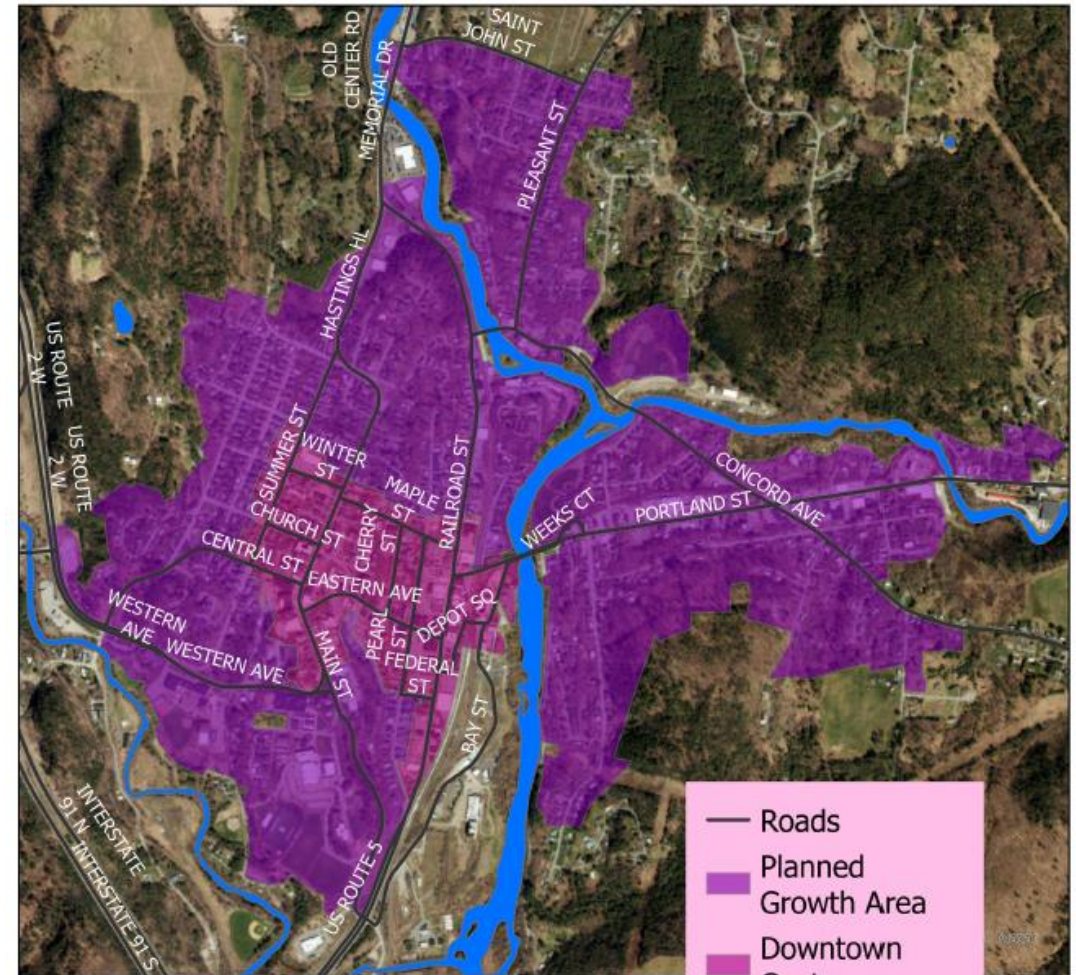
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Warning this Data is for planning purposes only and does not replace a survey or engineering study.

Planned Growth Areas

- Densest existing settlement and future growth areas with the highest concentrations of population, housing, and employment in each region and town, as appropriate.
- Include a mix of commercial, residential, and civic or cultural sites with active streetscapes.
- Historic town centers, downtowns, and village centers are within Planned Growth Areas.
- Provide opportunities for communities to grow in a flood resilient way.
- **Requirements: zoning, subdivision, public water and/or wastewater, and multi-modal transportation systems.**



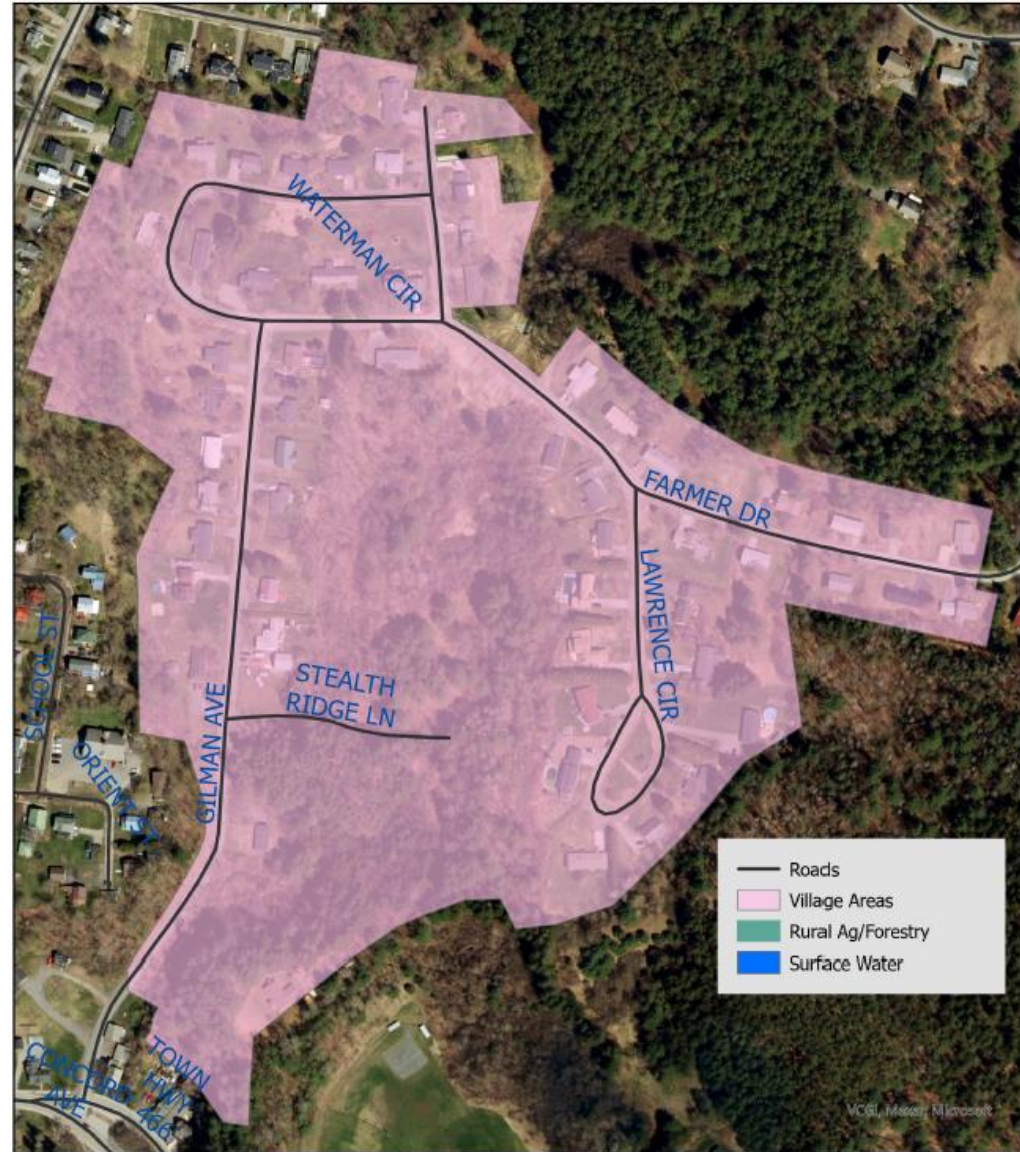
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Proposed FLU Map for St. J Urban Compact

Village Areas

- 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.
- Provide some opportunity for infill development and/or new development areas where the village can grow in a flood resilient way.
- Include existing village center designations and similar areas statewide, but this area is larger than the Village Center designation.
- **Requirements: zoning, subdivision, and public water, or sewer, or suitable soils.**



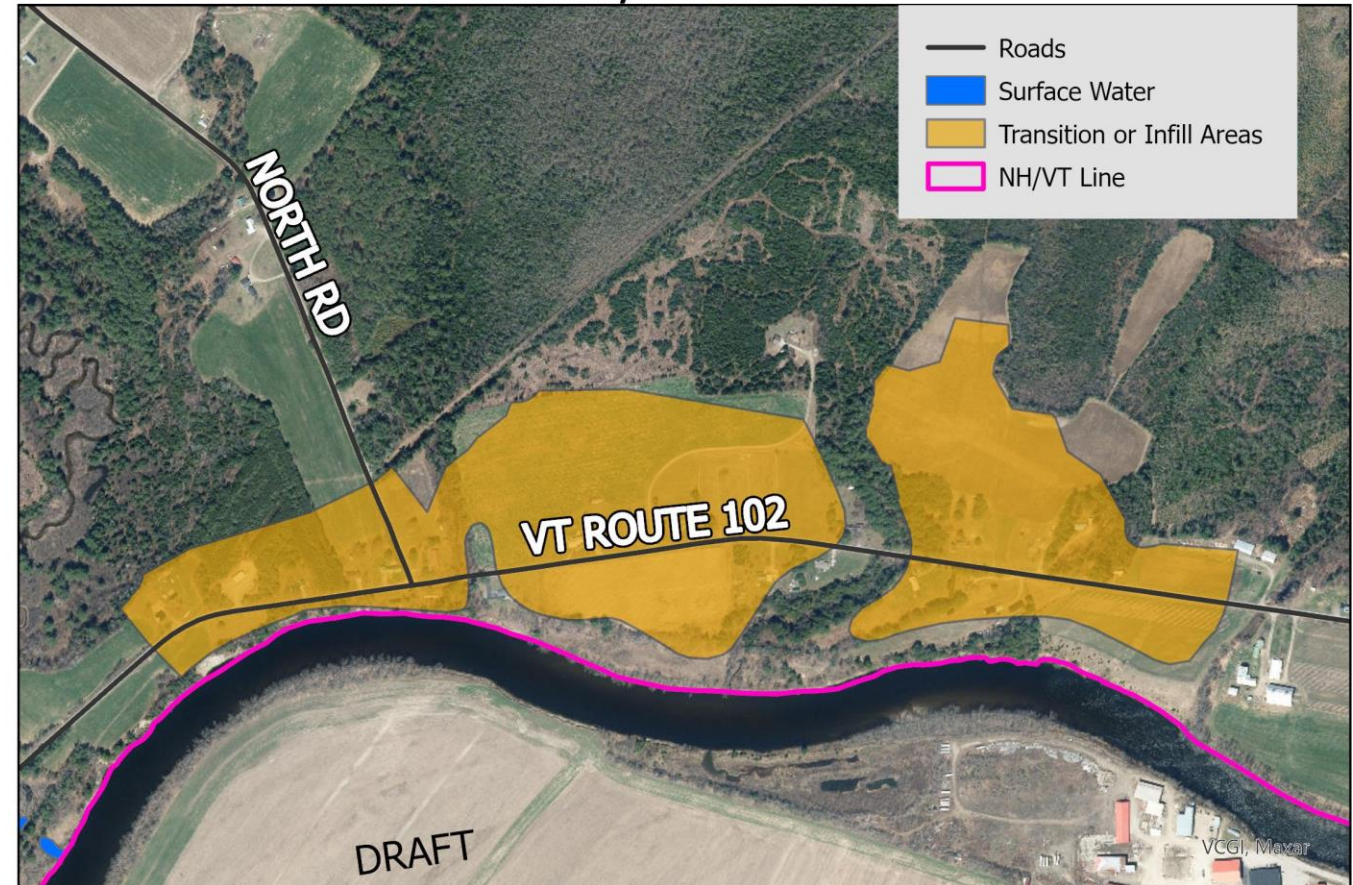
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Transition/Infill Area

- 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 stand-alone Transition Area.
- Intent to transform into higher-density, mixed use settlements, or residential neighborhoods through infill and redevelopment or new development.
- Could also include adjacent greenfields safer from flooding and planned for future growth.
- **Requirements: served by, or planned for, water and/or wastewater and new commercial linear strip development not allowed.**

Proposed Transition/Infill; Area: Rte 102 & North Rd, Guildhall

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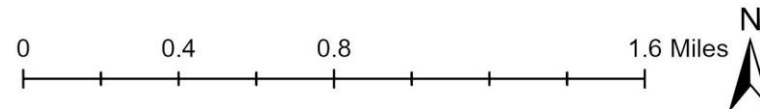
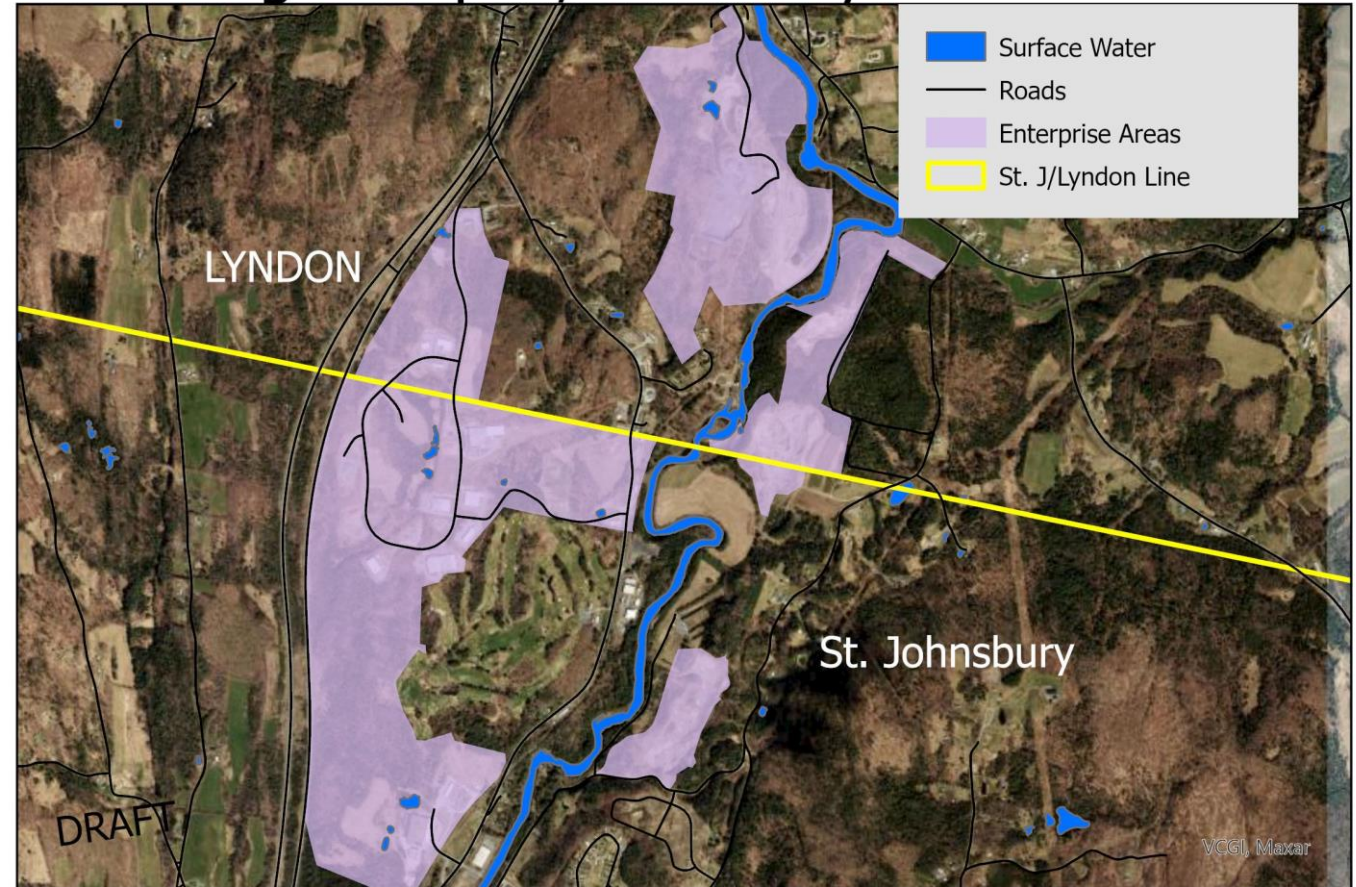


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Enterprise

- Locations of high economic activity and employment which are not adjacent to Planned Growth Areas, such as industrial parks or resource extraction.

Proposed Enterprise Areas: Industrial Park & gravel pits, St. J & Lyndon ^{DRAFT}

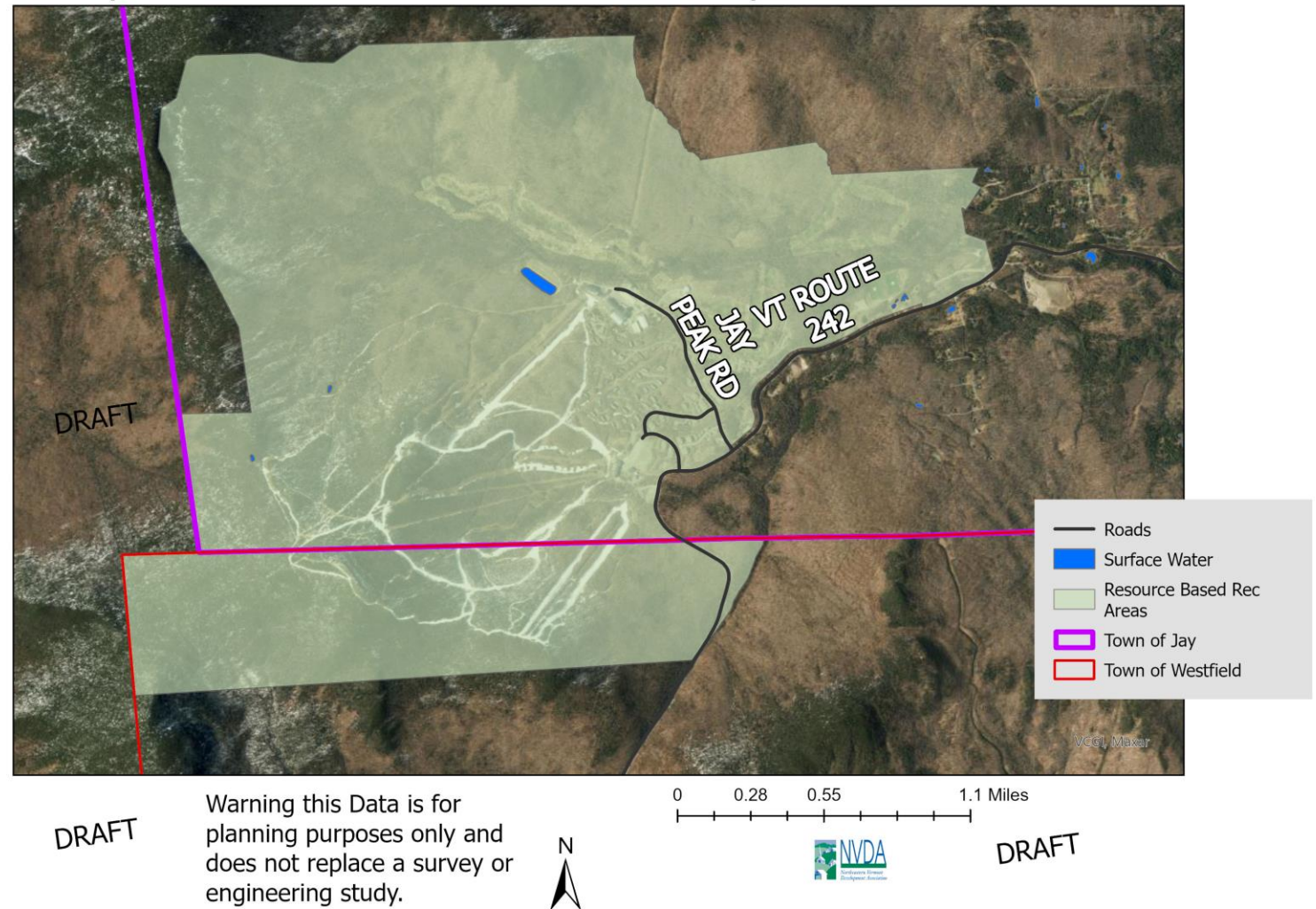


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Resource-Based Recreation Areas

- 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.

Proposed Resource Based Rec Area: Jay Peak Resort DRAFT

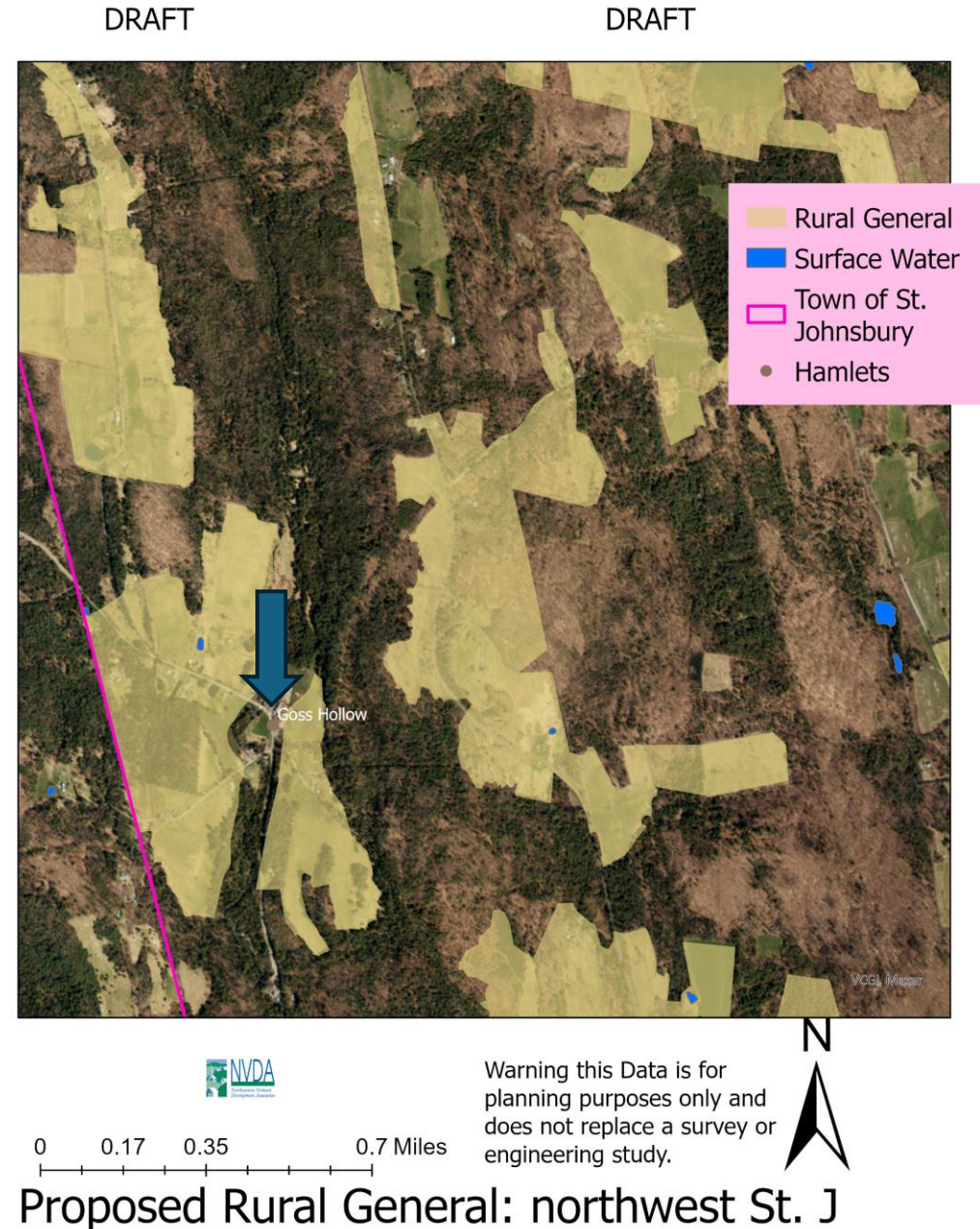


Rural – General

- Areas that promote the preservation of Vermont's traditional working landscape and natural area features. Low-density residential and sometimes limited commercial development that is compatible with productive lands and natural areas.

Hamlet

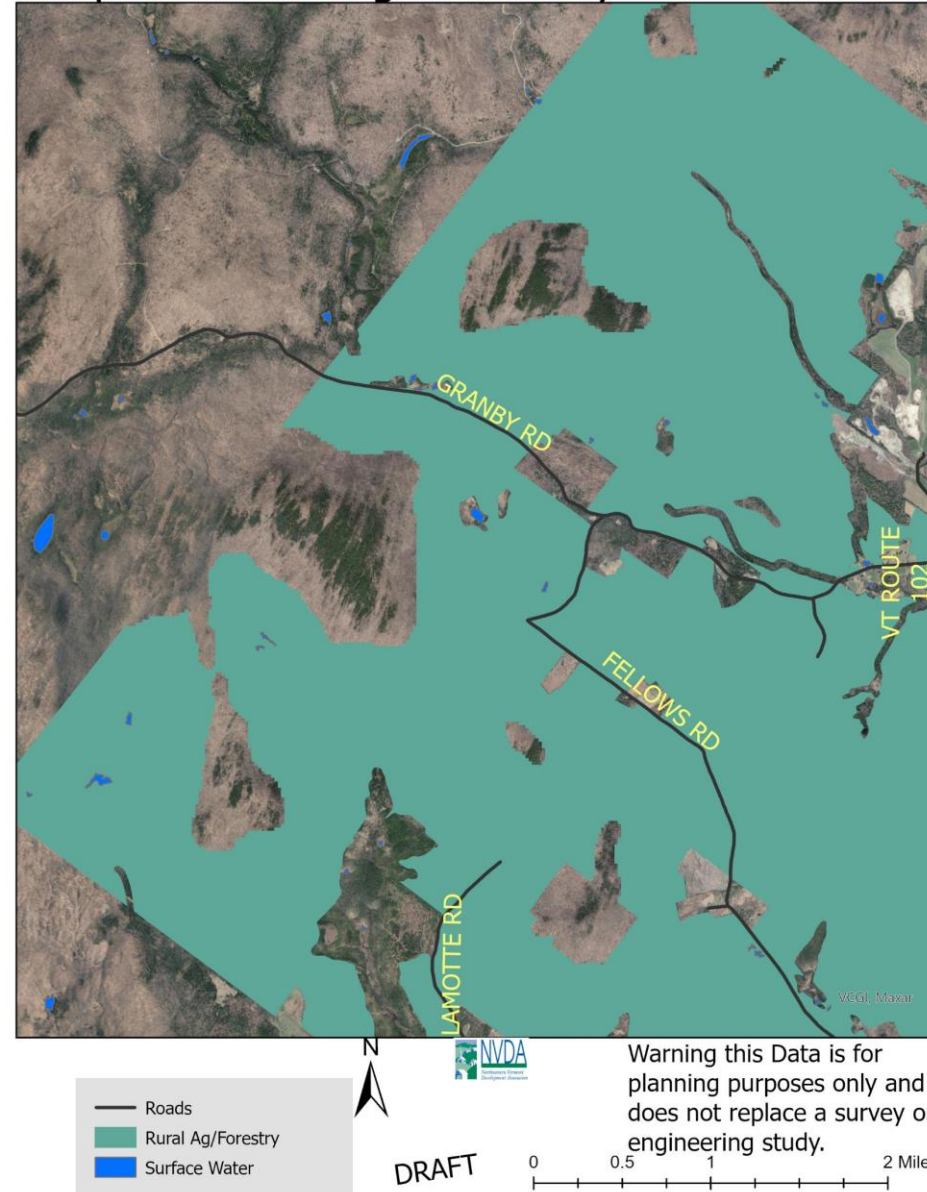
- Small historic clusters of homes and perhaps a school, church, store, or other public buildings not planned for significant growth; no public water supply or wastewater systems. These may be depicted as points on the FLU map.



Rural - Agricultural and Forestry

- Blocks of forest or farmland that sustain resource industries, provide critical wildlife habitat and movement, outdoor recreation, flood storage, aquifer recharge, and scenic beauty; contribute to economy and quality of life.

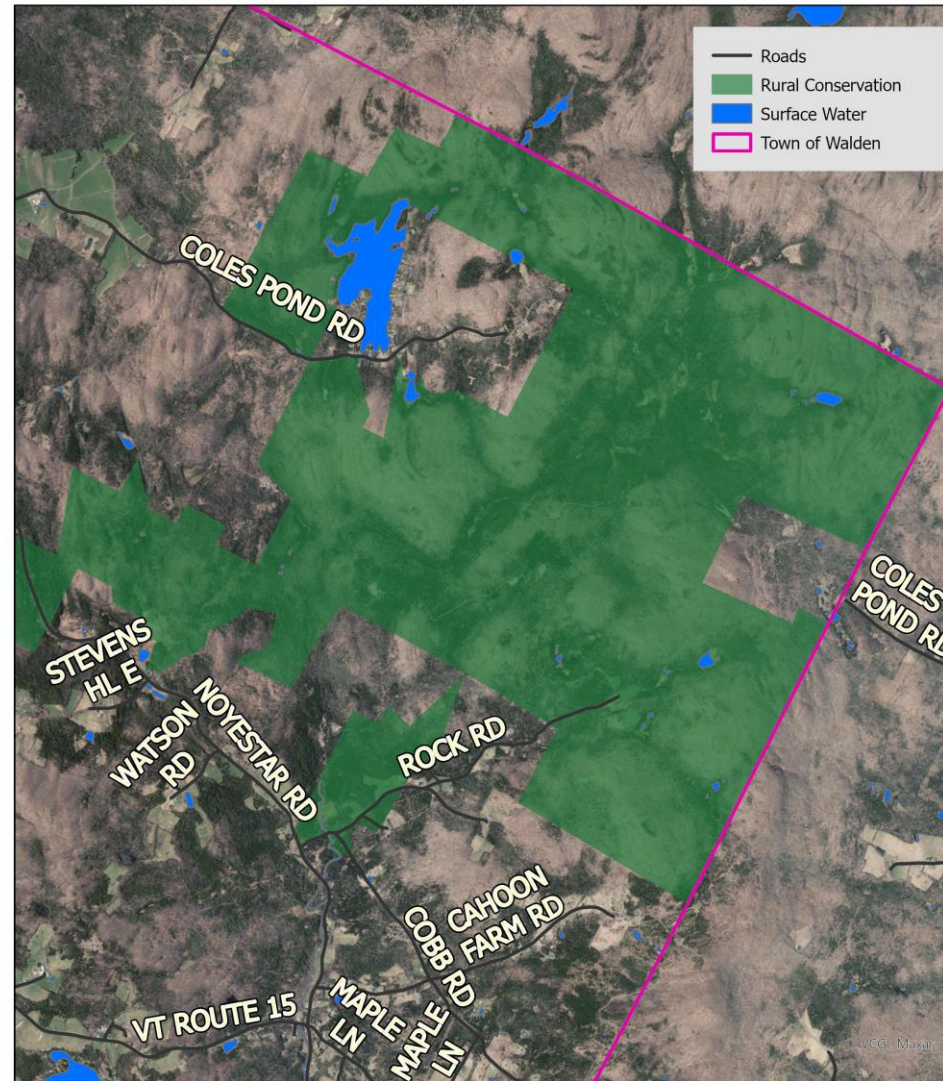
Proposed Rural Ag & Forestry: western Guildhall



Rural – Conservation

- Areas intended to be conserved often with regulations or State or non-profit purchase of property rights. These lands have significant ecological value, and require special protection due to their uniqueness, fragility, or ecological importance.
- This land use category does not necessarily indicate tier 3 status

Proposed Rural Conservation: Steam Mill Brook WMA, Walden



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Housing Targets

- DHCD publishes the *Housing Needs Assessment Report* every 5 years.
 - The [2025 Housing Needs Assessment can be found here](#)
- Each RPC has a target for the number of housing units that need to be built in their region.
 - NVDA's target for **2030** is **2,836-4,193** total additional homes
 - NVDA's target for **2050** is **9,014-17,768** total additional homes
- NVDA will develop a context sensitive methodology for allocating housing targets for each town within the region.
 - Town Plans will need to include these housing targets once completed.
- Housing targets will be discussed with towns as part of the Act 181 outreach efforts.

Town & Community Engagement

Phase 1: Planning & Coordination (Winter 2025)

- Develop initial draft of new Future Land Use map for each town
- Develop a process for assigning housing targets for each town
- Define potential environmental benefits and burdens
- Assess how proposed map changes could affect environmental justice populations
- Create educational materials

Town & Community Engagement

Phase 2: Meet with Towns about Act 181 (Spring 2025)

- Meet with Planning Commissions to introduce project, explain Act 181, and engagement schedule
- Distribute informational materials to towns and relevant regional and state agencies

Town & Community Engagement

Phase 3: Review Final Draft of FLU Map & Discuss Housing Targets (Fall 2025 – Winter 2026)

- Meet with Selectboards and Planning Commissions to review final draft of Future Land Use map and housing target numbers
- Hold meetings with interested and affected parties as needed to review final draft of Future Land Use map

Town & Community Engagement

Phase 4: Finalize Map & Prepare for Approval (Spring 2026)

- Present final map to NVDA Board and State Land Use Review Board for approval
- Goal of amending Regional Plan to meet Act 181 requirements by June 2026
- All Regional Plans must be amended to meet requirements by December 31, 2026



Questions?