

FUTURE LAND USE METHODOLOGY AND PROCESS

Version 2.0, January 27, 2025

Introduction and Background

Act 181 of 2024 requires the following in 24 V.S.A. § 4348a(e):

The Vermont Association of Planning and Development Agencies shall develop, maintain, and update standard methodology and process for the mapping of areas eligible for Tier 1B status under 10 V.S.A. § 6033 and designation under chapter 139 of this title. The methodology shall be issued on or before December 31, 2024, in consultation with the Department of Housing and Community Development (DHCD) and Land Use Review Board (LURB). The methodology will be updated as needed based on experience developing Act 181 compliant regional plans, and to reflect changes in data sources, statute and other factors.

In this document, the RPCs discuss not only the process for developing, maintaining, and updating the mapping of areas eligible for Tier 1B, but also the process for all of the future land use areas in the regional plans and how requests for approval should be made to the Land Use Review Board.

The intent of the Act is to facilitate increased housing production and other development consistent with the smart growth goals of the State, regions, and municipalities while aligning public investment with the areas contained in regional plans, with the principal goal of retaining a “pattern of compact village and urban centers separated by rural countryside.”ⁱ Other housing goals of the Act include, “supporting equitable access to infrastructure, including housing” (10 V.S.A. 6001) and “to ensure the availability of safe and affordable housing for all Vermonters.” 24 V.S.A. 4302(11).

All land use planning in Vermont takes place within the context of the state planning goalsⁱⁱ. Regional planning commissions are required to produce regional plans consistent with these goals and containing certain elements,ⁱⁱⁱ and municipalities that undertake planning must also do the same.^{iv} Act 181 of 2024 includes consistent future land use areas (FLUAs) that regional planning commissions (RPCs) must incorporate in their plans in next two years, in coordination with their towns.

The Act also created a new body, the Land Use Review Board (LURB), that will have the power to review and approve this work.^v These FLUAs will be used by the Land Use Review Board (LURB) to approve areas of location-based Act 250 jurisdiction, called ‘Tiers.’ RPCs have been tasked specifically with developing a standard process for mapping the areas

eligible for Tier 1B status.^{vi} Upon request from an RPC, the LURB will approve the Regional Plan, the FLUAs, and the Tier 1B areas. The LURB is responsible for guidance on Tier 1A areas and rulemaking for Tier 3 areas. All remaining areas are Tier 2.

In addition, the RPC mapping process replaces the process of municipalities having to apply to the Community Investment Board (previously the Downtown Development Board) for approval of state designations.^{vii} Per Act 181, the regional plan FLUAs will also be the boundaries of state designations. State designation is automatic once the regional plan is approved by the LURB. This state designation program provides a series of financial incentives overseen by the Community Investment Board.

This should be considered as initial guidance. The RPCs will periodically review and adjust the guidance.

Process Considerations

This is a standardized methodology and process RPCs will use to ensure consistent, statewide delineation of FLUAs. It is recognized that there are limited instances where it may be necessary to deviate from these guidelines in order to address unique local or regional circumstances. RPCs, as part of their submission to the LURB, will highlight and explain deviations from this guidance and how the resulting Future Land Use map meets statutory requirements.

FLUAs planned for growth will be mapped at a local scale, accounting for details necessary for Act 250 jurisdictional thresholds and state designation status. Other FLUAs will be mapped on a region-wide basis, with consideration of land use at a regional scale. RPCs should work in cooperation with their neighboring RPCs to ensure consistency along regional boundaries. There is a recommended sequencing of mapping that works its way outward from core areas and reflects a general priority when an area could qualify as more than one FLUA:

1. Higher Density Growth Areas –
 - a. Downtown Centers
 - b. Village Centers
 - c. Planned Growth Areas
 - d. Village Areas
2. Enterprise Areas
3. Transition Areas
4. Resource-based Recreation Areas
5. Hamlets
6. Rural Areas
 - a. Agriculture and Forestry
 - b. Conservation

C. General

It is important to remember that RPCs create the FLUAs as part of their regional plan, following statutory language, in coordination with their member municipalities. Tier 1B status, and designation status, are granted upon approval of the regional plan and regional future land use map by the LURB.

When the regional planning commission (RPC) submits the plan to the LURB, the RPC will indicate requested Tier 1B status for each Downtown Center, Village Center, Village Area and Planned Growth Area. **The request will verify the municipality has opted in for Tier 1B and the other criteria in 10 V.S.A. § 6033 are met. A consistent format for this request is included in Appendix A.**

Statutory requirements for Tier 1B areas include that the status is requested by the municipality, and that the municipality demonstrate administrative capacity. Both standards will be met through a resolution from the municipal legislative body stating that (a) they are requesting Tier 1B status and (b) self-certifying that they have the capacity to administer their local regulations. A sample resolution is attached in Appendix B.

RPCs may have differing goals and policy language among the regional plans for the same FLUA, however, they will all further the state planning goals and the purposes of the statutory future land use areas. Revised state goals also state that Downtown and Village Centers, Planned Growth Areas and Village areas “should” accommodate a substantial portion of housing needed to meet the regional housing targets provided to each RPC by the Department of Housing and Community Development, so this will be taken into account when looking at the land area needed to do so. RPCs are responsible for disaggregating the regional housing targets down to each municipality.

For information purposes only, here are the anticipated Timeframes of Regional Plan requests to the LURB as of December 2024:

2025 Summer– NVDA
2025 Fall – CVRPC, NRPC
2026 Spring– ACRPC, BCRC, RRPC, WRC, CCRPC, LCPC
2026 Summer– MARC
2026 Fall –TRORC

Once plans are approved by the LURB, the RPCs will submit data layers for Act 250 Tiers and Designations to VCGI. The RPCs will collaborate with VCGI to determine a consistent process and format for submission.

Amendments

Act 181 anticipated that after this initial major effort by RPCs to update the FLU sections of their regional plans, minor changes (less than ten acres) might need to be made to the FLU area maps, and the Act created a path outside of the normal regional plan adoption process to do this as follows:

24 V.S.A. § 4348(j) - Minor amendments to regional plan future land use map. A regional planning commission may submit a request for a minor amendment to boundaries of a future land use area for consideration by the Land Use Review Board with a letter of support from the municipality. The request may only be submitted after an affirmative vote of the municipal legislative body and the regional planning commission board. The Land Use Review Board, after consultation with the Community Investment Board and the regional planning commissions, shall provide guidance about what constitutes a minor amendment. Minor amendments may include any change to a future land use area consisting of fewer than 10 acres. A minor amendment to a future land use area shall not require an amendment to a regional plan and shall be included in the next iteration of the regional plan. The Board may adopt rules to implement this section.

As RPCs have worked on this process and methodology, it has become clear that there will need to be an amendment processes beyond “minor amendments” of 10 acres or less. This would include changes such as a municipality adopting zoning and/or subdivision bylaws that would cause the municipality to qualify for Tier 1B, as an example. Potential Legislative changes include an expanded definition for minor amendments or a shorter regional plan amendment process for amendments to the FLUAs.

Symbology

Color coding for the regional plan Future Land Use areas shall be roughly based upon the land-based classification standards (LBCS) published by the American Planning Association (APA) - <https://planning-org-uploaded-media.s3.amazonaws.com/document/LBCS.pdf> and adjusted to be consistent with accessibility guidance for color-blindness per the following table. HEX#'s for each FLU area fill color have been added to each section for RPC consistency. Patterned symbology may also be used to improve readability and accessibility. A layer file with the colors configured will be provided to the RPCs.

Downtown Centers

Statutory Reference:	24 V.S.A. § 4348a(a)(12)(A)
Act 181 Reference:	Section 49.12.A
Designation Category:	Centers
Act 250 Tier:	Tier 1B; some Downtown Centers (along with their Planned Growth Areas) are Potential Tier 1A eligible; Potential Tier 2 if municipality does not opt in, or criteria in 10 V.S.A. § 6033 (c) are not met
Color:	Dark Purple HEX #462954

Statutory Definition

These areas are the mixed-use centers bringing together community economic activity and civic assets. They include downtowns, villages, and new town centers previously designated under chapter 76A and downtowns and village centers seeking benefits under the Community Investment Program under section 5804 of this title. The downtown or village centers are the traditional and historic central business and civic centers within planned growth areas, village areas, or may stand alone. Village centers are not required to have public water, wastewater, zoning, or subdivision bylaws.

Statutory Criteria: None, no municipal plan needed

Mapping Process:

1. Map existing designated downtowns and new town centers. At minimum, all current designations should be retained.
2. Review whether existing designated downtowns should be expanded if it meets the statutory definition (24 V.S.A. § 4348a(a)(12)(A)).
3. Identify any state register historic districts not already included in a Center that meet the statutory definitions in 24 V.S.A. § 4348a(a)(12)(A).
4. Identify non-designated areas that meet the statutory definitions in 24 V.S.A. § 4348a(a)(12)(A).
5. Indicate on the FLU map these areas as Downtown Center.

Planning Considerations:

- Generally, there should be at least one Downtown Center in each region provided there are areas that meet the statutory definition.
- The intent of this criterion is to meet the goal of statute 4302; these areas, combined with the Planned Growth Areas should be large enough to accommodate a substantial majority of the housing growth target.
- Protected natural resources may be included in this FLU area and the regional plan should note that those resources may be present and will need to be field verified during any development review process consistent with municipal and state requirements.

Village Centers

Statutory Reference:	24 V.S.A. § 4348a(a)(12)(A)
Act 181 Reference:	Section 49.12.A
Designation Category:	Centers
Act 250 Tier:	Tier 1B; some may be Tier 1A eligible; Potential Tier 2 if municipality does not opt in, or criteria in 10 V.S.A. § 6033 (c) are not met
Color:	Maroon HEX# #9F4A96

Statutory Definition

These areas are the mixed-use centers bringing together community economic activity and civic assets. They include villages, and new town centers previously designated under chapter 76A and village centers seeking benefits under the Community Investment Program under section 5804 of this title. The village centers are the traditional and historic central business and civic centers within planned growth areas, village areas, or may stand alone. Village centers are not required to have public water, wastewater, zoning, or subdivision bylaws.

Statutory Criteria: None, no municipal plan needed

Mapping Process:

1. Map existing designated villages and new town centers. At minimum, all current designations should be retained.
2. Review whether existing designated centers should be expanded if it meets the statutory definition (24 V.S.A. § 4348a(a)(12)(A)).
3. Identify any state register historic districts not already included in a Center that meet the statutory definitions in 24 V.S.A. § 4348a(a)(12)(A).
4. Identify non-designated areas that meet the statutory definitions in 24 V.S.A. § 4348a(a)(12)(A). This is highly encouraged.
5. Indicate on the FLU map these areas as Village Center.
6. Village Center areas do not require public water or sewer, nor do they require municipal zoning and subdivision bylaws.

Planning Considerations:

- Generally, there should be at least one Village Center in each municipality provided there are areas that meet the statutory definition. Municipalities may have more than one Village Center, whether previously existing or newly mapped.
- There may be Village Centers that don't meet the requirements for Tier 1B. They should still be included in the FLU section of the regional plan. They would be excluded in the request to the LURB for approval of Tier 1B areas but could be included as a request for them to be designated as a Center for designation benefits.

- The intent of this criterion is to meet the goal of statute 4302; these areas, combined with any Planned Growth Areas and Village Areas should be large enough to accommodate a substantial majority of the housing growth target. For municipalities with no sewer or water and few infill opportunities this may entail adding adjacent land area with suitable soils.
- Protected natural resources may be included in this FLU area and the regional plan should note that those resources may be present and will need to be field verified during any development review process consistent with municipal and state requirements.

Planned Growth Area

Statutory Reference: 24 V.S.A. § 4348a(a)(12)(B)

Act 181 Reference: Section 49.12.B

State Designation Name: Neighborhoods

Act 250 Tier: Tier 1B; Tier 2 if municipality does not opt in, or criteria in 10 V.S.A. § 6033(c) are not met; Tier 1A eligible

Color: dark pink, HEX #CC79A7

Statutory Definition

These areas include the high-density existing settlement and future growth areas with high concentrations of population, housing, and employment in each region and town, as appropriate. They include a mix of historic and non-historic commercial, residential, and civic or cultural sites with active streetscapes, supported by land development regulations; public water or wastewater, or both; and multimodal transportation systems. These areas include new town centers, downtowns, village centers, growth centers, and neighborhood development areas previously designated under chapter 76A of this title. These areas should generally meet the smart growth principles definition in chapter 139 of this title and the following criteria:

Statutory Criteria: 24 V.S.A. § 4348a(a)(12)(B)

- (i) The municipality has a duly adopted and approved plan and a planning process that is confirmed in accordance with section 4350 of this title and has adopted bylaws and regulations in accordance with sections 4414, 4418, and 4442 of this title.
- (ii) This area is served by public water or wastewater infrastructure.
- (iii) The area is generally within walking distance from the municipality's or an adjacent municipality's downtown, village center, new town center, or growth center.
- (iv) The area excludes identified flood hazard and river corridor areas, except those areas containing preexisting development in areas suitable for infill development as defined in section 29-201 of the Vermont Flood Hazard Area and River Corridor Rule.

- (v) The municipal plan indicates that this area is intended for higher-density residential and mixed-use development.
- (vi) The area provides for housing that meets the needs of a diversity of social and income groups in the community.
- (vii) The area is served by planned or existing transportation infrastructure that conforms with “complete streets” principles as described under 19 V.S.A. chapter 24 and establishes pedestrian access directly to the downtown, village center, or new town center. Planned transportation infrastructure includes those investments included in the municipality’s capital improvement program pursuant to section 4430 of this title.

Mapping Process

1. Verify that the municipality has an approved plan, a confirmed planning process and adopted zoning and subdivision regulations. Verify the municipal plan supports a diversity of housing types (duplex, multi-unit, etc.) and low / moderate income housing. If a municipality is complying with the HOME Act (regardless of whether the development regulations have been updated), and the municipal plan is approved, assume it meets this requirement. If no to any, then a Planned Growth Area cannot be in the municipality.
2. Map all existing previously designated Village Centers, Downtowns, New Town Centers, Growth Centers, and Neighborhood Development Areas as well as proposed Downtown Centers or Village Centers mapped in the previous section.
3. Map the ¼ or ½ mile interim Act 250 exemption area.
4. Review whether the mapped areas in 2-3 should be expanded or reduced using the following criteria:
 - a. Compare with the municipal land use plan and verify the area is generally planned for higher density residential and mixed-use development. The Planned Growth Area may be made up of several land use planning areas or zoning districts and some of them may not be mixed use. If the plan is vague, look at the bylaws. If the municipal plan (or bylaws if plan is vague) does not indicate an area for higher density residential or mixed-use development, then the area should not be included in the Planned Growth Area unless it is part of an existing NDA or Growth Center.
 - b. Verify the area is served by public water or wastewater by mapping service areas if information is available. If mapped service areas are not available, then confirm the extent of known service and include areas where expansion of service or extension of a connection line is generally feasible (within 1000’?) without encouraging linear strip development. Take into account any geologic or other barriers which may exist. Capacity of sewer and water systems need not be considered.
 - c. Verify the area is served by existing or planned Complete Streets infrastructure through sidewalks, paths, dedicated lanes, transit, adequate shoulders, etc. Approximately 65% of the e-911 points should be within ¼ mile of streets with at least one form of existing or planned complete streets infrastructure. Verify

existing or planned pedestrian access directly to the downtown, village center, or new town center. To be considered planned, it must be included in a capital budget, or other municipally adopted infrastructure plan that includes information on financing the planned infrastructure, such as an official map, annual municipal budget, or capital improvement program. For not yet developed parcels to be included, walkable infrastructure requirements should be included in municipal bylaws or regulations. Municipal streets with less than 1,000 cars per day and a speed limit of 25 mph or less do not generally require sidewalks ([sidewalk guidance](#)).

- d. Review boundary against parcel lines and snap to parcel lines where reasonable. Geographic features such as waterways should also be considered as boundaries.
- e. Exclude flood hazard and river corridor areas except pre-existing development suitable for infill by generally excluding flood hazard and river corridors outside of the highest density areas adjacent to the Center. See section 29-201 of the VT Flood Hazard and River Corridor Rule.
- f. Verify the area is large enough to provide for a substantial portion of new housing that meets the needs of a diversity of social and income groups in the community by comparing the potential for infill and new development opportunities to the municipal housing target. Confirm that there is enough land area to allow for a minimum of 5 units per acre to meet total housing target. Count infill areas the same as greenfields (undeveloped land available for development). If the area is not large enough, consider additional area that could or should be included. This might also mean that more new housing should occur in the Rural-General FLU area.

Planning Considerations:

- RPCs interpret the inclusion of the word “generally” in the statute to mean there may be minor areas that for mapping purposes make sense to include in this FLUA but that do not fully meet all of the criteria.
- Generally, each Downtown or Village Center that serves as a regional or sub-regional economic and/or civic hub for surrounding towns and meets the other criteria should have a surrounding Planned Growth Area.
- The intent of this FLU area is to meet the goal of statutory section 4302. This FLU area, when combined with any Downtown Centers, Village Centers, or Village Areas in the municipality should accommodate a substantial majority of new housing growth. See 24 V.S.A. § 4302(c)(11).
- Concerning public water access, small public systems count. (5)(A) “Public water system” means any system, or combination of systems owned or controlled by a person, that provides drinking water through pipes or other constructed conveyances to the public and that: (i) has at least 15 service connections; or (ii) serves an average of at least 25 individuals for at least 60 days a year.

- Protected natural resources may be included in this FLU area and the regional plan should note that those resources may be present and will need to be field verified during any development review process consistent with municipal and state requirements.

Village Areas

Statutory Reference: 24 V.S.A. § 4348a(a)(12)(C)

Act 181 Reference: Section 49.12.C

State Designation Name: Neighborhoods

Act 250 Tier: Tier 1B or Tier 2 if municipality does not opt in, or criteria in 10 V.S.A. § 6033 are not met

Color: light pink, HEX# FFD6D6

Statutory Definition

These areas include the traditional settlement area or a proposed new settlement area, typically composed 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. These areas include existing village center designations and similar areas statewide, but this area is larger than the village center designation. Village areas shall meet the following criteria:

Criteria

- (i) The municipality has a duly adopted and approved plan and a planning process that is confirmed in accordance with section 4350 of this title.
- (ii) The municipality has adopted bylaws and subdivision regulations in accordance with sections 4414, 4418, and 4442 of this title.
- (iii) Unless the municipality has adopted flood hazard and river corridor bylaws, applicable to the entire municipality, that are consistent with the standards established pursuant to 10 V.S.A. § 755b (flood hazard) and 10 V.S.A. § 1428(b) (river corridor), the area excludes identified flood hazard and river corridors, except those areas containing preexisting development in areas suitable for infill development as defined in 29-201 of the Vermont Flood Hazard Area and River Corridor Rule.
- (iv) The municipality has either municipal water or wastewater. If no public wastewater is available, the area must have soils that are adequate for wastewater disposal.
- (v) The area has some opportunity for infill development or new development areas where the village can grow and be flood resilient.

Mapping Process

1. Verify that the municipality has an approved plan, a confirmed planning process and adopted zoning and subdivision regulations. If no to any, then a Village Area cannot be in the municipality.

2. Map existing NDA designated areas that do not qualify as Planned Growth Areas.
3. Consider areas around all Downtown Centers and Village Centers (previously designated Village Centers, Downtowns, and New Town Centers as well as newly proposed Downtown Centers or Village Centers).
4. Map the $\frac{1}{4}$ or $\frac{1}{2}$ mile interim Act 250 exemption area from the boundary of the Village Center or Downtown Center.
5. Review whether the mapped areas in 2-4 should be expanded or reduced using the following criteria:
 - a. Compare with the municipal land use plan and verify the area as a whole is planned for higher density residential and mixed-use development. The Village Area may be made up of several land use planning areas or zoning districts and some of them may not be mixed use. If the plan is vague, look at the bylaws. If the municipal plan (or bylaws if plan is vague) does not indicate an area for higher density residential or mixed-use development, then the area should not be included in the Village Area unless it is part of an existing NDA.
 - b. Determine if the area is served by either public water or wastewater by mapping service areas if information is available. If mapped service areas are not available then confirm the extent of known service, and include areas where expansion of a connection line is generally feasible without encouraging linear strip development.
 - c. If not served by either public water or wastewater, review soils data to determine if the area has soils adequate for wastewater disposal. This includes soils with a Class I, II, and III onsite sewage disposal rating consistent with the interim exemptions. If soils of those types are in the general area covered by the Village Area, or if on adjacent parcels this is considered having soils adequate for wastewater disposal. Review the “conceptual approval” process for Neighborhood Development Areas from ANR to see if any additional land meeting those guidelines should be included.
 - d. Review boundary against parcel lines and snap to parcel lines where reasonable. Geographic features such as waterways should also be considered as boundaries.
 - e. Determine if the municipality has adopted flood hazard and river corridor bylaws, applicable to the entire municipality, that are consistent with the standards established pursuant to 10 V.S.A. § 755b (flood hazard) and 10 V.S.A. § 1428(b) (river corridor). If no, exclude flood hazard and river corridor areas except pre-existing development suitable for infill by generally excluding flood hazard and river corridors outside of the highest density areas adjacent to the Center. See section 29-201 of the VT Flood Hazard and River Corridor Rule.
 - f. Verify the area is large enough to provide for infill development or new development areas consistent with the housing targets where the

municipality can grow and be flood resilient. If the area is not large enough, consider additional area that could or should be included.

Planning Considerations:

- The statute does not provide discretion here through the use of the word “generally,” so these criteria have to be more strictly applied.
- Areas that do not qualify for a Planned Growth Area (i.e., do not have current or planned complete streets, water or wastewater infrastructure and do not accommodate high-density housing & mixed-use development) may qualify for a Village Area provided it meets the criteria above. Just because the area is mapped as a Village Area, does not necessarily mean it meets the additional criteria for Tier 1B status contained in 10 V.S.A. § 6033(c), such as adequate staffing and ‘opting in.’
- If an RPC follows the mapping process above, a Village Areas will meet the Tier 1B criteria 10 V.S.A. § 6033(c) related to soils: “The municipality has water supply, wastewater infrastructure, or soils that can accommodate a community system for compact housing development in the area proposed for Tier 1B.”
- The intent of this FLU area is to meet the goal of statutory section 4302. This FLU area, when combined with any Downtown Centers, Village Centers, or Planned Growth Areas in the municipality should accommodate a substantial majority of new housing growth. See 24 V.S.A. § 4302(c)(11).
- Protected natural resources may be included in this FLU area and the regional plan should note that those resources may be present and will need to be field verified during any development review process consistent with municipal and state requirements.

Transition or Infill Areas

Statutory Reference: 24 V.S.A. § 4348a(a)(12)(D)

Act 181 Reference: Section 49.12.D

State Designation Name: NA

Act 250 Tier: Tier 2

Color: orange, HEX # E69F00

Statutory Definition

These areas include 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 or infill area and served by, or planned for, public water or wastewater, or both. 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 linear strip development is not allowed as to prevent it 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 and planned for future growth.

Statutory Criteria: None

Mapping Process:

1. After mapping Downtown and Village Centers, Planned Growth Areas, and Village Areas, identify areas that are planned for higher density residential and/or mixed use in the municipal plan but were otherwise disqualified under criteria for Planned Growth Area or Village Areas.
2. Identify other areas not evaluated for Planned Growth or Village Areas, but planned for future growth through municipal plans, master plans, transit-oriented development (TOD) Studies or other municipally adopted plans.
3. Identify adjacent greenfields safer from flooding and planned for future growth.
4. Verify the area is served by, or planned for, public water or wastewater, or both.
5. Map and remove, if necessary, sensitive environmental areas such as wetlands or habitat connections if identified as part of the Rural-Conservation FLU area.
6. Review boundaries and snap to parcel lines as appropriate. Geographic features such as waterways should also be considered as boundaries.

Planning Considerations:

- Protected natural resources may be included in this FLU area and the regional plan should note that those natural resources may be present and will need to be field verified during any development review process consistent with municipal and state requirements.
- Statute states: “New commercial linear strip development is not allowed as to prevent it negatively impacting the economic vitality of commercial areas in the adjacent or nearby planned growth or village area.” However, it is recognized that due to topography, some Transition Areas will be linear in nature. Transition Areas should have as much depth as allowed within the local setting, and any future development in those areas should not be auto-oriented strip development.
- RPCs could assume some of the housing target growth would happen with residential infill in Transition Areas.

Resource-based Recreation Areas

Statutory Reference: 24 V.S.A. § 4348a(a)(12)(E)

Act 181 Reference: Section 49.12.E

State Designation Name: NA

Act 250 Tier: Tier 2

Color: light green – HEX # C6DCB4

Statutory Definition

These areas include large-scale resource-based recreational facilities, often concentrated around ski resorts, lakeshores, or concentrated trail networks, that may provide infrastructure, jobs, or housing to support recreational activities.

Statutory Criteria: None

Mapping Process:

1. Map areas as they exist in the region. Include residential, public works, maintenance, and supporting retail or services as part of this area.
2. Follow boundaries of approved master plans/permits where they exist.
3. Follow parcel and/or zoning boundaries when possible. Geographic features such as waterways should also be considered as boundaries.

Planning Considerations:

- The residential areas adjacent to a ski resort base area should be included in this FLU area unless it is part of a previously designated village or downtown. If it is part of a previously designated village or downtown, include in the planned growth or village areas. These areas may be planned to accommodate a portion of future housing growth.
- RPCs may note the economic importance of these land uses either as a sub-title for this category or in the text of the regional plan.
- The areas may include internal circulation through paths, transit and roads as needed for orderly growth.
- Protected natural resources may be included in this FLU area and the regional plan should note that those resources may be present and will need to be field verified during any development review process consistent with municipal and state requirements.

Enterprise Areas

Statutory Reference: 24 V.S.A. § 4348a(a)(12)(F)

Act 181 Reference: Section 49.12.F

State Designation Name: NA

Act 250 Tier: Tier 2

Color: light purple – HEX# D4BAEE

Statutory Definition

These areas include locations of high economic activity and employment that are not adjacent to planned growth areas. These include industrial parks, areas of natural resource extraction, or other commercial uses that involve larger land areas. Enterprise

areas typically have ready access to water supply, sewage disposal, electricity, and freight transportation networks.

Statutory Criteria: None

Mapping Process:

1. Map these areas as they exist in the region for industrial and business parks not part of Planned Growth or Village Areas.
2. Include airports and railyards, and adjacent related commercial uses, that are not part of Planned Growth or Village areas.
3. Follow boundaries of approved master plans/permits where they exist.
4. Follow parcel boundaries when possible. Geographic features such as waterways should also be considered as boundaries.
5. Although the data may be inconsistent, RPCs might review “highest and best use” grand list data to identify any parcels identified as industrial.

Planning Considerations:

- These are areas less likely to include new housing due to zoning restrictions and/or the proximity to industrial uses.
- Consider whether any extraction land areas should be included here or in a rural category. The operational status, size and scale are issues to consider in making this determination. Smaller scale and closed operations might be considered in the Rural-General area instead.
- These areas may be focused areas along state highways not walkable (1/2-mile distance or no pedestrian facilities) from village or downtown centers. However, they should not be included if the municipality allows for primarily retail in this zoning district or FLU area of the municipal plan.
- Protected natural resources may be included in this FLU area and the regional plan should note that those resources may be present and will need to be field verified during any development review process consistent with municipal and state requirements.

Hamlets

Statutory Reference: 24 V.S.A. § 4348a(a)(12)(G)

Act 181 Reference: Section 49.12.G

State Designation Name: NA

Act 250 Tier: Tier 2

Color: brown (either with a point or polygon) HEX #8E705D

Statutory Definition

Small historic clusters of homes and may include a school, place of worship, store, or other public buildings not planned for significant growth; no public water supply or

wastewater systems; and mostly focused along one or two roads. These may be depicted as points on the future land use map.

Statutory Criteria: None

Mapping Process:

1. These are small settlements that do not (yet) meet the criteria for village centers.
2. They should be mapped as points unless there is a reason to map as a polygon.

Planning Considerations:

- These areas are too small with no services to support much additional housing to meet the community needs.
- Protected natural resources may be included in this FLU area and the regional plan should note that those resources may be present and will need to be field verified during any development review process consistent with municipal and state requirements.

Rural General

Statutory Reference: 24 V.S.A. § 4348a(a)(12)(H)

Act 181 Reference: Section 49.12.H

State Designation Name: NA

Act 250 Tier: Tier 2

Color: light golden yellow – to indicate low density residential HEX# DCCD7D

Statutory Definition

Rural; general. These areas include areas that promote the preservation of Vermont’s traditional working landscape and natural area features. They allow for low-density residential and some limited commercial development that is compatible with productive lands and natural areas. This may also include an area that a municipality is planning to make more rural than it is currently.

Statutory Criteria

All other areas of Rural.

Mapping Process: Review this FLUA in coordination with or after rural agriculture/forestry and rural conservation are mapped. Regional and local land use goals and priorities, and local plans will help to guide the balance among the three rural FLUAs.

Planning Considerations:

- These areas are low density residential that are not significant primarily active farmland or forest blocks and, typically, do not have public water or wastewater infrastructure
- These areas may include recreational trails.
- Some current low-density residential areas may be included in other future land use areas for expansion of core areas and more intense use.
- Some low-density residential areas can be included in other Rural future land use areas for connectivity or to avoid an overly scattered area.
- Protected natural resources may be included in this FLU area and the regional plan should note that those resources may be present and will need to be field verified during any development review process consistent with municipal and state requirements.

Rural Agriculture and Forestry

Statutory Reference: 24 V.S.A. § 4348a(a)(12)(I)

Act 181 Reference: Section 49.12.I

State Designation Name: NA

Act 250 Tier: Tier 2

Color: medium green-blue HEX # 5DA899

Statutory Definition

Rural; agricultural and forestry. These areas include blocks of forest or farmland that sustain resource industries, provide critical wildlife 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.

Statutory Criteria

None.

Mapping Process:

1. Map the UVA parcels, if available (optional).
2. Map the 2022 Agricultural Land Cover from VCGI.
3. Identify areas with 20 acres or more of tree canopy and 20 acres or more of agricultural land. Prioritize those areas that are in UVA (optional).
4. Parcels smaller than 20 acres that do not contain natural resources qualifying for Rural Conservation could be classified as Rural – General, or in this area to create cohesive, larger blocks.
5. Create logical boundaries by using parcel lines and/or geographic features such as waterways.

6. Consider how adjacent regions are mapping land areas in order to create more cohesive and contiguous areas.

Planning Considerations:

- Technical GIS notes are available to assist with process and delineation.
- Conduct a visual inspection with the layers derived above with prime ag soils, prime forest soils, and other layers showing actively farmed parcels.
- Note that these farmed and forested areas may also accomplish other secondary purposes such as wildlife habitat and movement, outdoor recreation, flood storage, aquifer recharge and scenic beauty.
- Protected natural resources may be included in this FLU area and the regional plan should note that those resources may be present and will need to be field verified during any development review process consistent with municipal and state requirements.
- Regional and local land use goals and priorities, and local plans will help to guide the balance among the three rural FLUAs.

Standards above are minimums; RPCs may choose to include smaller parcels and/or other areas of regional significance.

Rural Conservation

Statutory Reference: 24 V.S.A. § 4348a(a)(12)(J)

Act 181 Reference: Section 49.12.J

State Designation Name: NA

Act 250 Tier: Tier 2

Color: dark green HEX # 1B7939

Statutory Definition

Rural; conservation. These are areas of significant natural resources, identified by regional planning commissions or municipalities based upon existing Agency of Natural Resources mapping that require special consideration for aquifer protection; for wetland protection; for the maintenance of forest blocks, wildlife habitat, and habitat connectors; or for other conservation purposes. The mapping of these areas and accompanying policies are intended to help meet requirements of 10 V.S.A. chapter 89. Any portion of this area that is approved by the LURB as having Tier 3 area status shall be identified on the future land use map as an overlay upon approval.

Statutory Criteria

None

Mapping Process:

Required:

1. Exclude growth areas (Downtown and Village Centers, PGA, VA).
2. Map the Protected Lands: The [Vermont Protected Lands Database](#) (VPLD) is a geospatial database, or GIS layer, of parcels that are currently protected from development through public ownership, private ownership, or protection mechanisms such as easements. The VPLD was designed to facilitate land-conservation planning and related efforts in Vermont.
3. Remove the parcels with 20+ acres of ag or tree canopy (created from the rural ag/forestry process above) from the protected lands layers to represent that working lands and forestry are of high importance.
4. FEMA-mapped floodplains and DEC-mapped river corridors outside of Downtown Centers, Village Centers, Planned Growth Areas, Village Areas, Resource-based Recreation Areas, and Enterprise Areas. If municipality does not have local regulations, include FEMA floodplains and DEC river corridors in Rural; Conservation.
5. For aquifer protection areas use Groundwater Source Protection Areas – Zone 1, outside of Downtown Centers, Village Centers, Planned Growth Areas, Village Areas, Resource-based Recreation Areas, and Enterprise Areas.
6. For wetland protection areas use Class 1 and 2 Wetlands that are 5 acres or larger
7. For forest blocks, wildlife habitat, and habitat connectors, or for other conservation purposes use Highest Priority Interior Forests and Highest Priority Connectivity Blocks as a starting point. Review the tree canopy layer, removing areas that may be mapped as Rural; Agriculture and Forestry, Rural; General, or Resource Based Recreation Areas.
8. Include elevations of 2500' or higher not in Resource-Based Recreation Area.

Optional:

- Any regionally or locally known aquifer recharge protection areas
- Any locally or regionally identified significant resources, such as those identified during local and regional enhanced energy planning, town forests or resource-based park land
- Elevations lower than 2500'
- Wetlands less than 5 acres
- Steep terrain and landslide hazard areas

Planning Considerations:

- Technical GIS notes are available to assist with process and delineation.
- Tier 3 rulemaking is not in place and inclusion in this FLUA is not meant to serve as the basis for Tier 3.
- If the intention is for a Forest Block to be used as working lands, the block could be mapped in the Rural Ag and Forestry Area rather than the Rural Conservation Area.

- For municipalities with a high percentage of land area in high value forest blocks, wildlife habitat, and habitat connectors RPCs should utilize other Rural categories as appropriate to ensure there is not “disproportionate impact.”
- RPCs should discuss possible ways to measure and identify possible “disproportionate impact” on both regions and municipalities. This could include map-based tools such as the percentage of municipalities within a region with Tier 1B eligible areas, and/or the percentage of total land area in each Tier.
- Regional and local land use goals and priorities, and local plans will help to guide the balance among the three rural FLUAs.

Under development:

APPENDIX A: RPC Tier 1B Request to the LURB

APPENDIX B: Sample Legislative Body Tier 1B status request resolution

APPENDIX C: Statutory checklist for RPC submission to the LURB

Summary of Updates:

1/27/2025 V 2.0

- **Adjusted colors for several land use areas**
- **Replaced LRB with LURB**

ⁱ <https://legislature.vermont.gov/statutes/section/24/117/04302>

ⁱⁱ <https://legislature.vermont.gov/statutes/section/24/117/04302>

ⁱⁱⁱ <https://legislature.vermont.gov/statutes/section/24/117/04348a>

^{iv} <https://legislature.vermont.gov/statutes/section/24/117/04382>

^v 24 VSA section 4348a and 10 VSA section 6025a

^{vi} 24 V.S.A. § 4348a(e):

The Vermont Association of Planning and Development Agencies shall develop, maintain, and update standard methodology and process for the mapping of areas eligible for Tier 1B status under 10 V.S.A. § 6033 and designation under chapter 139 of this title. The methodology shall be issued on or before December 31, 2024, in consultation with the Department of Housing and Community Development and Land Use Review Board.

^{vii} New chapter 139 of Title 24 replaces the previous program under chapter 76A of Title 24.
