



Acts 47 & 181, Future Land Use, Act 250 Tiers, Housing Targets

A new statewide planning framework

South Burlington City Council
May 5, 2025

Legislative Framework

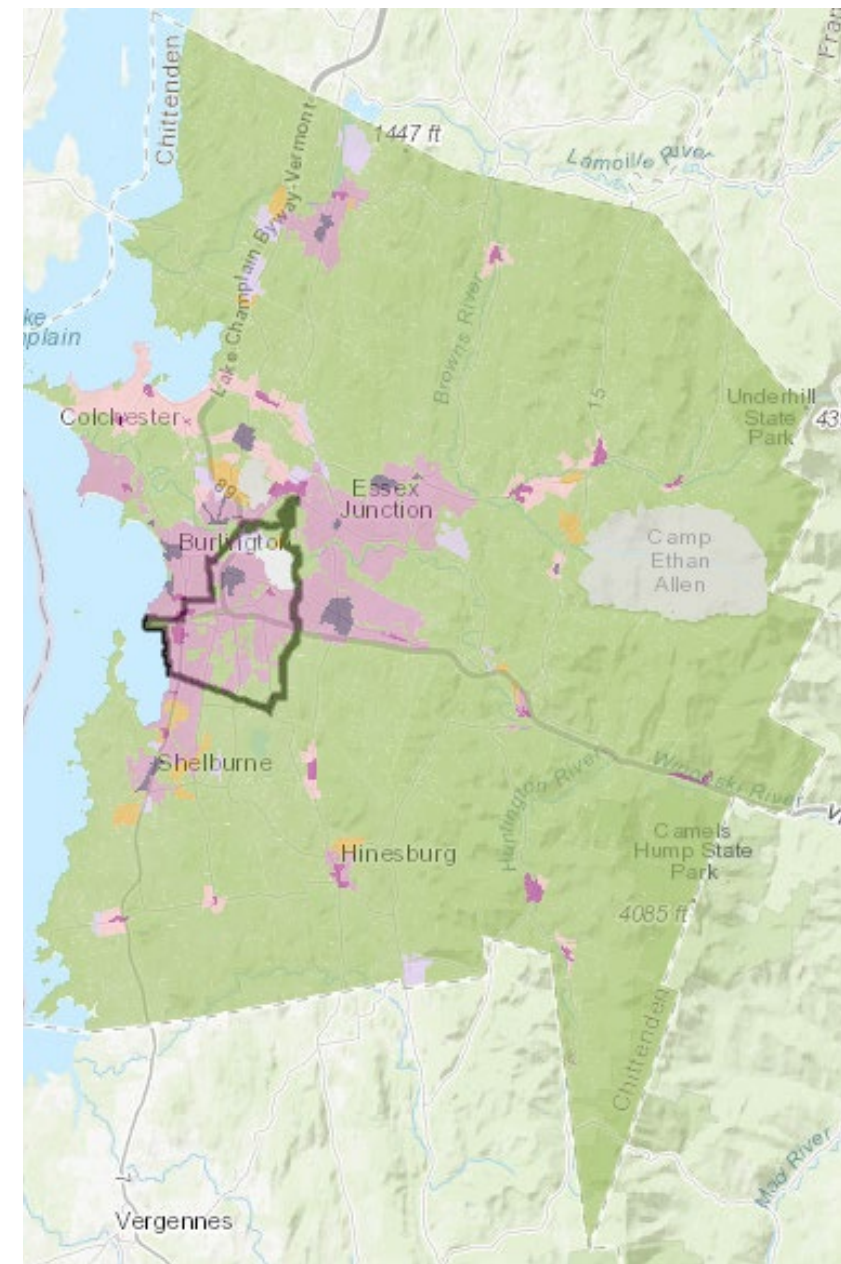
Acts 47 & 181 overhaul planning framework for state, regional, and municipal land use.

- Create Consistent **Regional Future Land Use Maps**
- Establish **Housing Target** Requirements
- Reformulate **downtown/village designation program** into Steps
- Establish **location-based Act 250 Criteria** into Tiers
- Sets **Interim Act 250 Exemptions**, expiring in 2027
- Create New State Land Use Review Board
- Requirements for Municipal Zoning – [Adopted by SB in Nov 2024]



Drafts In a Nutshell

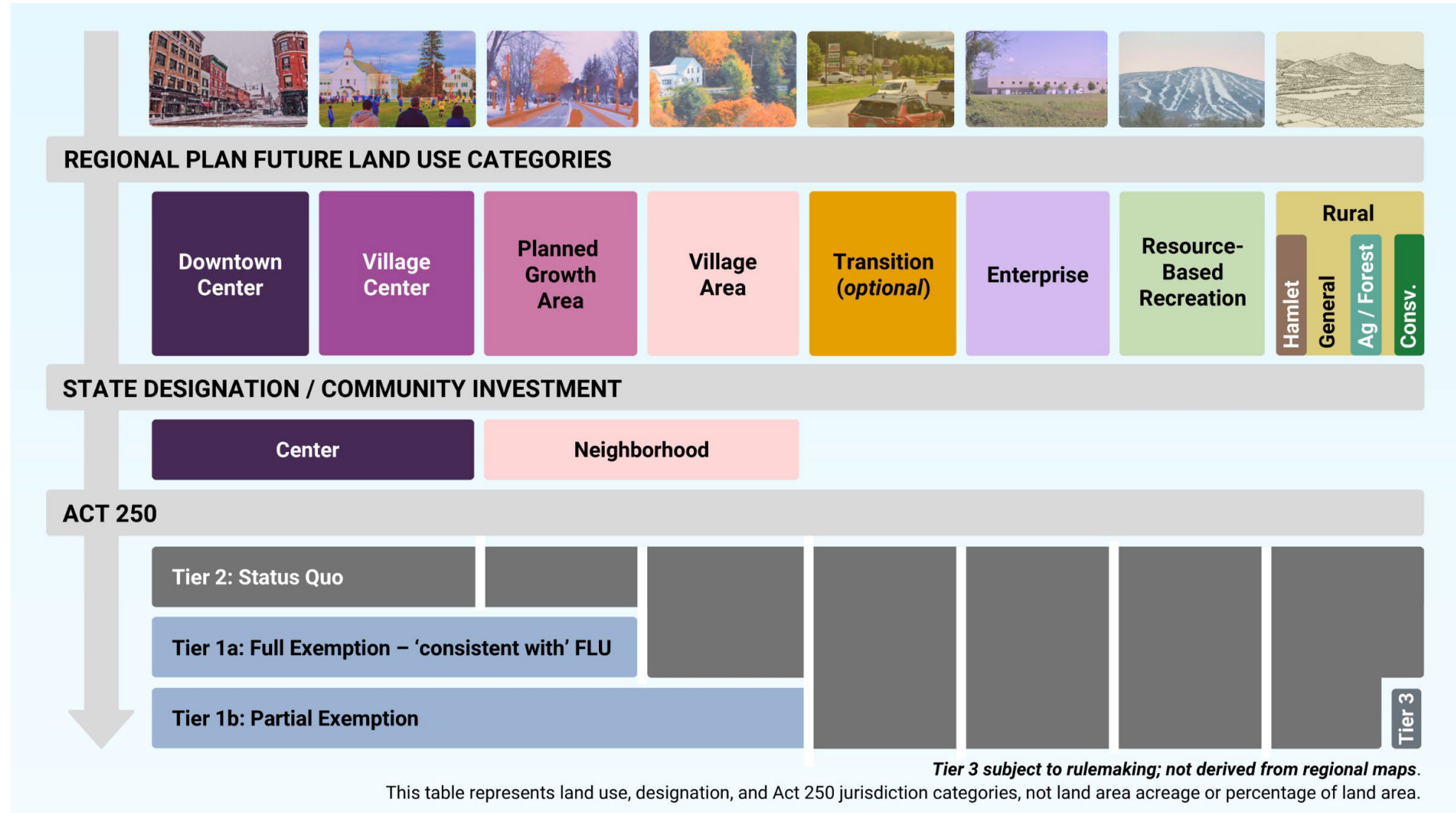
- Draft Regional Future Land Use Map aligns to our local goals, planning, and actions
- Draft Housing Targets address structural & demographic challenges facing our region and state
- Draft housing allocations provide the opportunity to build social and economic resiliency and improve quality of life in our community
- Draft Map and Housing Targets present opportunity to focus regional and statewide investment
- Enable housing & economic development in downtowns and areas planned for growth while protecting rural areas





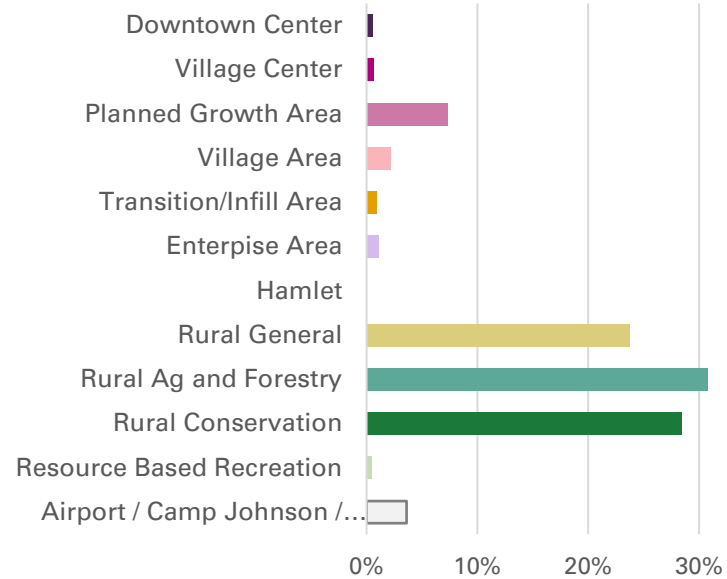
Regional Future Land Use Map

Future Land Use Map Categories

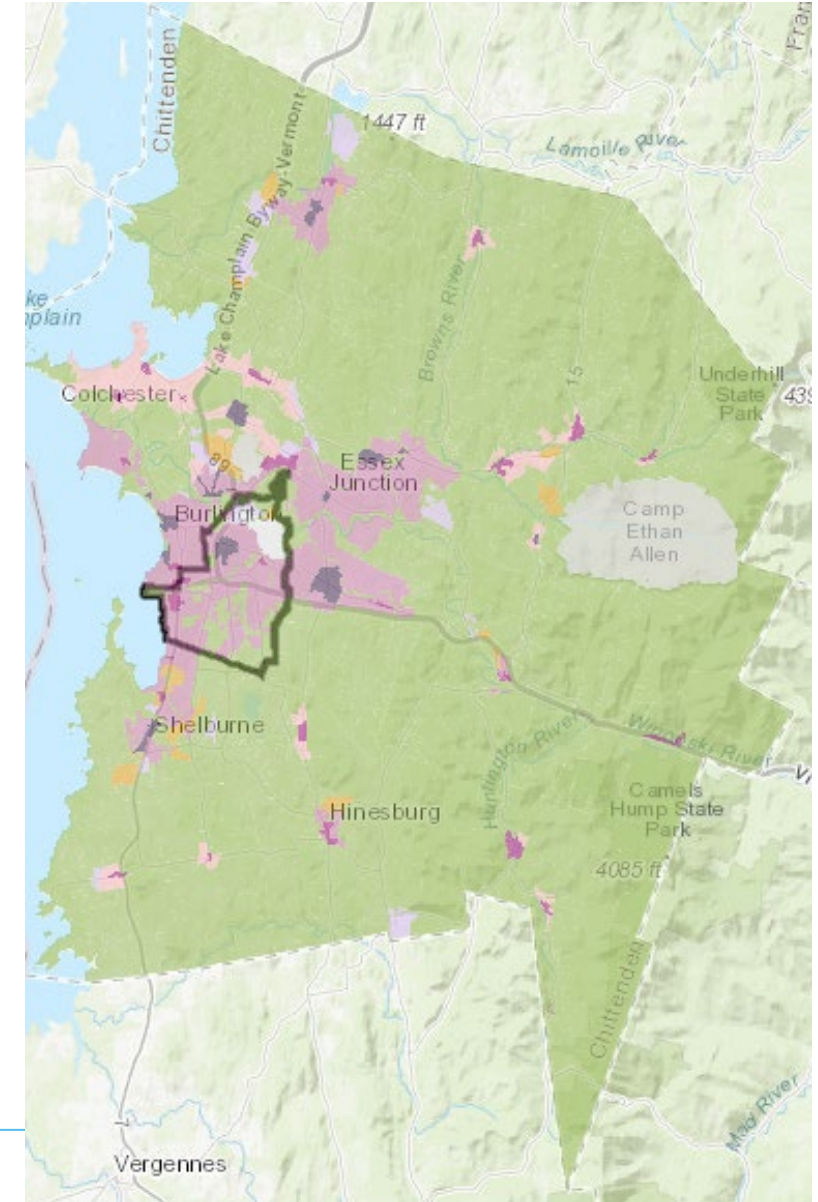
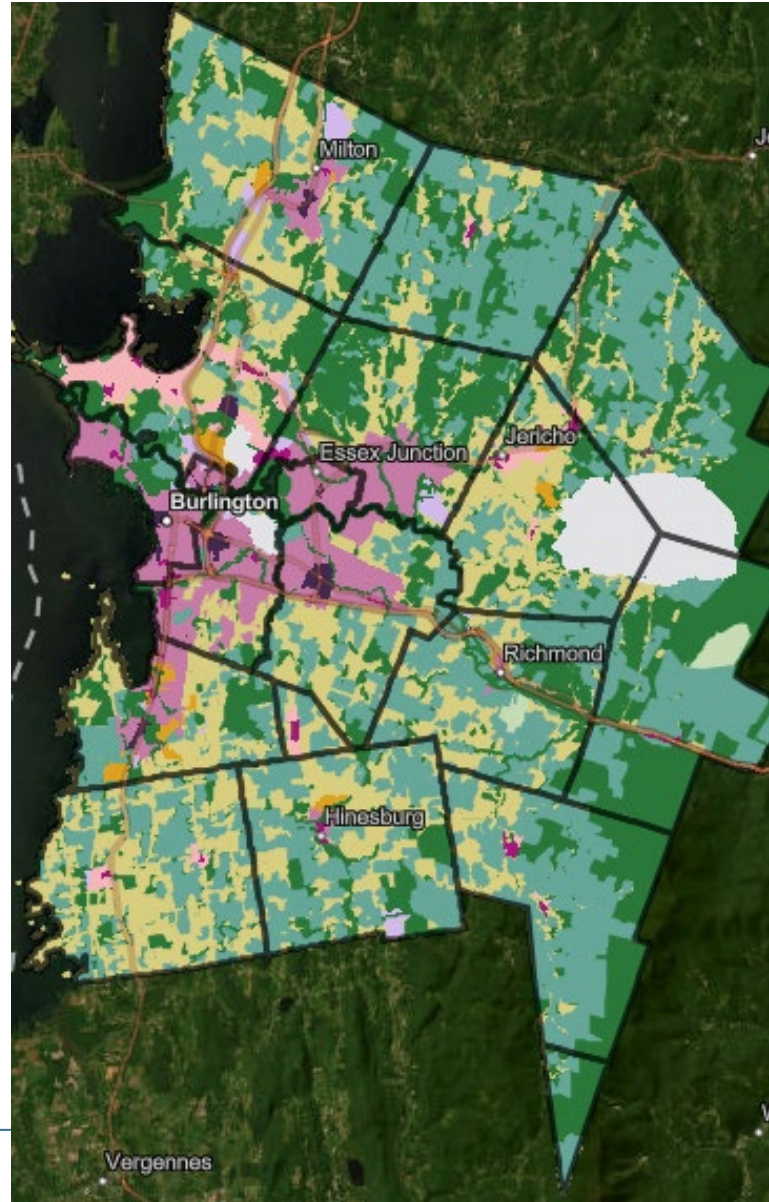
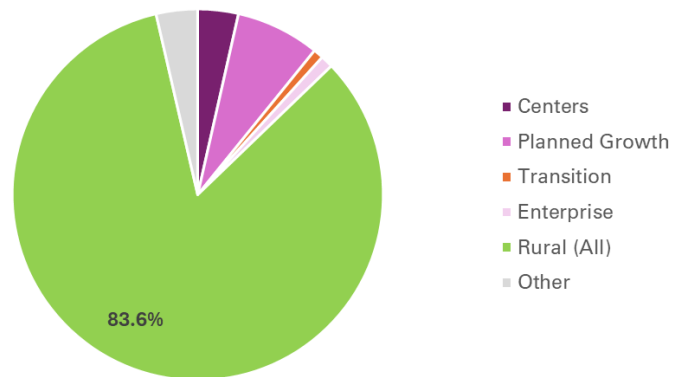


Draft Regional Future Land Use Map

Chittenden County Future Land Use Area



Future Land Use Area (Simplified)



CHITTENDEN COUNTY DRAFT FUTURE LAND USE MAP

Chittenden County Regional Planning Commission (CCRPC) is working with cities and towns to create a regional Future Land Use map. This map, once adopted, will generally guide how land in the region will be used in the future. For more information, visit ccrpcvt.org/ecos-engagement.

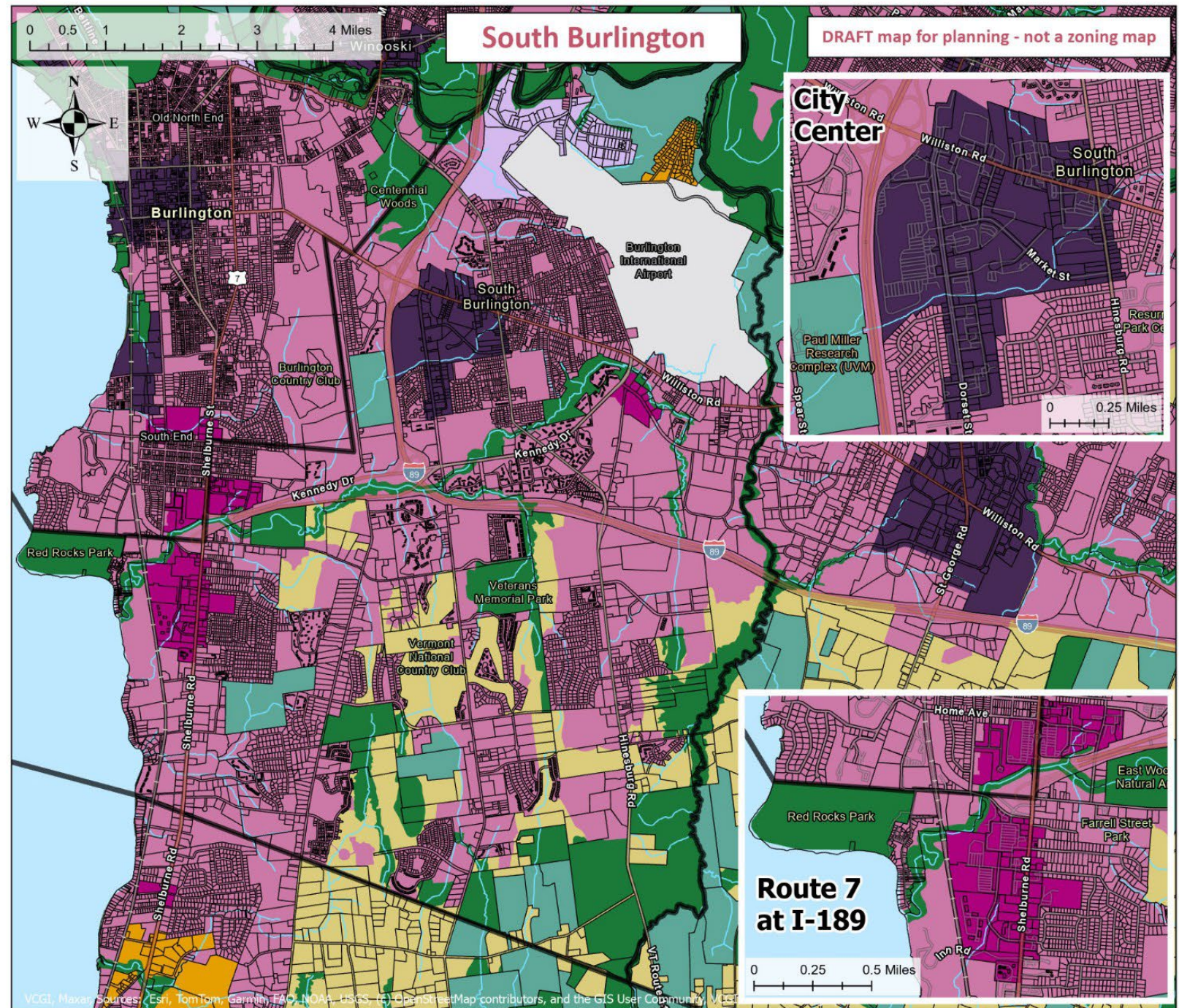
The land use categories on the map are defined in state law and CCRPC is tasked with determining how the land use categories apply in the region. CCRPC is seeking input from the public to help guide our mapping work.

HOW WILL THIS IMPACT ME?

Through planning, your town or city prioritizes how land is used and shared. Land use maps and planning impact where houses and other development are built, as well as where natural resources are protected. You can participate in community discussions and decisions that shape your town or city. Please provide comments on the proposed future land use for Chittenden County by e-mailing Taylor Newton (tnewton@ccrpcvt.org).

Legend

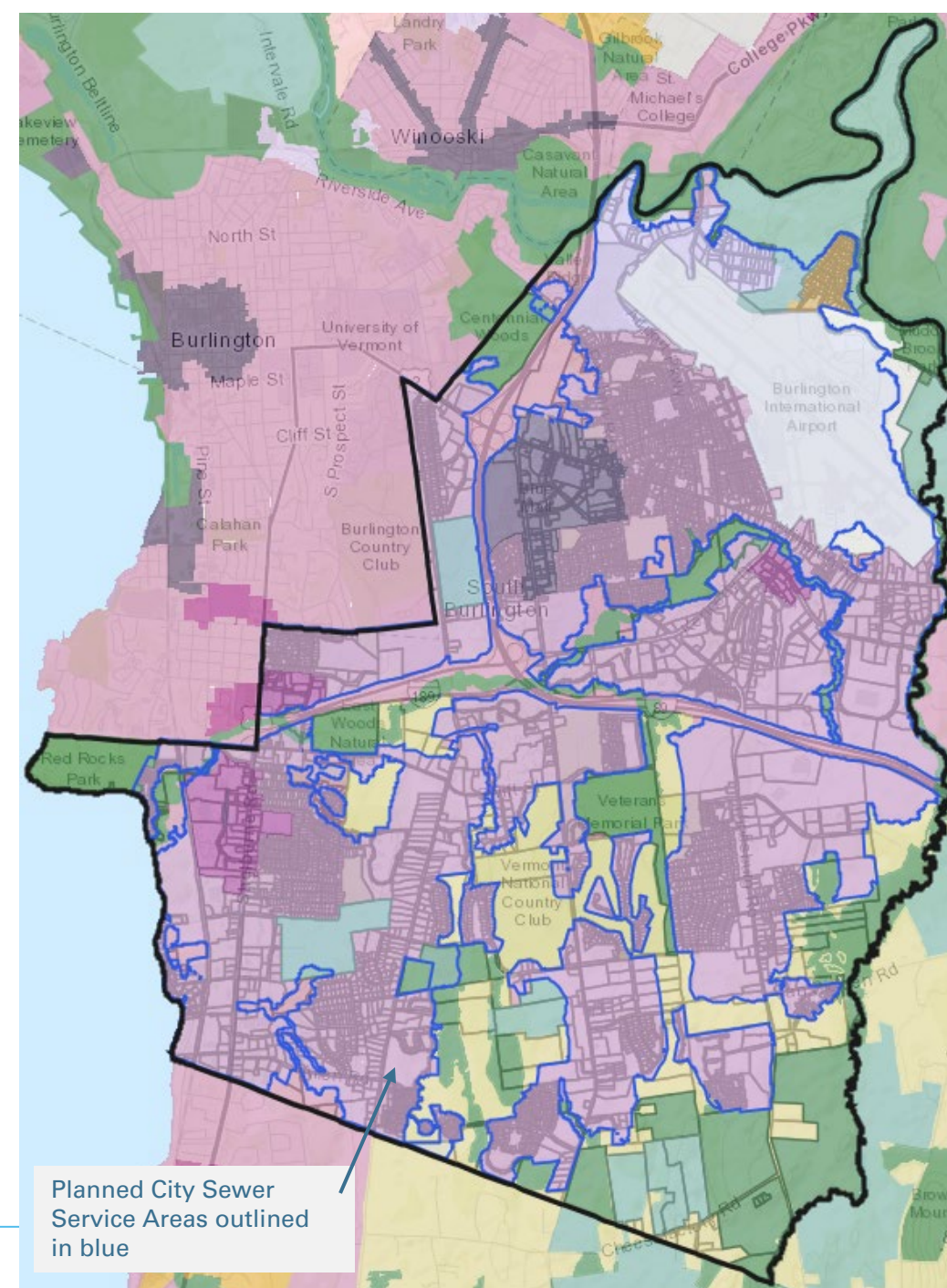
- | | |
|-----------------------------|------------------------------------|
| Municipal Boundary | Transition / Infill Area |
| Property Boundary | Resource-Based Recreation Area |
| Roads | Enterprise Area |
| River or Stream | Hamlet |
| Lake Champlain | Rural General |
| Future Land Use Area | Rural Ag and Forestry |
| Downtown Center | Rural Conservation |
| Village Center | Airport & Camp |
| Planned Growth Area | Johnson & Ethan Allen Firing Range |
| Village Area | |



Regional / Local Map Alignment

Staff Have worked closely with CCRPC to align the Regional Plan Future Land Use Map with our planning & regulatory policies:

- Centers:
 - Downtown Center aligns to current South Burlington Neighborhood Development Area
 - Village Centers along Shelburne Road, Kimball Ave
- Areas Planned For Growth & Rural Areas
 - South Burlington Sewer Service Area used to inform “Centers/planned growth/enterprise areas” vs “rural” in context*
- Regional Map is less site-specific
 - Areas with different scales of planned density uses are combined;
 - *Rural designations reserved for larger contiguous areas and/or permanently conserved parcels



Act 250: Location-based Jurisdiction and Tiers

Interim Act 250 Exemptions



Until January 1, 2027:

- Priority Housing Projects (PHP) within and ½ mile around a designated downtown, neighborhood development area (NDA) or growth center;
- Housing projects with 75 or fewer units of housing on <10 acre lots in designated NDAs, new town centers, or growth centers; and
- Any housing project in designated downtowns.

Until July 1, 2027:

- Housing project with 50 or fewer units of housing per project on lots under 10 acres in designated village centers (plus ¼ mile boundary) and in Urbanized Areas with over 50,000 residents and within ¼ mile of a transit route

Until July 1, 2028:

- Conversion of commercial development to 29 or fewer units of housing; and
- Construction of accessory dwelling units (ADUs) related to single-family use.

Prior “Non-interim” Act 250 applicability:

- Any residential development(s) involving 10 or more homes by a developer within 5 miles, within 5 years
- Any commercial development involving 10 or more acres of land

Location-Based Act 250 Jurisdiction



Tier 1A: No Act 250 permits required

Boundary must be consistent with downtown, village, or growth area identified in Regional Plan.

Municipal Regulations must further smart growth principles and regulate form and scale of development, allowing at least 4 stories; have water & sewer, identified and planned for maintenance of rare, threatened, and endangered species within 1A area

Local DRB shall include the conditions of the Act 250 permit except if the project has been built, the law is no longer applicable, or there are local regulations that apply to the subject.

Tier 1B: No Act 250 permit for 50 or fewer housing units on 10 acres or less or for mixed use development with same criteria.

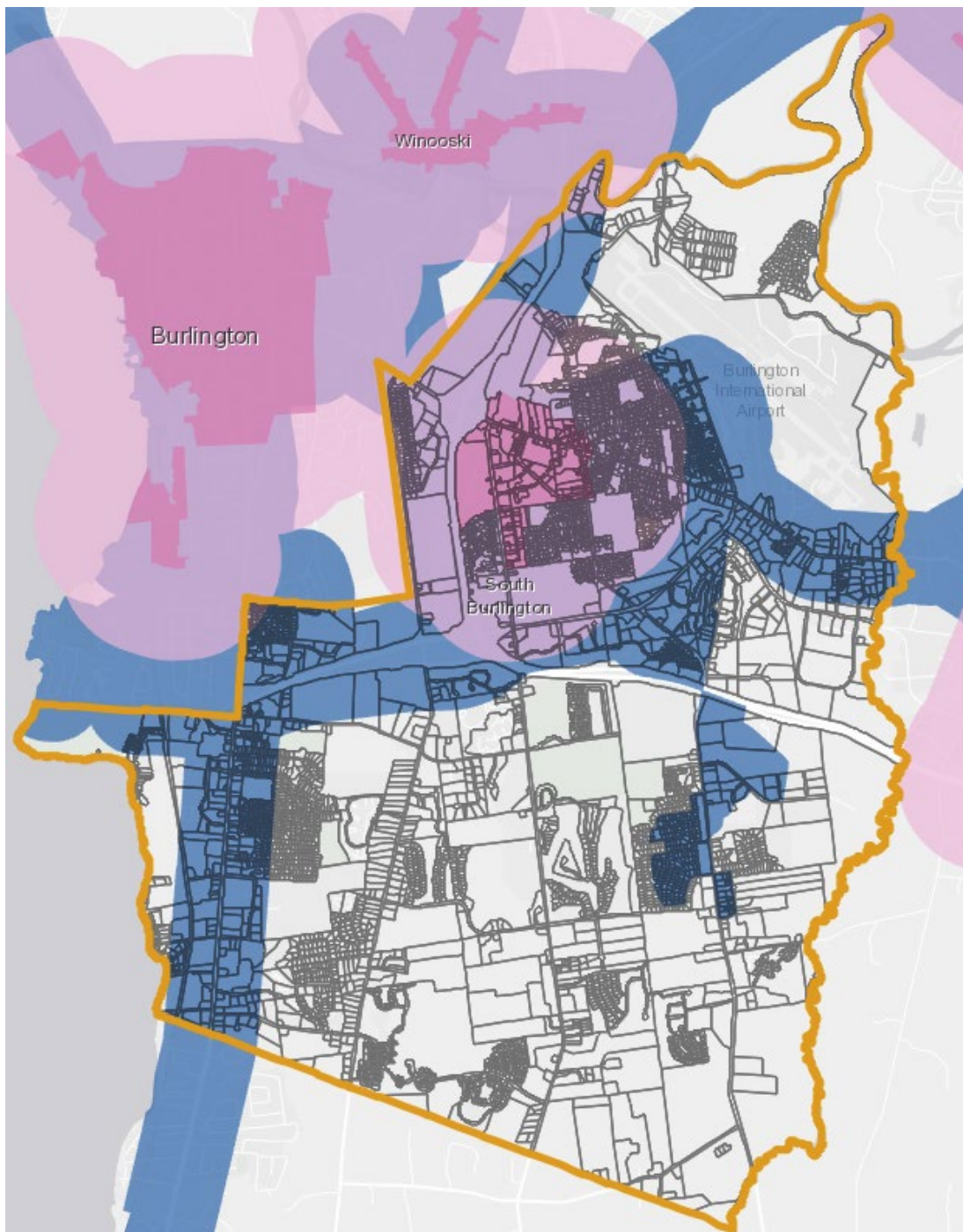
Municipalities may apply for areas within Regional Plan. Municipal Eligible areas with permanent zoning, water & sewer infrastructure, staff.

Tier 2: Unchanged except rural "road rule"

All areas not Tier 1A, 1B, or 3.

Tier 3: Expanded Act 250 permit jurisdiction

Qualifications to be defined by the LURB. Means an area consisting of critical natural resources defined by the rules of the Board. The Board's rules shall at a minimum determine whether and how to protect river corridors, headwater streams, habitat connectors of statewide significance, riparian areas, class A waters, natural communities, and other critical natural resources.



Act 250
Interim
Exemptions



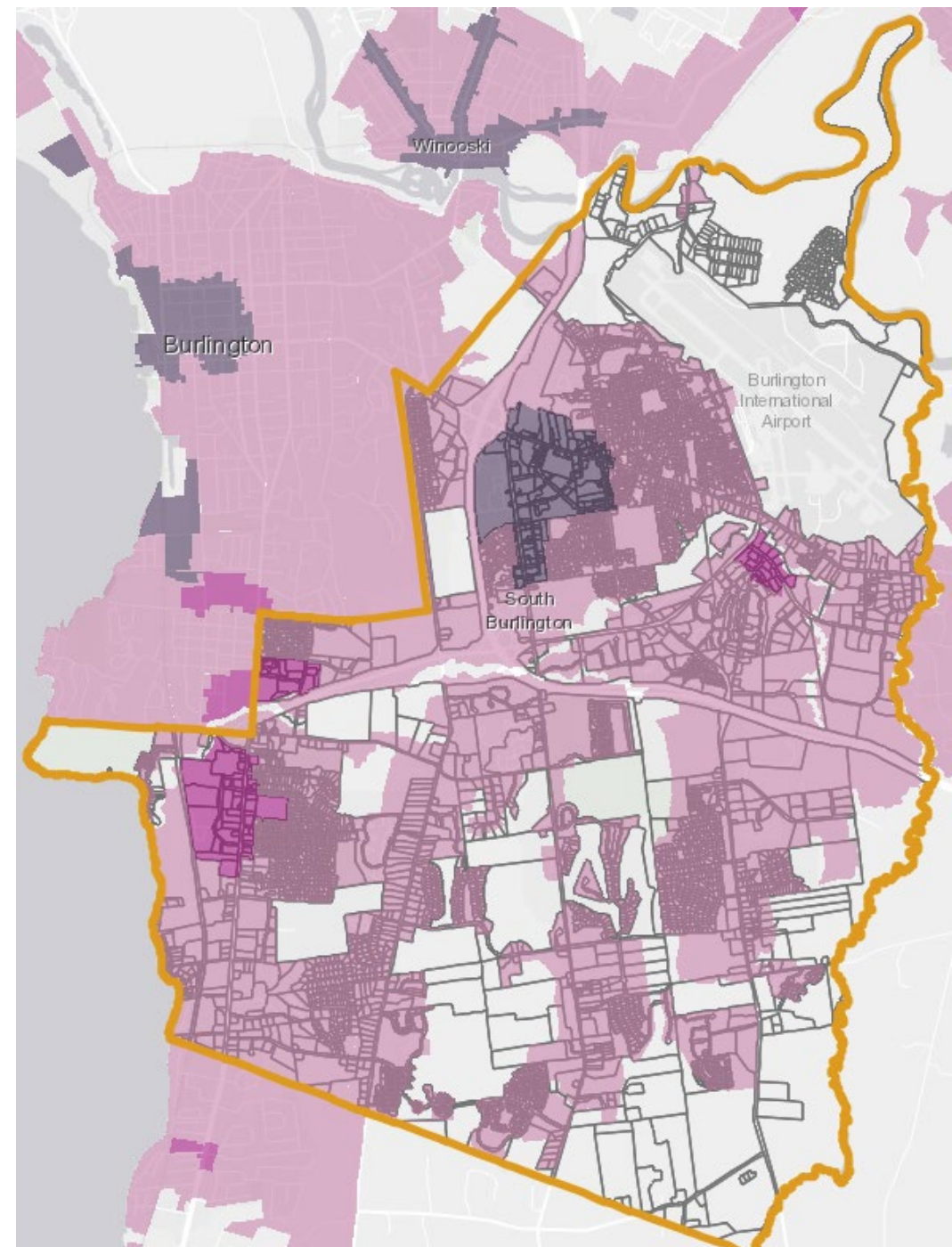
Act 250
Tier 1B
Eligible



Notes:

Centers & PGAs are
eligible for Tier 1B;
benefits apply only to
residential projects

Same, or a subset of
these areas, will be
eligible for Tier 1



Housing Targets

Housing Target Background

- Statewide and regional targets provided by Vermont Dept of Housing & Community Development in January 2025
- RPCs allocate to each municipality; staff has been working with CCRPC on our methodology for past year
- Initial step is a numerical allocation; next step will be to break the targets down as envisioned in Act 181
- Targets present Regional & Statewide roadmap for investment
- Support sustainable and resilient land use, infrastructure, investment, and services

Vermont Housing Needs Assessment: 2025-2029

Completed for the
Vermont Department of
Housing and Community Development

June 2024

Total additional home targets, 2025-2030 and 2025-2050

Region	2025-2030		2025-2050	
	Lower	Upper	Lower	Upper
Addison County	1,296	1,978	4,103	8,088
Bennington County	1,453	2,188	4,483	8,836
Central Vermont	2,540	3,864	8,045	15,856
Chittenden County	7,301	10,537	15,783	47,407
Lamoille County	1,387	1,959	3,359	6,621
Mount Ascutney	1,207	1,781	3,750	7,391
Northeastern Vermont	2,836	4,193	9,014	17,768
Northwest Vermont	2,144	3,249	6,755	13,315
Rutland Regional	2,707	4,065	8,100	15,965
Two Rivers-Ottawaquechee	2,424	3,640	7,692	15,162
Windham Regional	2,571	3,730	7,933	15,635
Vermont	27,867	41,185	79,018	172,044

2025-2030: "Lower" assume VT year-round households increase at the 2016-2019 average annual rate of 1.02%. "Higher" assume the 2019-2022 rate of 1.77%.

2025-2050: "Lower" based on population projection. "Higher" assume VT year-round households increase at the long-term annual average rate of 1.4%.

All targets include additional projected year-round households plus homes needed to normalize vacancy rates, eliminate homelessness, replace destroyed homes, and provide a margin to address Vermont's 15% seasonal home rate.

Housing Targets

HOW WERE THE NUMBERS ASSIGNED TO EACH CITY AND TOWN?
CCRPC worked with its Planning Advisory Committee, made up of city / town planning directors and commissioners, for over a year to develop a method to assign housing targets to each city and town in Chittenden County. Housing targets consider factors like **infrastructure**, **historic growth rates**, and **land available for development**

CITIES

Burlington, Essex Junction, South Burlington, Winooski
Receive **60%** of the regional housing target.

RURAL TOWNS

Bolton, Buel's Gore, Charlotte, Huntington, St. George, Underhill, Westford
Receive **3.8%** of the regional housing target and are encouraged to promote village development and protect working lands.

SUBURBAN TOWNS

Colchester, Essex Town, Hinesburg, Jericho, Milton, Richmond, Shelburne, Williston
Receive **36.2%** of the regional housing target, and weighting is applied based on accessibility of water and wastewater infrastructure.

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Receive **36.2%** of the regional housing target, and weighting is applied based on accessibility of water and wastewater infrastructure.

This approach allows Chittenden County to meet its goals for livable downtowns and villages, intact farm and forest land, and healthy natural resources - while still accommodating development in all cities and towns.



CHITTENDEN COUNTY HOUSING TARGETS



Review and comment by **May 19!**

Visit ccrpcvt.org/housing for more details.

Vermont's **HOME Act** (Act 47 of 2023) introduced new requirements for regional and municipal plans. One is that plans must now include housing targets for 2030 and 2050 to ensure an adequate supply of safe, affordable housing in locations that keep transportation costs low.

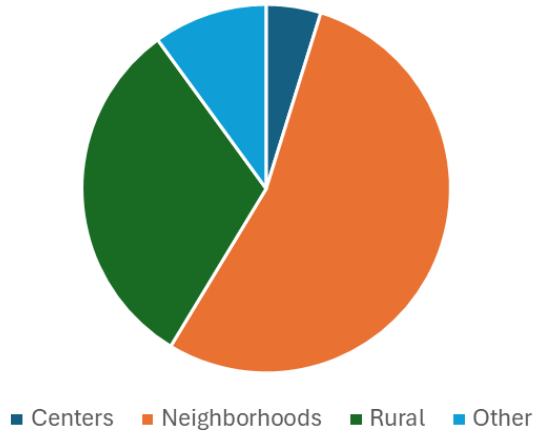
Below are the draft housing targets for 2050. CCRPC has divided its regional target range (15,783 - 47,407) into **LOW**, **MID**, and **HIGH** targets for each city and town.

	EXISTING HOUSING UNITS (2023)	2050 HOUSING TARGET RANGES						ANNUAL HISTORIC GROWTH (2000-23)	2050 ANNUAL #S*		
		LOW # and %		MID # and %		HIGH # and %			LOW	MID	HIGH
BOLTON	550	59	11%	118	21%	177	32%	6	2	5	7
BUEL’S GORE	12	1	11%	3	21%	4	32%	0	0	0	0
BURLINGTON	18,245	3,557	19%	7,120	39%	10,683	59%	77	142	285	427
CHARLOTTE	1,643	176	11%	353	21%	530	32%	6	7	14	21
COLCHESTER	7,673	848	11%	1,697	22%	2,546	33%	39	34	68	102
ESSEX	4,889	1,233	25%	2,467	50%	3,702	76%	51	49	99	148
ESSEX JUNCTION	4,955	1,462	30%	2,927	59%	4,392	89%	52	58	117	176
HINESBURG	2,071	375	18%	752	36%	1,128	54%	16	15	30	45
HUNTINGTON	876	94	11%	188	21%	282	32%	6	4	8	11
JERICH0	2,014	210	10%	419	21%	629	31%	10	8	17	25
MILTON	4,515	640	14%	1,282	28%	1,923	43%	42	26	51	77
RICHMOND	1,729	202	12%	404	23%	606	35%	8	8	16	24
SHELBURNE	3,529	802	23%	1,605	45%	2,409	68%	33	32	64	96
SOUTH BURLINGTON	9,921	3,788	38%	7,583	76%	11,378	115%	142 [175]	152	303	455
ST. GEORGE	314	34	11%	67	21%	101	32%	2	1	3	4
UNDERHILL	1,313	141	11%	282	21%	423	32%	9	6	11	17
WESTFORD	899	96	11%	193	21%	290	32%	6	4	8	12
WILLISTON	4,725	1,402	30%	2,807	59%	4,212	89%	70	56	112	168
WINOOSKI	3,665	663	18%	1,327	36%	1,991	54%	27	27	53	80
COUNTY TOTAL	73,538	15,783	21%	31,595	43%	47,407	64%	602	631	1,264	1,896

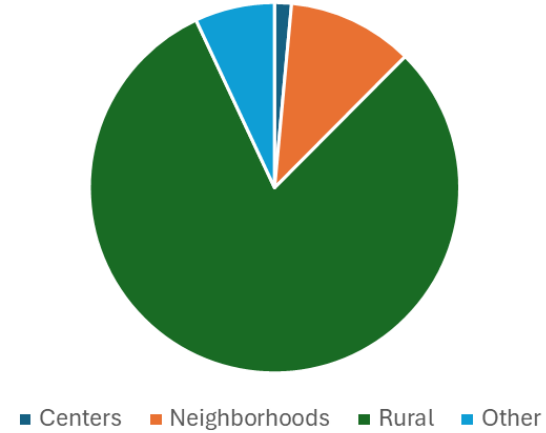
Land Use Distribution Comparison



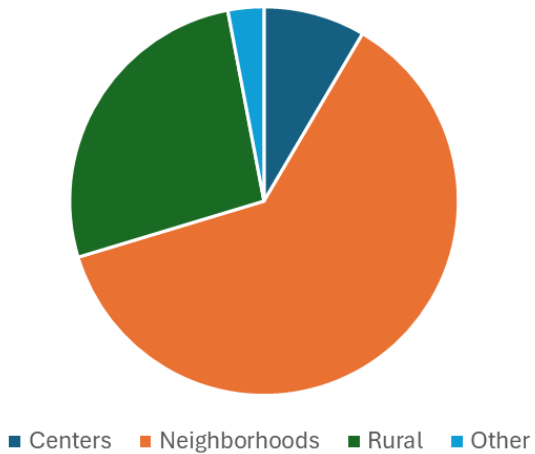
South Burlington



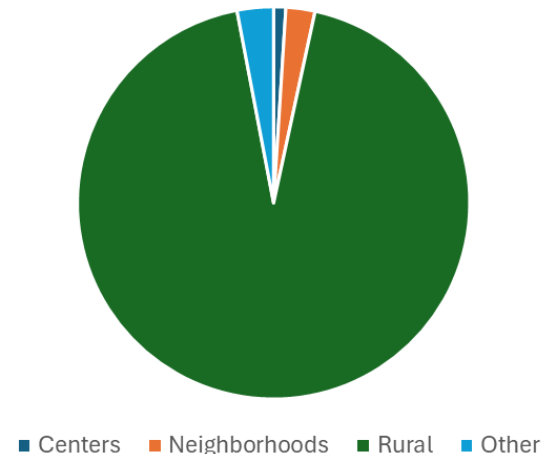
Mixed Urban & Rural Towns



Winooski, Burlington, Essex Junction



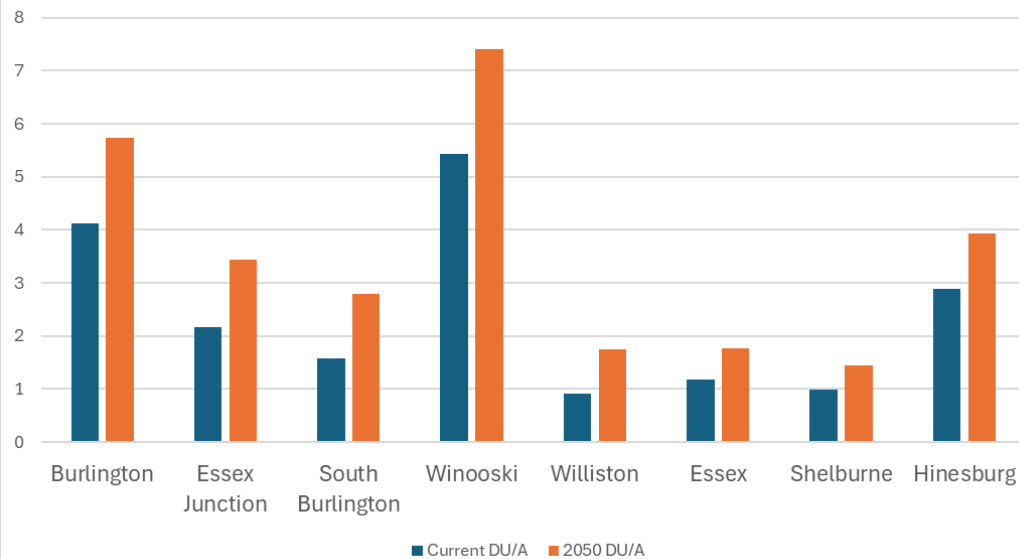
Rural Towns



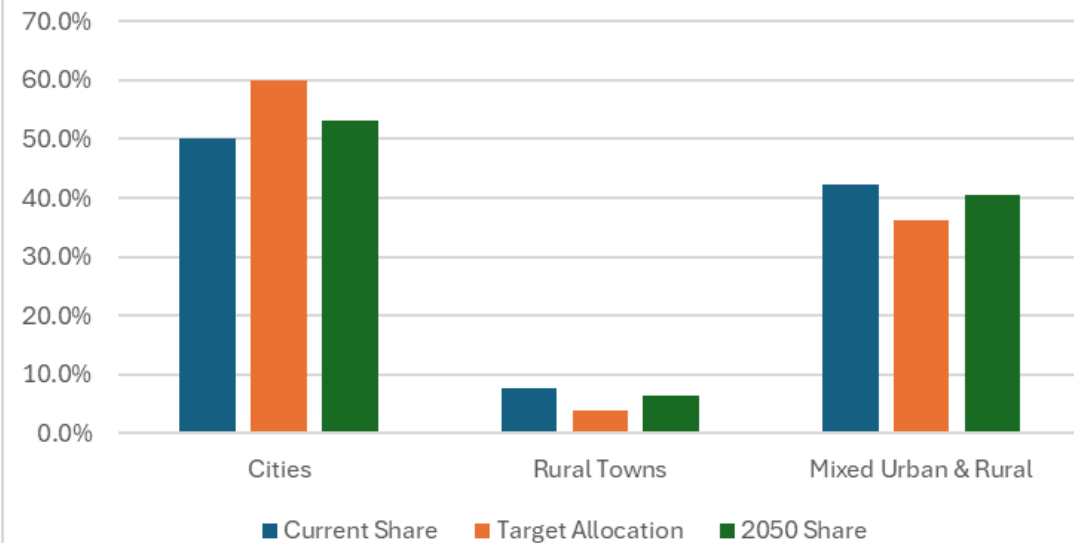
Current and Future Share & Density



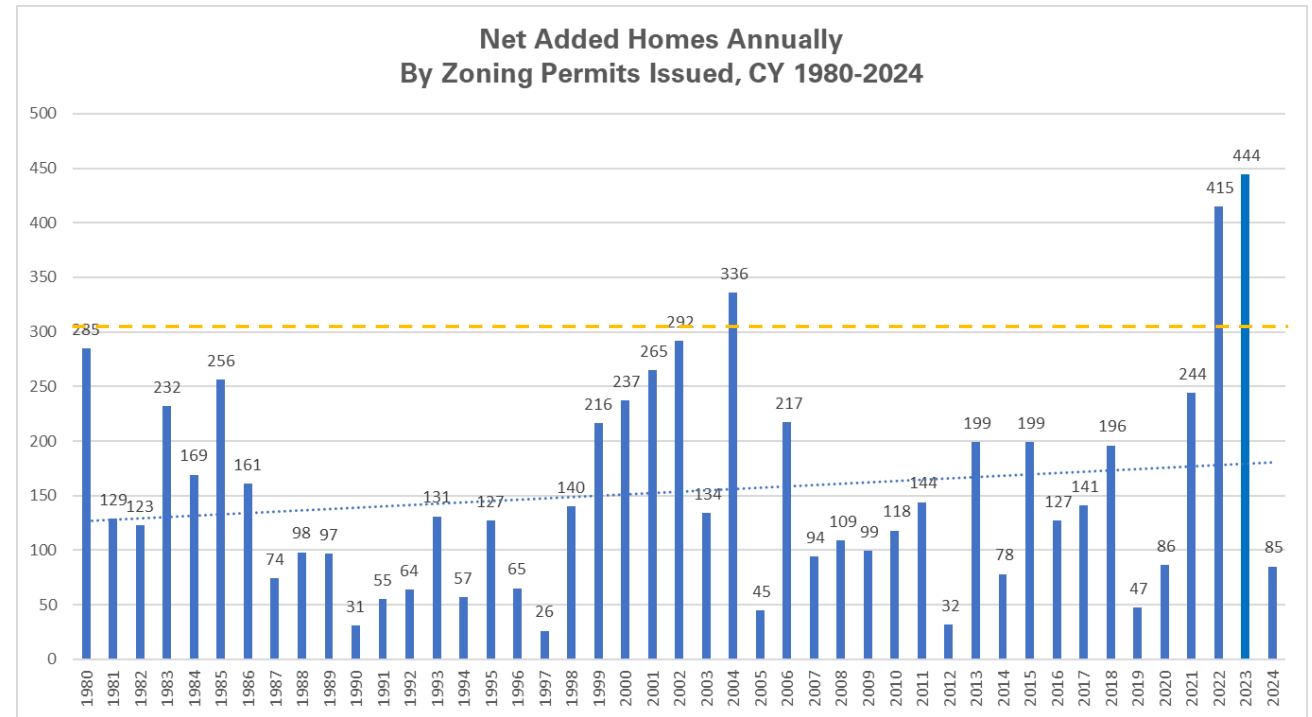
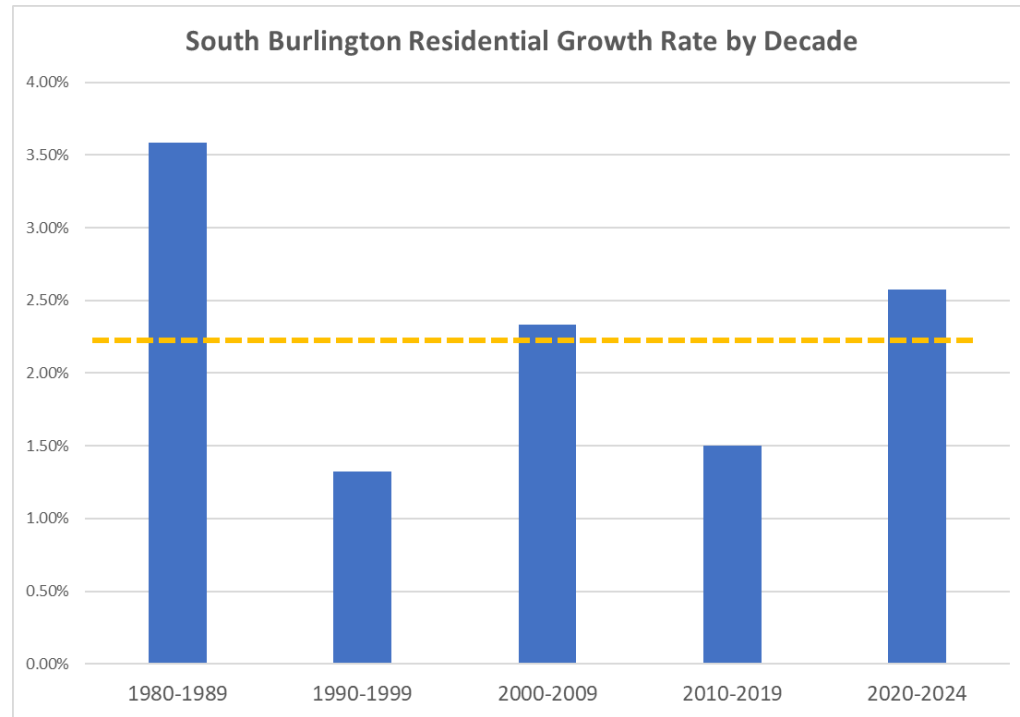
Current / Future Density in Centers, Transition Areas and PGAs



Current, Target, and Future Housing Share



Local Historic Growth vs Target



What this means for us

- Housing needs assessment long-term addresses structural & demographic challenges facing our region and state
- 60% target for the four core cities presents an opportunity to focus regional and statewide
- Regional Future Land Use Map and Targets align with 2024 City Plan guiding and key principles
 - Target rate slight exceeds that envisioned by the City Plan: 2.3% vs. 1.5-2%. Plan, however, pre-dates the Legislation and Housing Needs Assessment
- Timing dovetails with the Council's Growth Management work, Economic Development Strategic Plan, and Parks & Open Space Master Plans



ADOPTED JANUARY 29, 2024

CITY PLAN 2024 – OUR CITY. OUR VOICES. OUR FUTURE.

Conclusions & Recommended Actions



Conclusions:

- The City is very well positioned to make full use of the opportunities created by Acts 47 & 181.
- Act 250 tools remove redundant processes
- Centers program allows City to obtain benefits in new areas
- Housing targets support social & economic resiliency and provide opportunity for focused investment

Staff Recommendations:

1. *Seek Tier 1B status for all eligible areas of the City [May 5, 2025 meeting]*
 - This will exempt new housing projects of 50 or fewer dwelling units on 10 or fewer acres
2. *Take Steps towards Tier 1A statues for all eligible areas of the City*
 - Staff and Planning Commission to review and update LDRs as necessary to meet statutory requirements (historic resources; rare, threatened, and endangered species; smart growth; floodplains & river corridors)
 - Staff and Planning Commission to identify any remaining areas where the City has historically relied on Act 250 for standards
 - Staff to review and provide capacity assessment to Council concerning enforcement of existing Act 250 permits
 - Consider Seeking Tier 1A status when available