

**Staff Review of Draft 2019 Winooski Master Plan, Including Enhanced Energy Plan Review**  
**Emily Nosse-Leirer, Senior Planner**  
**February 6, 2019**

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The City of Winooski has requested, per 24 V.S.A. §4350, that the Chittenden County Regional Planning Commission (1) approve its draft 2019 Winooski Master Plan; and (2) confirm its planning process.

Additionally, the City of Winooski has requested that the Chittenden County Regional Planning Commission issue a determination of compliance with the enhanced energy planning standards set forth in 24 V.S.A. §4352 for the draft 2019 Winooski Master Plan.

**The Planning Advisory Committee reviewed this plan at their December 12, 2018 meeting and requested that several changes be made to the plan to ensure compliance with statutory requirements. Additionally, the PAC’s motion indicated that they would review the plan again before deciding whether to recommend that the CCRPC board grant approval, confirmation and a determination of energy compliance to the plan. The comments from the December PAC meeting and the City of Winooski’s response to them are summarized in the attached memo (dated December 13, 2018 and annotated February 6, 2019).**

I have completed this formal review of the plan against the statutory requirements of 24 V.S.A. Chapter 117 and the Vermont Department of Public Service’s Energy Planning Standards for Municipal Plans in advance of the first City Council hearing on the plan on February 19, 2019.

**Confirming and Approving the Municipal Plan**

Following the Chittenden County Regional Planning Commission’s (CCRPC’s) *Guidelines and Standards for Confirmation of Municipal Planning Processes and Approval of Municipal Plans (2018)* and the statutory requirements of 24 V.S.A. Chapter 117, I have reviewed the draft 2019 Winooski Master Plan to determine whether it is:

- Consistent with the general goals of §4302;
- Consistent with the specific goals of §4302;
- Contains the required elements of §4382;
- Compatible with the 2018 Chittenden County Regional Plan, entitled the *2018 Chittenden County ECOS Plan* (per §4350); and
- Compatible with approved plans of other municipalities (per §4350).

Additionally, I have reviewed the planning process requirements of §4350.

**Staff Review Findings and Comments**

1. The draft 2019 Winooski Master Plan is consistent with the general goals of §4302. See the attached Appendix A submittal that describes how the Plan is consistent with these goals.
2. The draft 2019 Winooski Master Plan is consistent with the specific goals of §4302. See the attached Appendix A submittal that describes how the Plan is consistent with these goals.

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3. The draft 2019 Winooski Master Plan contains the required elements of §4382. See the attached Appendix A submittal that describes how the Plan is consistent with these goals.
4. The draft 2019 Winooski Master Plan is generally compatible with the planning areas, goals and strategies of the 2018 Chittenden County Regional Plan, entitled the *2018 Chittenden County ECOS Plan*.
5. The draft 2019 Winooski Master Plan is compatible with the municipal plans for South Burlington, Colchester and Burlington (both existing plans and upcoming drafts).
6. Winooski has a planning process in place that is sufficient for an approved plan. In addition, Winooski has provided information about their planning budget and CCRPC finds that Winooski is maintaining its efforts to provide local funds for municipal and regional planning.

**Enhanced Energy Plan Review**

Following the statutory requirements of 24 V.S.A. §4352 and Vermont Department of Public Service’s Energy Planning Standards for Municipal Plans, I have reviewed the draft 2019 Winooski Master Plan to determine whether:

1. The plan includes an energy element that has the same components as described in 24 V.S.A. §4348a(a)(3) for a regional plan and is confirmed under the requirements of 24 V.S.A. §4350.
2. The plan is consistent with the following State goals:
  - a. Vermont's greenhouse gas reduction goals under 10 V.S.A. § 578(a);
  - b. Vermont's 25 by 25 goal for renewable energy under 10 V.S.A. § 580;
  - c. Vermont's building efficiency goals under 10 V.S.A. § 581;
  - d. State energy policy under 30 V.S.A. § 202a and the recommendations for regional and municipal energy planning pertaining to the efficient use of energy and the siting and development of renewable energy resources contained in the State energy plans adopted pursuant to 30 V.S.A. §§ 202 and 202b (State energy plans); and
  - e. The distributed renewable generation and energy transformation categories of resources to meet the requirements of the Renewable Energy Standard under 30 V.S.A. §§ 8004 and 8005.
3. The plan meets the standards for issuing a determination of energy compliance included in the State energy plans as developed by the Vermont Department of Public Service.

**Staff Review Findings and Comments**

Consistency with the requirements above is evaluated through the Vermont Department of Public Service’s Vermont Department of Public Service’s Energy Planning Standards for Municipal Plans, which is attached to this document and briefly summarized below.

Standard	Met	Not Met	N/A
1. Plan duly adopted and approved			Necessary for final determination
2. Submit a copy of the adopted plan			Necessary for final determination
3. Plan contains an energy element	X		

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4. Analysis of resources, needs, scarcities, costs and problems in the municipality across all energy sectors	X		
5.a. Report Current energy use for heating, electricity, and transportation	X		
5.b. Report 2025, 2035 and 2050 targets for energy use	X		
5.c. Evaluation of thermal-sector energy use changes	X		
5.d. Evaluation of transportation-sector energy use changes	X		
5.e. Evaluation of electric-sector energy use changes	X		
6.a. Encourage conservation by individuals and organizations	X		
6.b. Promote efficient buildings	X		
6.c. Promote decreased use of fossil fuels for heat	X		
6.d. Demonstrate municipal leadership re: efficiency of municipal buildings	X		
7.a. Encourage increased public transit use	X		
7.b. Promote shift away from single-occupancy vehicle trips	X		
7.d. Promote shift from gas/diesel to non-fossil fuel vehicles?	X		
7.e. Demonstrate municipal leadership re: efficiency of municipal transportation?	X		
8.a. Promote Smart growth land use policies	X		
8.b. Strongly prioritize development in compact, mixed use centers	X		
9.a. Report existing renewable energy generation	X		
9.b. Analyze generation potential	X		
9.c. Identify sufficient land to meet the 2050 generation targets			X
9.d. Ensure that local constraints do not prevent the generation targets from being met			X
9.e. Include policy statements on siting energy generation	X		
9.f. Maximize potential for generation on preferred sites	X		
9.g. Demonstrate municipal leadership re: deploying renewable energy	X		
10. Include maps provided by CCRPC	X		

**As drafted, the draft 2019 Winooski Master Plan meets the requirements above.**

**Proposed Motion & Next Steps:**

PROPOSED MOTION: The PAC finds that the draft 2019 Winooski Master Plan will meet all statutory requirements for CCRPC approval, and that the municipality's planning process meets all statutory requirements for CCRPC confirmation.

The PAC also finds that the draft 2019 Winooski Master Plan meets the requirements of the enhanced energy planning standards (“determination”) set forth in 24 V.S.A. §4352.

Upon notification that the Plan has been adopted by the municipality, CCRPC staff will review the plan, and any information relevant to the confirmation process. If staff determines that substantive changes have been made, the materials will be forwarded to the PAC for review. Otherwise the PAC recommends that the Plan, and the municipal planning process, should be forwarded to the CCRPC Board for approval, confirmation, and an affirmative determination of energy compliance.

To: Winooski Planning Commission

From: Emily Nosse-Leirer, Senior Planner

Date: December 13, 2018 – [Annotated for PAC review on February 6, 2019](#)

Re: CCRPC Staff and Planning Advisory Committee Review of Draft 2019 Winooski Master Plan, Including Enhanced Energy Plan Review

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Per the City of Winooski's request, the Chittenden County Regional Planning Commission's staff and Planning Advisory Committee (PAC) reviewed the draft 2019 Winooski Master Plan in advance of tonight's public hearing. The review evaluated requirements for plan approval and confirmation; as well as whether the plan meets the standards of the Vermont Department of Public Service's Energy Planning Standards, should the City choose to pursue a determination of energy compliance. I completed a formal review of the plan against the statutory requirements of 24 V.S.A. Chapter 117 and the Vermont Department of Public Service's Energy Planning Standards for Municipal Plans in advance of the PAC discussion of the draft plan. You may access the formal review starting on page 19 here: [https://www.ccrpcvt.org/wp-content/uploads/2018/12/PAC\\_Packet1\\_20181212.pdf](https://www.ccrpcvt.org/wp-content/uploads/2018/12/PAC_Packet1_20181212.pdf).

Overall, staff and the PAC enjoyed the plan and especially liked the format of arranging topics under relevant city vision areas. The PAC also found that the Plan does a great job of describing who Winooski is and where you want to go. **The PAC identified a few changes (summarized below) necessary for the plan to meet Vermont's planning statutory requirements. Additionally, the PAC had a few other comments, summarized below, which may be useful to you as your public hearing process commences. After the requirements below are addressed, the PAC will review the plan again to recommend it to CCRPC's Board.**

#### Amendments to Meet Statutory Requirements

1. To be consistent with statutory planning requirements, the Winooski Master Plan must better address Goal 10 (Use of Resources).
  - [To address Goal 10 \(Use of Resources\), the plan should include information about why the goal isn't relevant for Winooski. The plan's section on adjoining municipalities does mention that there is an existing quarry operation just over the northern border with Colchester. However, compliance with the goal would be improved by including a table showing where each statutory requirement is met and indicating that this goal is not relevant to Winooski. \(The City of Burlington included a similar table in their latest draft of planBTV.\)](#)
  - [Appendix 1, "Alignment with State Requirements," has been added to the plan and addresses this requirement.](#)
2. On the future land use map on page 18 of the draft plan, the areas designated as "City Parks Zoned for Commercial or Industrial" caused confusion. The PAC understands that the City's plan is to retain these areas to support recreation in some way, rather than to sell them for commercial or industrial use. The PAC requests that the future land use map designate these areas as you would like to see them in the future, rather than expressing the existing zoning/use mismatch. (This mismatch is already shown on the existing land use map).
  - [Map 2, Future Land Use, has been updated to indicate that the future land use of these areas are not yet determined, and text has been added to explain the current situation and call for future conversations about it.](#)

3. The PAC liked the City's idea to implement the plan by completing an annual work program. However, it was suggested that the Implementation Program section on Page 29 say more explicitly that each plan incorporated by reference has specific actions that will be completed via these work programs.
  - [This section has been updated to refer to the specific plans, the adoption of committee and staff work plans and planning for the increased tax revenue that is expected to occur with the expiration of the City's TIF district in 2024.](#)

The PAC had a few other suggestions that may be helpful:

4. Not all maps have a legend, which can make some of them difficult to understand. Consider adding a legend to each map and/or having a separate appendix where each map can be seen in full size with legends. [Legends were added where necessary and larger maps were added at the end of the plan.](#)
5. There are policies in the plan's energy section and energy supplement that seem to be contradictory. On page 23, the plan describes Winooski's urban density and says that it is not the intent of the plan to protect primary agricultural soils. On page 22, the plan states that the City will need to work with DEC to determine whether the mapped river corridor is accurate and figure out how to best protect those areas. However, the energy planning supplement contains a policy protecting state-defined constraints, including river corridors and agricultural soils, during all development, not just energy. To gain a determination of energy compliance, the plan needs to identify constraints, map them and take these areas into account when determining the amount of generation potential in the municipality. The standards do not state the municipality is responsible for enforcing these state constraints. For the sake of clarity in the plan, I suggest the following:
  - a. The plan's statement about Winooski's agricultural soils no longer holding any value for mitigation is tucked into the text of the plan and is not included in the Goals/Objectives section at the end of the chapter. To make sure the policy stands out to the reader, consider moving it or repeating it there. [This statement has been removed from the main body of the plan and replaced with a side bar indicating the city's intention to increase the Neighborhood Designation to decrease agricultural mitigation fees in the city. The caveat remains in the energy section to alert potential developers to the possibility of state review on this constraint.](#)
  - b. The statements about known and possible constraints should be edited to reflect the City's attitude towards these development restrictions. Currently, the energy supplement includes statements that "known constraints are areas in which development, including renewable energy generation, is not appropriate," and that "possible constraints are areas in which the effects of development, including renewable energy generation, may need to be mitigated," as well as policy 11, "site renewable energy generation to avoid state known constraints and to minimize impacts to state possible constraints." Consider explaining in the constraint section that known and possible constraints have been defined by the state and will be monitored and protected during the PUC process (and in many cases, during Act 250 review) by relevant state agencies, but not by the City of Winooski. This will alert residents and developers to constraints that may be in place from outside forces, furthering Winooski's "get to yes" development review culture. Further, policy 11 in the Supplement might be replaced with a statement such as "Encourage renewable energy generation facilities in areas that have reached their full development potential and educate potential developers on development constraints that may be applied by the State of Vermont." [The previous statements about known and possible constraints have been removed and replaced with the suggested text. As discussed in my edits to a. above, explanatory text about the constraints and their possible role in state review of renewable energy facilities has been added.](#)

6. **The PAC understands that the City has not decided whether or not to pursue a determination of energy compliance. If the City decides to pursue a recommendation, simply inform us before the next time the plan is reviewed by the PAC. Staff and the PAC did review the plan against the energy planning standards to keep this option open for the city, and found that the plan would meet the standards.** Several suggestions are below.
- a. The PAC discussed the fact that Winooski's biggest contribution to meeting Vermont's energy goals is its energy efficient high density land use, and multi-modal transportation options. The PAC was not concerned that Winooski does not have much land area available for energy generation. However, the PAC suggests including more text in the plan celebrating Winooski's great work on density, walkability and low transportation energy use. [Text was added to the energy plan to describe the city's transportation demand management \(TDM\) strategies, as outlined in the Transportation Master Plan.](#)
  - b. Since Winooski has a building code, the PAC suggested including requirements for electric vehicle charging in the code, especially to make sure that the necessary conduits are in place for installing future charging stations. One member also suggested that the City consider the stretch energy code (a standard higher than the base building code). [Text was added to consider the stretch code, or at least the electric vehicle conduit requirements for new development.](#)
  - c. The plan could be improved by including Vermont Gas service lines on the map showing existing energy facilities. [Utility lines were added to the Winooski online map viewer, which is linked in the Municipal Infrastructure chapter.](#)