

**Staff Review of draft planBTV Comprehensive Plan 2019 Update, Including Enhanced Energy Plan Review**

**Emily Nosse-Leirer, Senior Planner**

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

Additionally, the City of Burlington 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 planBTV Comprehensive Plan 2019 Update.

This draft planBTV Comprehensive Plan 2019 Update is an update and re-adoption of the 2014 Municipal Development Plan. In accordance with statute, re-adoption means that this is a fully compliant plan that will expire eight years after adoption by the City Council. CCRPC reviewed the 2014 plan and met with Burlington staff to discuss it in April 2017 as part of an informal review and consultation process. The draft planBTV Comprehensive Plan 2019 Update is a complete reworking of the 2014 Municipal Development Plan. planBTV ties all of Burlington's planning efforts together through adopting many other city and regional plans by reference and providing summaries of ongoing relevant work. 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 Planning Commission upcoming public hearing, which will be warned soon.

**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 planBTV Comprehensive Plan 2019 Update 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 planBTV Comprehensive Plan 2019 Update is consistent with the general goals of §4302. See the attached excerpt from the plan (Appendix C: Statutory Requirements) that describes how the Plan is consistent with these goals.

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2. The draft planBTV Comprehensive Plan 2019 Update is consistent with the specific goals of §4302. See the attached excerpt from the plan (Appendix C: Statutory Requirements) that describes how the Plan is consistent with these goals.
3. The draft planBTV Comprehensive Plan 2019 Update contains the required elements of §4382. See the attached excerpt from the plan (Appendix C: Statutory Requirements) that describes how the Plan is consistent with these goals.
4. The draft planBTV Comprehensive Plan 2019 Update 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 planBTV Comprehensive Plan 2019 Update is compatible with the municipal plans for South Burlington, Colchester and Winooski.
6. Burlington has a planning process in place that is sufficient for an approved plan. In addition, Burlington has provided information about their planning budget and CCRPC finds that Burlington is maintaining its efforts to provide local funds for municipal and regional planning.

Additional Comments/Questions:

This plan provided a very clear explanation of how Burlington’s multiple planning processes fit together, and the document connects various components very well. Framing sections through Burlington’s goals to be a “Distinctive,” “Dynamic,” “Inclusive” and “Connected” city provided a nice link to the City’s vision for itself, and splitting land use into areas to “Conserve,” “Sustain” and “Grow” was unique and useful.

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 planBTV Comprehensive Plan 2019 Update to determine whether:

7. 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.
8. The plan is consistent with following State goals:
  - a. Vermont's greenhouse gas reduction goals under 10 V.S.A. § 578(a); **(see note #12 below)**
  - 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.
9. 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.

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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		
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 – see note 10
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 – see note 10 below
9.d. Ensure that local constraints do not prevent the generation targets from being met			X – see note 10 below
9.e. Include policy statements on siting energy generation	X – see note 11 below		
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 planBTV Comprehensive Plan 2019 Update meets the requirements above.**

Notes and Comments:

10. Renewable energy generation within Burlington already exceeds the 2050 high target for the City established by CCRPC, so no additional targets were established by CCRPC's 2018 ECOS Plan. planBTV indicates that the targets have already been met, but that the City is actively continuing to pursue additional generation opportunities.
11. Certified municipal enhanced energy plans gain substantial deference for their land use policies. According to 30 VSA §248, "substantial deference" means that a land conservation measure or specific policy shall be applied in accordance with its terms unless there is a clear and convincing demonstration that other factors affecting the general good of the State outweigh the application of the measure or policy." It is CCRPC's understanding that the City of Burlington has chosen not to include prohibitions on renewable generation siting in planBTV, and has chosen instead only to define places to encourage generation. This meets Standard 9e.
12. Enhanced energy plans are required to be consistent with State goals, including Vermont's greenhouse gas reduction goals under 10 V.S.A. § 578(a) (50% reduction from 1990 levels by 2028 and 75% reduction from 1990 levels by 2050). Burlington's Climate Action Plan is incorporated into planBTV by reference, and it includes a greenhouse gas inventory with somewhat different goals than described in state statute. However, Burlington's emissions goals are likely to change significantly as the City further develops their Net Zero Community by 2030 goal. CCRPC staff views the Net Zero by 2030 goal as a substantial step towards meeting Vermont's greenhouse gas reduction goals and considers the draft planBTV Comprehensive Plan 2019 Update consistent with these goals.

**Proposed Motion & Next Steps:**

PROPOSED MOTION: The PAC finds that the draft planBTV Comprehensive Plan 2019 Update, as submitted, meets 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 planBTV Comprehensive Plan 2019 Update 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.