



CHITTENDEN COUNTY RPC

Communities Planning Together

Planning Advisory Committee Agenda

Wednesday, April 13, 2022

2:30pm to 4:00pm

Meeting will be held virtually.

Virtual Location: <https://us02web.zoom.us/j/85182932046>

For those who would prefer to join by phone or those without a microphone on your computer, please dial in using your phone. (For supported devices, tap a one-touch number below to join instantly.)

Dial: +1 646 876 9923; Meeting ID: 851 8293 2046

For supported devices, tap a one-touch number join instantly: +13017158592,,85182932046#

Agenda

2:30 Welcome and Introductions, Joss Besse

2:35 Approval of March 23, 2022 Minutes*

2:40 Arc Urban, Melanie Needle & Sydney Rich with ESRI

On September 9, 2020 ESRI provided the PAC with an ArcGIS Urban demo. CCRPC has continued investigating this tool for use in 3D visualization of conceptual future development scenarios. ESRI will be attending this meeting to provide an overview of the tool and the options for enhancing it. CCRPC will also talk with the PAC about the potential need to cost-share for this tool.

3:10 Climate Change and Land Use Guide*, Ann Janda

Staff will provide an overview of the Climate Change and Land Use guide that CCRPC prepared to help address questions from Energy Committee members about how to address energy and climate change issues in zoning. Feedback would be appreciated.

3:30 FY23 UPWP Review, Regina Mahony

Review the draft FY23 CCRPC UPWP and provide any comments that you may have. New land use projects are in blue highlight. This document can be found [here](#).

3:40 Members Items Open Forum, Members

If anyone has anything they'd like to bring up with the group, please do so.

3:50 Regional Act 250/Section 248 Projects on the Horizon - Please email Regina and Taylor with projects on the horizon.

3:55 Other Business

- a. Quick discussion: We have an old ECOS indicator that was done with grant funds back in 2011. We are unaware of any municipalities doing any major zoning bylaw work to increase scenic resource protection since that time. Have any municipalities done any zoning amendments on scenic resource protections since 2011?

In accordance with provisions of the Americans with Disabilities Act (ADA) of 1990, the CCRPC will ensure public meeting sites are accessible to all people. Requests for free interpretive or translation services, assistive devices, or other requested accommodations, should be made to Emma Vaughn, CCRPC Title VI Coordinator, at 802-846-4490 ext 121 or evaughn@ccrpcvt.org, no later than 3 business days prior to the meeting for which services are requested.



CHITTENDEN COUNTY RPC

Communities Planning Together

- b. April is Fair Housing Month - There are several ways the Fair Housing Project of CVOEO suggests that groups and municipal committees can get involved, including:
- Share the attached news release in your networks*
 - Consider issuing a Fair Housing Month proclamation. This is an excellent way to raise awareness about housing equity in your community. You can see examples from Burlington and Montpelier here: <https://fairhousingmonthvt.org/fair-housing-month-proclamations>
 - Host a Fair Housing Month event or community housing discussion – and submit the information here: <https://forms.office.com/r/Kfia9Qe6LE>
 - And for those of you directly connected with housing sites or community groups, you can request all-ages HeART & Home art kits for distribution at <https://forms.office.com/r/Kfia9Qe6LE> or simply direct people to this page for downloadable art prompts and info about how to submit art and enter to win prizes: <https://fairhousingmonthvt.org/community-art-project>

4:00 Adjourn

* = Attachment

NEXT MEETINGS: May 11, 2022 at 2:30pm

Here are the future PAC meetings so you can hold the time in your calendars. Just keep in mind that sometimes we have to adjust these dates for various reasons:

July 13

September 14

November 9

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
PLANNING ADVISORY COMMITTEE - MINUTES

DATE: Wednesday, March 23, 2022
TIME: 2:30 p.m. to 4:00 p.m.
PLACE: Virtual Meeting via Zoom with link as published on the agenda and in Main Conference Room at CCRPC (no one attended in person)

Members Present:

Joss Besse, Bolton
Eric Vorwald, Winooski
Virginia Clarke, Richmond
Meagan Tuttle, Burlington
Larry Lewack, Charlotte
Alex Weinhausen, Hinesburg
Paul Conner, South Burlington
Cathyan LaRose, Colchester
Katherine Sonnick, Jericho

Adele Gravit, Shelburne
Zach Maia, Colchester
Jon Ignatowski, Bolton
Charles Dillard, Burlington
Darren Schibler, Essex

Staff:

Regina Mahony, Planning Program Manager
Melanie Needle, Senior Planner
Taylor Newton, Senior Planner

1. Welcome and Introductions

Joss Besse called the meeting to order at 2:33 p.m.

2. Approval of January 12, 2022 Minutes

Eric Vorwald made a motion, seconded by Alex Weinhausen to approve the January 12, 2022 minutes. No further discussion. MOTION PASSED.

3. Town of Bolton Enhanced Energy Plan Review

Bolton is amending their Town Plan to include the Enhanced Energy Plan and is seeking a Determination of Energy Compliance as well. The Plan amendment documents are [here](#).

Regina Mahony opened the public hearing and kept it open in case anyone from the public comes.

Taylor provided an overview of the staff summary. Taylor stated that the draft energy plan was prepared largely by CCRPC and meets the enhanced energy plan criteria. There are also a few land use changes as described in the staff report. Jon Ignatowski provided an overview of the timing of this amendment - The planning process for Bolton's Energy Plan began in June of 2019, and the Planning Commission held a public hearing for the Energy Plan on January 21, 2020 with 14 members of the public attending. However, due to errors with the warning of the public hearing, Jon encouraged the Bolton Select Board to not approve the Energy Plan and to properly warn new hearings. The Energy Plan has not changed since January 21, 2020. CCRPC Staff finds that because the Town of Bolton has been actively working on its enhanced energy plan for several years under the 2017 standards and held a public hearing prior to the 2022 CEP (and associated new standards) being published, the enhanced energy plan is being reviewed under the 2017 standards. Jon Ignatowski added the Bolton Planning Commission public hearing will take place on April 21, 2022.

PAC comments/questions included:

- Does the plan include any special provisions for no go zones for renewable energy? CCRPC indicated that is correct, however, the plan includes the state constraints. Where will the solar go? Jon Ignatowski indicated that the most likely location is Route 2 in the valley and there is a solar array happening there now. Is the plan calling for solar in forested areas? Melanie Needle stated that Map 9 includes potential wind and solar locations and this basically shows the few areas in Town that could accommodate solar.

- Do the renewable energy targets include all existing and future residential and commercial needs? Melanie Needle stated the targets are based on actual energy consumption, but this does not include a forecast of future energy need.
- How will the land use changes in this Bolton Plan update work with future land use map in the ECOS Plan update? Taylor Newton described the proposed changes at Bolton Valley – essentially a slight expansion at both the northern and southern part of the existing “Village Planning Area” on the ECOS Plan. There are also some slight corrections being addressed in the Town plan. Taylor added that CCRPC would likely make these changes to the ECOS Future Land Use Map in the next update. Larry Lewack also provided more information about the Bolton Valley Master Plan and the associated changes. Regina Mahony added that if these were significant changes that shifted land from a rural planning area to an area planned for growth, that would be more heavily scrutinized because CCRPC would not necessarily be open to a big adjustment in the ECOS Plan. However, these are relatively minor adjustments that we see from time to time as the municipalities make refinements in the Town Plans.

The public hearing was closed.

Alex Weinhagen made a motion, seconded by Meagan Tuttle, that the PAC finds that the proposed Town of Bolton Town Plan Energy Elements (draft 9/25/2020) meets the requirements of the enhanced energy planning standards (“determination”) set forth in 24 V.S.A. §4352. Upon notification that the municipality has adopted the amendments, CCRPC staff will review the plan and any information relevant to the adoption 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 draft Energy Plan should be forwarded to the CCRPC Board for an affirmative determination of energy compliance. No further discussion. MOTION PASSED.

4. Housing Data Table for the 2023 ECOS Plan

Regina Mahony stated that at the last meeting the PAC reviewed the draft of the housing section for the 2023 ECOS Plan update. There was a discussion about including a data table that compares municipal housing to the County totals, and the Building Homes Together goal. A draft of this table was included in the packet.

Staff gave a brief overview of the table and asked for comments. The PAC had the following questions and comments:

- Does the new affordable construction include conversions of existing buildings? Staff stated, yes, this includes existing residential that has been brought into a perpetually affordable portfolio such as shared equity and a naturally occurring affordable project on Dorset Street. Melanie Needle will check on hotel conversions.
- There was a discussion regarding ‘small a affordable’ – meaning homes that are affordable without subsidy or regulation such as mobile homes. This data is missing that component and it’s a big component. Regina Mahony stated that staff has thought about trying to capture this through an analysis of assessed values and it’s been difficult thus far. Melanie Needle added that we do have mobile homes in the database and could add those as a column.
- Calling out the five years of the Building Homes Together campaign loses site of all work done prior to that. Melanie Needle added that the first “affordable” column includes all the total subsidized/regulated affordable in the County.
- There was a comment about whether this will be helpful or not since many of the smaller municipalities aren’t going to build a significant number of new homes, and that isn’t where the services are. Regina added that Staff will also try to bring in a planning area and/or bus service lens to make the geographic component into the mix. Regina also added that addressing affordability is still an issue for all of the towns, and equity should be at the forefront.
- There was a suggestion to clarify that the table isn’t capturing everything as it will likely be hard to capture ‘little a affordable’ in full.
- There was a suggestion to switch the column header from “affordable constructed” to something like “affordable created” to try to make it clear that it isn’t only brand new construction.

For reference: [Complete Housing Data Dashboard](#); [Building Homes Together Data Dashboard](#).

5. Legislative Items

Regina Mahony pointed folks to the VPA legislative committee's weekly update, and highlighted a few items:

- "Budget Adjustment Act for current fiscal year – Signed into law by the Governor on 3/16/22. The final version still included a provision for an additional \$250,000 for municipal planning grants managed by DHCD. Presumably, this will allow DHCD to make additional awards to MPG applications that weren't selected in December."
- H.606 – Community Resilience and Biodiversity Protection – calls for a certain percentage of land to be conserved.
- Act 250 Reform – There are a few bills on the table already. Still moving – change to appeals process (H.492); and S.234 – look at state designation programs, includes the road rule, etc.
- S.226 – Omnibus housing – intended to ease the way for more NDAs; tax credits; bylaw modernization grants
- H.518 - Municipal Fuel Switching Grant Program. This is intended to provide municipalities with funding for weatherization and electrification of thermal systems in municipally owned buildings. Passed the house on 3/17 and sent over to the Senate.

Alex Weinhagen asked if CCRPC will weigh in on the road rule in S.234. Regina Mahony stated that she wasn't sure CCRPC had a specific opinion on it, but will review previous Act 250 statements.

6. Members Items Open Forum

Alex Weinhagen stated that Hinesburg has been getting communications from housing partners to do projects. Have others been contacted by folks?

Essex – had a hotel conversion; Essex Junction – Chittenden Crossing project.

Winooski – have had housing partners ask for quickly advancing amendments to regulations to support future developments.

Virginia Clarke stated that Richmond has been getting asks from owners of commercial spaces to go to residential.

Never had this ask before. Is this happening in other places? How do we feel about this? Should we be reserving commercial and if so, for what? Cymone Haiju stated that Milton has had pressure on the Route 7 corridor to convert from commercial to residential. They made some changes including establishing a minimum first floor requirement of 12' minimum to 24' maximum, so the first floor could convert from residential to commercial in the future.

Darren Schibler indicated that they've had a similar experience in Essex lately. Though they haven't ever seen a conversion happen in that way. Darren suggested thinking about the experience of the residents if they are going to be on the first floor. Virginia Clarke asked if others are concerned about losing all commercial? Darren Schibler stated that their bigger concern now is the overbuild of commercial space and the vacancies associated with that.

Taylor Newton added that Williston is taking a similar approach to Milton; but they are requiring that if the first floor is residential that it sit 3' up above the ground floor for privacy from the sidewalks. Alex Weinhagen cautioned to not let all of the commercial space go away; because when the new residents come, ultimately there will be a greater need for more commercial services. Cymone Haiju agreed.

7. Regional Act 250/Section 248 Projects on the Horizon.

Joss Besse asked the PAC to email Regina and Taylor any Act 250/Section 248 updates.

8. Other Business

- a. Quick discussion: do folks prefer to continue to meet virtually, or would you like to start meeting in person? Approximately 7 folks would prefer an in person meeting. Others expressed interest in virtual and expressed the added benefit of energy conservation without driving. There was a suggestion to not do hybrid; just pick one or the other. Regina stated that we will likely stick with virtual for now as the hybrid model doesn't work perfectly at CCRPC, and not all want to come in.
- b. **Green Justice Zones Forum** on Wednesday, March 23 from 6-7:30 pm. A Green Justice Zone is the

concept of making investments in sustainability and equity in neighborhoods that have been disinvested in and are overburdened with pollution, and/or have higher exposure to risks associated with climate change. These initiatives use data mapping, community design and a participatory budgeting process to support community revitalization in communities who have experienced the most harms by the current climate crisis. Vermont's 11 regional planning commissions have partnered with Rights and Democracy to explore the concept and how it can be applied in our state. Guests include representatives from the Green Justice Zone efforts in the city of Providence, which has begun implementing its Climate Justice Plan. Please follow this link to register: <https://www.mobilize.us/rightsdemocracy/event/444210/>

c. Reminder – if you haven't yet submitted your **development activity for 2021** please do so.

d. **VT Bond Bank Capital Planning Forum:** April 7th & 8th, 9am to 1pm. See the attached flyer; and register [here](#).

e. **Upcoming Housing Convening** – Monday, March 28th at 6pm: <https://us02web.zoom.us/j/83565159394>

9. Adjourn

Meeting adjourned at 4:00pm.

Respectfully submitted, Regina Mahony



limate Change and Land Use

Smart growth reduces greenhouse gas emissions
and keeps Vermont's rural landscape intact

Prepared by:



CHITTENDEN
COUNTY
RPC

ccrpcvt.org/energy

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Land Use Regulations Impact on Climate Change

Low density is an inefficient use of land with greater dependence on cars. This land use pattern uses more energy and emits more climate change causing emissions. **Compact walkable neighborhoods** offer diversity of housing choice, high quality open space and access to surrounding natural areas, employment, services and shopping -- providing lifestyles less dependent on cars.


Low density:



Uses more energy for heating and cooling.
Low density development encourages larger building footprints with higher heating and cooling needs.




Results in more driving.
Sprawling suburban and rural areas are heavily dependent on cars with limited opportunity for walking, biking and taking the bus to everyday destinations.




Causes loss of natural habitats, lower carbon sequestration and storage.
Low density zoning rules allow Vermont's working and natural landscape to be converted to development, eliminating the existing and future carbon sequestration and storage benefits. Inefficient use of finite buildable land worsens stormwater, whose impacts are increasingly costly to mitigate.


Compact walkable neighborhoods:



Use less energy for heating and cooling.
Compact density development encourages smaller building footprints with lower heating and cooling needs.




Allow for less driving.
Compact development promotes efficient travel that is less dependent on cars, and provides more choice and opportunity for walking, biking and taking the bus.



Conserve natural habitats, maintained carbon sequestration and storage.
Compact development in existing development areas decreases development pressure on Vermont's working, natural landscape and preserves it for existing and future carbon sequestration and storage benefits.

Sources: [Initial Vermont Climate Action Plan, Page 60](#) »
[Forest Carbon, An Essential Natural Solution for Climate Change](#) »

 This [article](#) gives further detail regarding the importance of land use policy in addressing climate change.

The following guide is intended to provide municipalities with guidance on how to amend the land use regulations to limit low density sprawl, enable compact walkable neighborhoods, and protect the working and natural landscape to ensure climate change resilience.

Equity in Addressing Climate Change


Certain populations are more vulnerable to the impacts of climate change and to policies that are developed to address it. As land use policies are considered, it is important to ask the questions below to empower more inclusive decision-making:

Who is helped?


Who is harmed?

Who is missing?


Things to consider from the State of Vermont Climate Council's [Guiding Principles for a Just Transition](#):



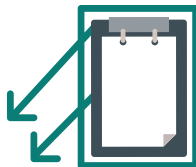
All recommendations directly identify and support relevant impacted and frontline communities.




Investments, policies, administration, and oversight tackle the needs of impacted people first, providing the greatest benefits of transitions to these communities.



Future climate goals must be broad for the well-being of all Vermonters and include targeted strategies for different groups that take into account their specific histories, sociocultural and economic realities.



Where plans and policies create burdens, these burdens are shifted away from impacted communities.

 For more information on building equity into climate change actions, see the State of Vermont Climate Council's [Guiding Principles for a Just Transition](#).

Climate Change and Land Use | Page 1

Creating and Reinforcing Compact Walkable Neighborhoods

One of the most impactful ways to reduce greenhouse gas emissions is to enable more compact walkable neighborhoods in areas planned for growth:

Eliminate minimum lot sizes in areas planned for growth.

Many Vermont municipalities have applied rural or suburban lot size standards onto urban or village centers. This hinders compact development and discourages walkability. Amend bylaws to eliminate minimum lot size requirements or ensure that existing lot size requirements mirror traditional village lot sizes. This will reduce the number of non-conforming structures that may exist in your municipality and thereby simplify the development review process by avoiding unnecessary conditional use or site plan review that may be required for non-conformance. *Source: [Enabling Better Places: A Zoning Guide for Vermont Neighborhoods](#) »*

Remove maximum residential density standards in areas planned for growth.

Amend bylaws to remove maximum residential density standards. These standards create unneeded regulatory complexity in areas planned for growth which are already constrained by other dimensional standards (e.g. height, coverage, footprint, etc). Maximum residential density standards in areas planned for growth can make it impossible for a new development to provide the smaller housing units that are needed. *

Lower (or remove) minimum parking requirements in areas planned for growth.

Minimum parking requirements have not been an effective tool in either accurately predicting parking need or in successfully producing great, walkable places. In most cases, lenders and tenants will demand a minimum number of parking spaces. Municipalities should focus on where that parking is located, not how much parking there should be. To address this, minimum parking requirements can be eliminated entirely, or at least eliminated for smaller parcels. See information on EV charging on page 5. *

Waive or reduce impact fees for development in areas planned for growth.

Impact fees outside of urban/village centers can help curb sprawl through increased land development costs. But in municipal centers, where the goal is to reduce driving and inspire walking-oriented communities, impact fees can discourage investment in development. Waive or reduce impact fees in areas planned for growth. *Source: [Enabling Better Places: A Zoning Guide for Vermont Neighborhoods](#) »*

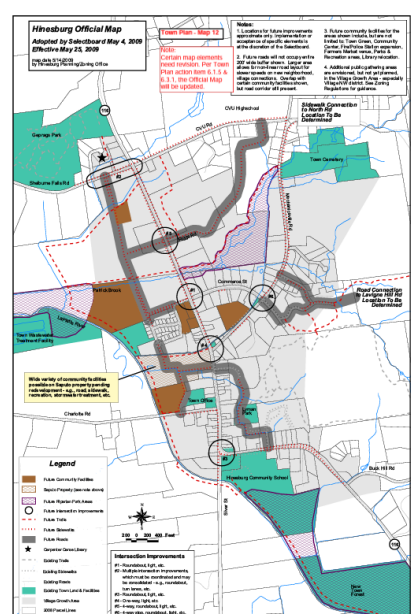
Plan for infrastructure.

Developing in areas planned for growth requires that sufficient infrastructure be in place. Municipalities need to take an active role in planning for future water, wastewater, stormwater, transportation, and public facilities-related infrastructure. Preliminary engineering reports are typically needed to fund final design and construction of water, wastewater, and stormwater projects. Transportation infrastructure (e.g. streets, sidewalks, shared-use paths) and other public facilities (e.g. parks, municipal garages, schools, etc.) often require a scoping study before final design and construction can be funded using Federal funds. By completing the necessary planning work for infrastructure, often in concert with an Official Map, a municipality can directly implement the land use and energy goals in the Town Plan and ensure that future development is done in a manner that combats climate change.

Adopt an official map.

Adopt an official map which can help ensure that future growth patterns match those desired by the municipality and sends a signal to developers on the desired public facilities for walking/biking infrastructure.

According to the Vermont Planning Information Center (VPIC):



The official map is a powerful tool available to Vermont municipalities to control community design by identifying the locations of future public facilities. The map—which can show future street alignments, planned trails, sites reserved for public buildings, and areas reserved for stormwater and flood control—provides a clear picture to property owners, developers, and the public of the municipality's intentions with regard to its future physical form and design.

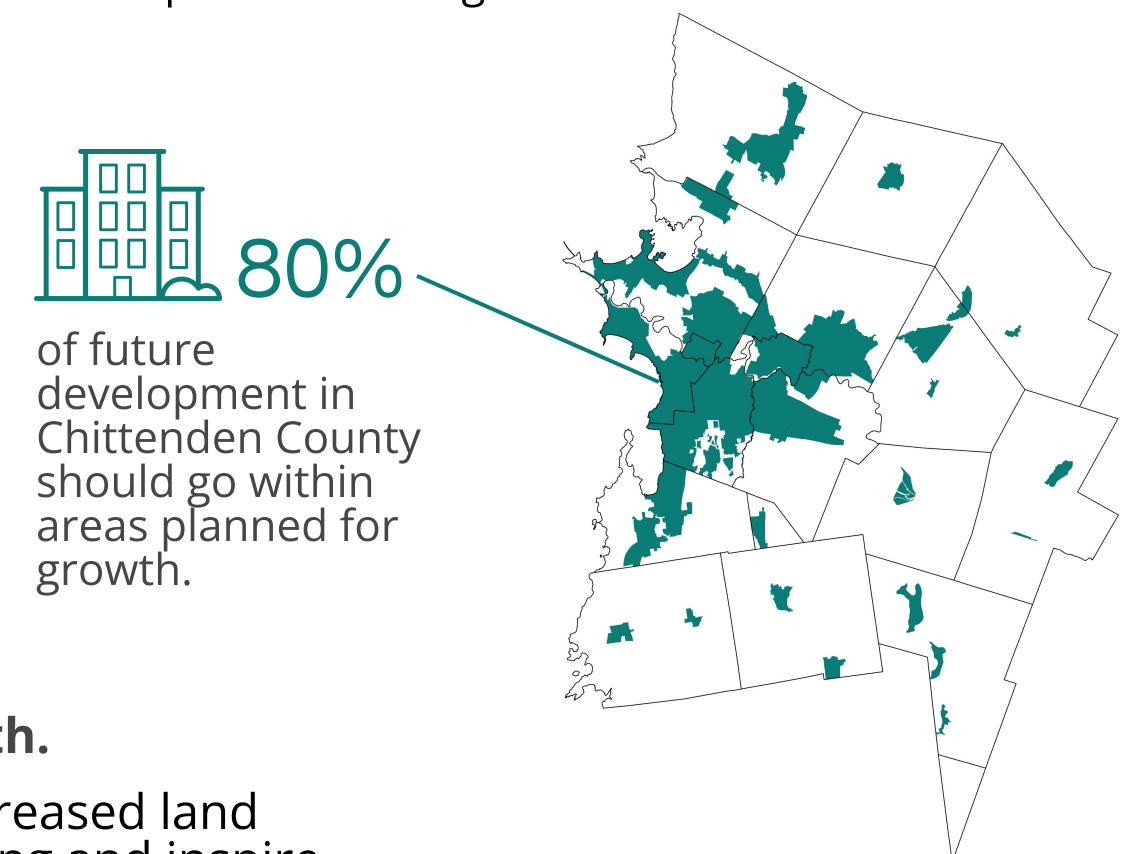
All future development proposals shall accommodate public facilities shown on an official map. Failure to accommodate legally enables the municipality to acquire the necessary property.

Source: [Official Map: Vermont Land Use Education & Training Collaborative](#) »

Image: [Town of Hinesburg Official Map \(Click to Enlarge\)](#) »

Chittenden County Map: Areas Planned for Growth

The areas planned for growth are teal on this map. This land area is only **15%** of the county. It is served by existing infrastructure, established based on local zoning, and defines where at least **80%** of future development should go.



Allow more than one primary structure on a lot.

Many bylaws allow only one 'principal' building on a lot. There is no need to arbitrarily limit each lot to one building via bylaw. This severely limits residential density and may create unneeded regulatory complexity. Dimensional standards and fire separation requirements (for any structures with three or more units, and sometimes two units) already regulate the size and placement of buildings. *

Simplify "use" regulations.

"Use" regulations in local zoning bylaws often require housing types other than single-household dwellings to receive "conditional use" approval, or potentially other types of complex development review approval (e.g. PUD), before they are able to be constructed. This increased regulatory complexity adds time and cost to the development review process for housing types that are typical of a Vermont village or downtown (duplex, triplex, small apartments). Simplify "use" regulations by making more housing types allowed by-right. *

Adopt more permissive non-conforming structure rules.

Many municipalities have zoning regulations that heavily restrict how non-conforming structures can be changed and require review by the Development Review Board (typically conditional use). This can make upgrades and building expansion for these structures difficult or impossible. Municipalities should review their non-conforming structure regulations and consider easing rules to administratively allow for upgrades and/or expansion in the areas planned for growth.

Source: *Enabling Better Places: A Zoning Guide for Vermont Neighborhoods* »



[Enabling Better Places: A Zoning Guide for Vermont Neighborhoods](#) »

[Agency of Commerce and Community Development](#) »

[Vermont Planning Information Center: Official Map](#) »

Keep Working and Natural Landscapes Intact for Climate Change Resilience and Protect the Health of the Ecosystem at the Same Time. Win-win!



Plant and animal species are interconnected with their landscapes. Maintaining natural habitats and migration corridors protects ecosystem processes, which increases our resilience to extreme weather events and maintains critical carbon storage features in the natural environment. Landowner and land manager actions can influence the ability of the landscape to sequester carbon from the atmosphere. Human decisions on land management and water resources affect carbon storage and greenhouse gas emissions.

Here is a list of things you can do to increase resilience, carbon sequestration, and carbon storage in the working and natural landscape:

Create zoning regulations to protect forests, wildlife habitat, river corridors, wetlands, and riparian areas to mitigate the impacts of development on natural resources.

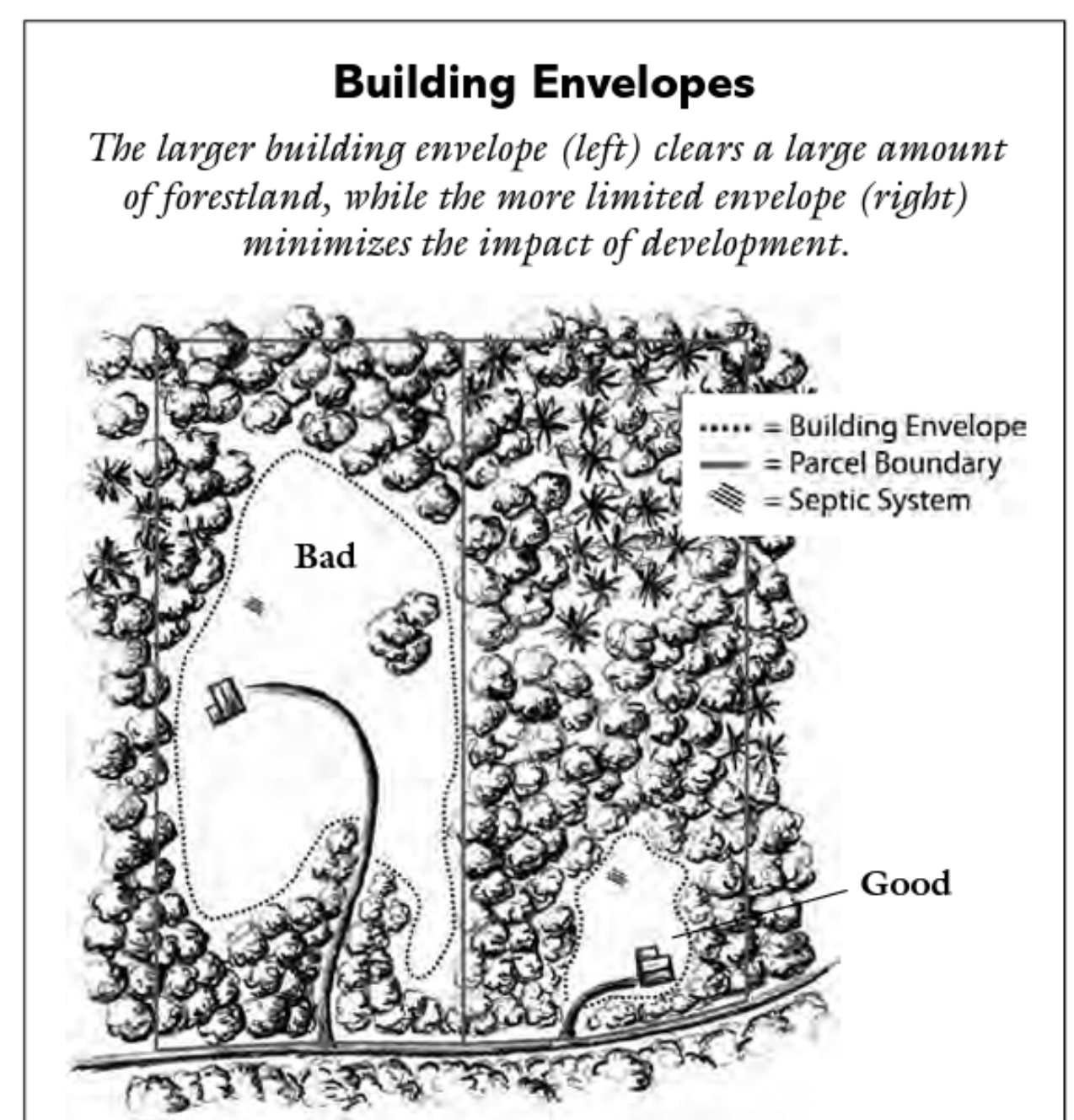


It is important to define these resources clearly. See Chapter 18: Writing Clear Definitions from VNRC's *Community Strategies for Vermont's Forests and Wildlife: A Guide for Local Action* for guidance on this.

Conservation and Forest Zoning Districts.

Once a municipality defines important conservation and forest areas for protection, ensure that your zoning bylaws protect those resources from development. This can be done with conservation and forest zoning districts with large minimum lot sizes, clearing limits and/or building envelopes (see the image to the right).

Large minimum lot sizes (25 acres +) in these areas prevent subdivision, severely limit development potential, and potentially limit future forest fragmentation. Bolton's Conservation District is a great example. Overlay Districts are another tool that can help protect these important resources. [Jericho's Natural Resources Overlay District](#) is a great example.



Source: *VNRC's Community Strategies for Vermont's Forests and Wildlife: A Guide for Local Action* »

Conservation Subdivisions, Clustered Developments or Planned Unit Developments (PUDs).

The preferred tool is a conservation subdivision, but each of these can be used to protect natural resources identified in the regulations, guide the subsequent development of subdivided lots, limit resource fragmentation and consider forest management. This tool allows the same amount of homes to be built in accordance with the zoning district's density but on smaller lots. The ultimate design is less land intensive and protects the natural resources on the remaining parcel (usually at least 50% of the lot is conserved). Good examples include Williston and Warren.

Source: [VNRC's Community Strategies for Vermont's Forests and Wildlife: A Guide for Local Action](#) »

Below, illustration A captures the Town of Ferrisburgh's rural lands which can be described as a broad valley with sweeping views to Lake Champlain and the distant Adirondack and Green Mountains visible from roads throughout town. Farm buildings are large and the open space around them is relatively flat and open.

Example: Design Considerations in Ferrisburgh's Rural Landscape

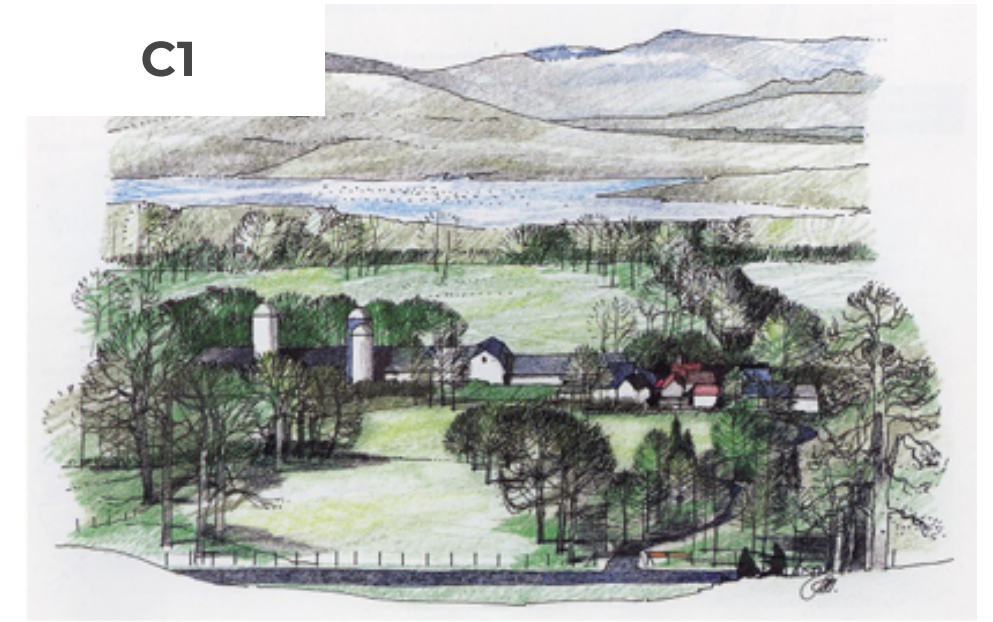
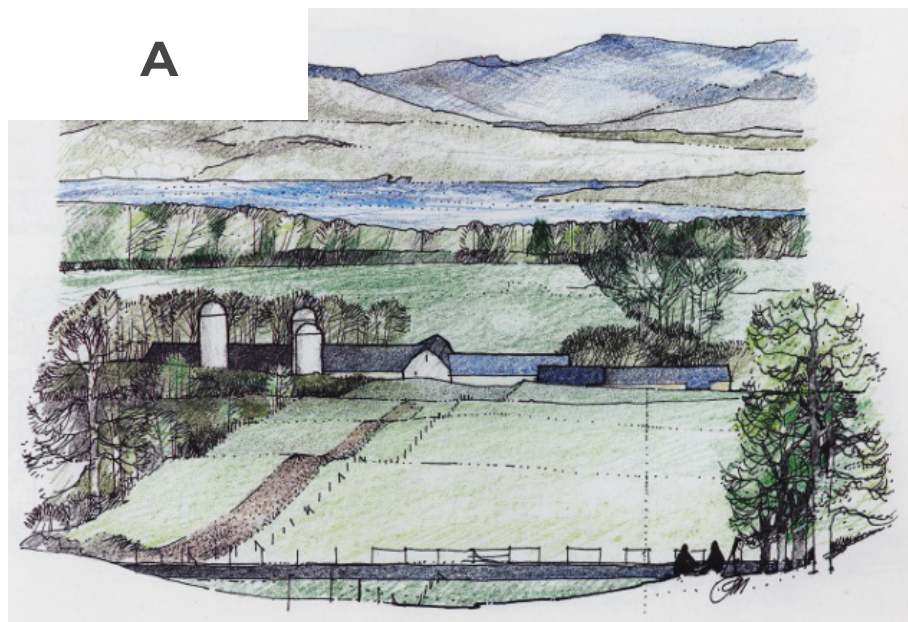
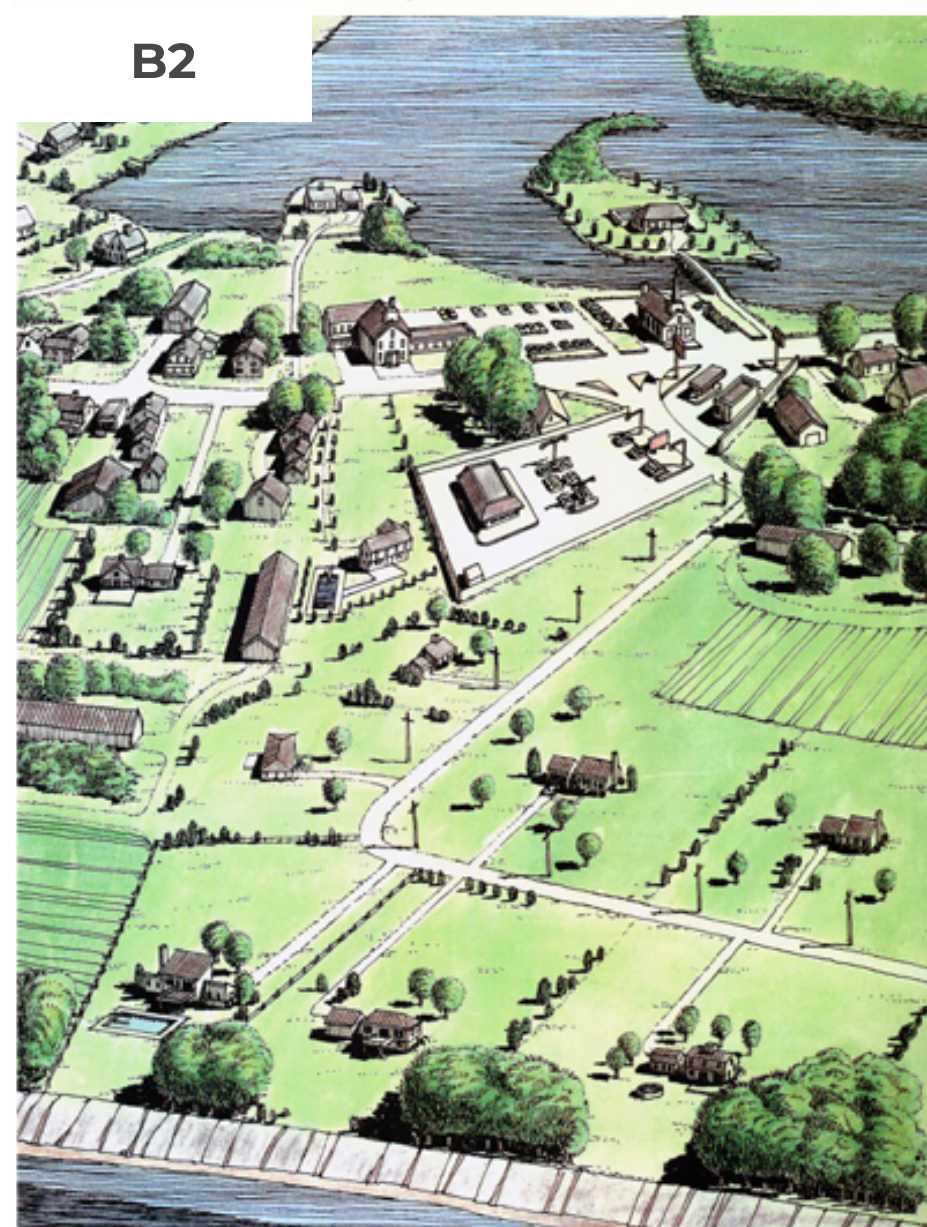


Illustration B1 shows how poorly guided growth has destroyed the historic farm complex and has allowed sprawling residential development to obscure the sweeping view and consume the open land.

Illustration C1 shows a PUD that has been carefully located to maintain a maximum amount of open space, reuse the farmstead and reinforce the traditional agrarian settlement pattern. Over time, illustration B2 shows how a suburban pattern is imposed on the rural landscape. Illustration C2 shows an alternative to this resulting in a development pattern.



Source: [Ferrisburgh Town Plan, 2017-2025](#)

Create maximum road/driveway length.

This will minimize the impact of development and fragmentation of natural habitat with steep slope standards to avoid shorter, but steeper roads. See Chapter 17: Road and Trail Policies from VNRC's [Community Strategies for Vermont's Forests and Wildlife: A Guide for Local Action](#) for a thorough understanding of this issue, solutions and to avoid unintended consequences.



[Vermont Conservation Design](#) »

[VNRC's Community Strategies for Vermont's Forests and Wildlife: A Guide for Local Action](#) »

[Implementation Manual: Open Space & Resource Protection Regulations, 2007](#) »

[Planning: A Key Step Toward Protecting Forest and Wildlife Resources - Act 171 Guidance](#) »

[Initial Vermont Climate Action Plan](#) »


A Note About Building Heating and Cooling, Electrification, and Energy Efficiency

According to the [Vermont Energy Action Network 2021 Progress Report](#), the thermal heating and cooling of buildings accounts for about 34% of Vermont’s greenhouse gas emissions, second only to transportation (which is 40%). And 74% of this energy comes from fossil fuels. Over half of the emissions are generated at the residential level, followed by the commercial sector.

Vermont’s electricity purchases are now markedly cleaner than in the past due to the state’s creation of a Renewable Energy Standard (RES) in 2017 and subsequent changes in energy purchasing by Vermont utilities. This means that greenhouse gas emissions can be significantly reduced via the electrification of thermal processes and transportation .In addition, energy efficiency reduces energy needs and saves money while making homes and businesses more comfortable.


Given this, municipalities often ask how they can improve building efficiency and electrify thermal heating and cooling. There are several key issues to understand when considering this question:

What you can do within your zoning regulations regarding efficiency:




Solar ready parking lots

Adopt a municipal zoning regulation to require that a minimum portion of parking lots be designed to accommodate solar power generation. This requirement could contain certain specific exemptions, so it doesn’t interfere with the goals of a dense land use pattern.




Lighting standards to avoid over lighting

Require the use of LEDs or other efficient fixtures in outdoor lighting standards.



Require EV ready buildings

Adopt a specific use standard for multi-unit dwellings that requires those uses to provide every resident access to charging. See [ACCD guide](#).



Make regulations friendly to electric vehicle charging equipment

Read these [EVSE Friendly Regulations](#) from ACCD.

1

Land use regulations (AKA zoning) can only regulate the environment *outside* of buildings. There are a few zoning tools that can be used to reduce emissions and energy use on a development site. See the side bar.

2

Other measures can be utilized to regulate the environment inside of buildings. A municipal building code that is consistent with the State building code, and incorporates the "base" RBES (or Stretch Code), could ensure energy efficient construction at the local level. From CCRPC's perspective, this is the most logical way to do this; however, each situation will be different depending on the goal. See the table below for more information on the purpose and authority of various codes.

3

From a practical perspective, CCRPC advises municipalities to only adopt development requirements that they themselves can enforce. Please note that most Vermont municipalities likely do not have the capacity to locally administer and enforce a municipal building code. Given most VT municipalities do not and will not have the capacity for local enforcement, CCRPC has advocated for increased enforcement at the state level.

Code & Purpose	Applicability	Authority to Adopt at Local Level	State Level
Building Code Fire and Life Safety (24 V.S.A. Chapter 83)	'Public buildings' generally include all buildings that contain any civic, commercial, industrial or residential (rental or condominium; ADUs are exempt). 20 V.S.A. 2730.	Yes (24 V.S.A. 3101). A Building Code Enforcement Officer is required.	Administered and enforced for "public buildings" via a construction permit from Division of Fire Safety.
Residential Base Energy Code (RBES) Minimum standard of energy efficiency for residential buildings	Detached one- and two-family dwellings, Multi-family (a building containing 3 units or more) and all other residential dwellings three stories or fewer in height. 30 V.S.A. 51	No clear authority in state statute for municipalities to adopt.	State code but doesn’t have any permit or enforcement associated with it, therefore it lacks adequate enforcement. Currently builders self-certify. 30 V.S.A. 51

Table continued on next page.


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Code & Purpose	Applicability	Authority to Adopt at Local Level	State Level
Stretch Energy Code Achieves greater energy savings than the base RBES	Detached one- and two-family dwellings, Multi-family (a building containing 3 units or more) and all other residential dwellings three stories or fewer in height. 30 V.S.A. 51	Authority for municipalities to adopt (30 V.S.A. 51 provides authority via 24 V.S.A. 4449). Can be adopted in zoning (as South Burlington has done); though building code would be best.	It is a state code, but only required in Act 250. It also lacks adequate enforcement for the same reason as above for RBES.
Commercial Building Energy Standards (CBES) Minimum energy conservation requirements	Commercial and high-rise residential buildings (4 stories or greater). 30 V.S.A. 53	No clear authority in state statute for municipalities to adopt.	State code but doesn't have any permit or enforcement associated with it, therefore it lacks adequate enforcement. Currently builders self-certify. There is more likelihood that commercial buildings meet the CBES code because most are designed by a licensed architect (source: VT CEP)
Net Zero Energy Code Requires buildings to be extremely efficient and to get all of its energy from renewable sources (onsite or purchasing from other sources).	N/A	Yes, provided the code is consistent with state building code (24 V.S.A. 3101).	The state isn't doing this currently; the state Comprehensive Energy Plan sets a target to achieve this standard for all new construction by 2030.

Examples from Chittenden County:

Set public safety standards

The Town of Colchester adopted its own set of building codes and safety standards to directly govern the construction, inspection, materials, alteration, relocation, demolition, equipment, repair, use occupancy, maintenance and operation of buildings, structures or premises, and for the prevention of fires.


[Learn More »](#)

Discourage fossil fuel use in new buildings

The City of Burlington enacted a renewable heating ordinance that requires new buildings and major renovations to use renewable heating sources for 85% of their heating load, or pay a fee in lieu. [See here](#). If a municipality is interested in a similar ordinance, municipal attorney research is recommended by the Vermont League of Cities and Towns (VLCT).

Adopt Stretch Code

South Burlington has adopted the Stretch Code as a part of their municipal zoning bylaw. This requirement mirrors the requirement that all new development subject to Act 250 comply with the Stretch Code. [South Burlington is currently relying on self-certification](#).



[Vermont Building Energy Standards »](#)
[Vermont Residential Building Standards Handbook »](#)
[State of Vermont Comprehensive Energy Plan »](#)
[Efficiency Vermont Net Zero Building Guide »](#)
[Vermont Building Energy Code Roadmap to Net Zero Energy Design by 2030 »](#)
[International Code Council for Net Zero Energy »](#)
[Vermont Building Energy Code Roadmap to Net Zero Energy Design by 2030 »](#)

Contact

For more information or support, contact:



Ann Janda, CCRPC Senior Energy Project Manager
 (802) 861-0124 | ajanda@ccrpcvt.org



Melanie Needle, CCRPC Senior Planner
 (802) 861-0127 | mneedle@ccrpcvt.org

FOR IMMEDIATE RELEASE: 3-25-22

Contact: Jess Hyman - jhyman@cvoeo.org, 802-660-3456 x 106

More info: www.fairhousingmonthvt.org



Housing Advocacy
Fair Housing Project

April Is Fair Housing Month – Celebrate Inclusive Communities and the Importance of Home

Each April we celebrate the 1968 passage of the Fair Housing Act with a series of free public education and art events to raise awareness about the importance of equal access to housing, free from discrimination, and the positive role that inclusive, affordable housing plays in thriving communities. Virtual and in-person activities include workshops, community discussions, library events, the all-ages HeART & Home Community Art Project, and an art contest and exhibit.

See below for a sampling of this year's Fair Housing Month events. The full schedule and registration links are at <https://fairhousingmonthvt.org>. For more information, email fhp@cvoeo.org.

- **FAIR HOUSING FRIDAYS:** Informational, interactive sessions hosted by the Fair Housing Project of CVOEO with guests from communities and organizations around the state, 12:30pm April 15, 22, and 29 via Zoom.
- **WORKSHOPS & TRAININGS:** Opportunities for the general public, housing and service providers, landlords, and others to learn about fair housing rights and responsibilities and discuss current issues.
- **LIBRARY ACTIVITIES:** Book discussions, StoryWalks®, HeART & Home art activities, and other community events at participating libraries all over the state in partnership with the VT Department of Libraries.
- **HeART & HOME COMMUNITY ART PROJECT:** It's easy to join this all-ages art project! 1) Pick up an art kit at CVOEO or participating local libraries or download the creative prompts and use your own materials; 2) Create a drawing, collage, painting, photo, sculpture, comic, or any other type of art; and 3) Share a photo of your creation to be added to the online community gallery and be entered in a prize drawing. Send photos to fhp@cvoeo.org or post to social media using #fairhousingmonthvt and tag @thrivingcommunitiesvt on Facebook and Instagram or @vtfairhousing on Twitter. All participants are entered to win prizes and invited to join the April 26 online Artist Reception.
- **ART CONTEST & EXHIBIT:** Arts So Wonderful contest and exhibit on the theme of "What makes a thriving, inclusive community?" Open to all ages, with cash prizes for youth and adults. The submission deadline is April 24 with an opening reception at the gallery in South Burlington on April 29. More info at <https://fairhousingmonthvt.org/asw-x-cvoeo-art-contest>.

Fair Housing is the right to equal opportunity in housing choice and the right to rent or buy a dwelling free from discrimination. The federal Fair Housing Act prohibits discrimination in housing based on race, color, religion, national origin, sex, disability, and family status. Vermont has additional protections based on age, marital status, sexual orientation, gender identity, receipt of public assistance, being a victim of domestic violence, sexual assault, or stalking, and denial of development permitting based on the income of prospective residents. For more information about fair housing in Vermont, visit www.cvoeo.org/FHP.

The Fair Housing Project of CVOEO coordinates April Fair Housing Month activities in collaboration with Vermont Department of Libraries, Vermont Library Association, ONE Arts Community School, Arts So Wonderful, Burlington City Arts, Vermont Legal Aid, Vermont Human Rights Commission, Vermont Affordable Housing Coalition, Vermont Department of Housing and Community Development, CEDO, and other partners.

These activities are made possible with the support of the U.S. Department of Housing and Urban Development, Farrell Properties, Vermont State Housing Authority, Redstone, Main Street Landing, Vermont Housing Finance Agency, Evernorth, Cathedral Square, Vermont Housing & Conservation Board, Pomerleau Real Estate, and other sponsors. Art kits and library activities are supported by the Institute of Museum and Library Services, a federal agency, through the Library Service and Technology Act as administered by the Vermont Department of Libraries.