Chittenden County Regional Planning Commission

Guidelines and Standards for Confirmation of Municipal Planning Processes, Approval of Municipal Plans and Granting Determinations of Energy Compliance

Adopted September 23, 2002;
Amended January 13, 2003, November 28, 2005, May 22, 2013, October 19, 2016, September 19, 2018, & XXXXX 2025

Introduction

This "Guidelines" document, and its four appendices, identifies the procedures and standards that the Chittenden County Regional Planning Commission (CCRPC) will use when reviewing municipal requests for regional approval of the municipal plan, for confirmation of the municipal planning process, for determining energy compliance of a municipal plan, and for municipal consultations.

A municipality adopts a plan in order to define the kind of community that it desires to be, and the steps it needs to take to get there. The process of having a Regional Planning Commission approve a municipal plan and confirm a town's planning process can help strengthen and support local goals and facilitate plan implementation. While Vermont municipalities are not obligated to adopt a plan, have it approved by a Regional Planning Commission (RPC), or have their planning process confirmed by an RPC, there are many benefits to doing so.

A municipality that elects to seek regional approval of the municipal plan, and have its planning process be confirmed by its RPC, obtains these benefits (24 V.S.A. § 4350(d));

- Eligibility to charge impact fees;
- Eligibility to apply for municipal planning grants;
- Eligibility to participate in the State's Designation Programs;[1]
- Immunity from review by the Department of Housing and Community Development of the municipality's plan for compliance with affordable housing criteria established under 24 V.S.A. § 4351;
- State agency plans adopted under 3 V.S.A. Chapter 67 must be compatible with the municipality's approved plan; and
- Eligibility for Tier 1B (partial Act 250 exemption for housing development) for portions of the municipality that meet the criteria of 10 V.S.A. § 6033(c).

A municipality may choose to adopt an enhanced energy plan to make progress towards Vermont's energy goals. A municipality is under no obligation to adopt an enhanced energy plan, as defined by 24 V.S.A. § 4352. However, a municipality that receives an affirmative Determination of Energy Compliance are given more influence in where electricity generation is sited in the municipality, as described in 30 V.S.A. § 248 (b)(1)(C):

> *With respect to an in-state electric generation facility, the Commission shall give substantial deference to the land conservation measures and specific policies contained in a duly adopted regional and municipal plan that has received an affirmative determination of energy compliance under 24 V.S.A. § 4352. In this subdivision (C), "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. The term shall not include consideration of whether the determination of energy compliance should or should not have been affirmative under 24 V.S.A. § 4352.*

[1] Step 1 Centers, which includes newly delineated Centers, are not required to have a confirmed plan.

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A municipality that further elects to

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Guidelines for Evaluating Municipal Plans

When an RPC reviews the plan for regional approval, it ensures that the plan meets the requirements of statute, including any new requirements since last plan adoption. When an RPC "confirms" a municipal planning process, it makes sure that a municipality is progressing toward implementation of the plan. Tracking implementation helps verify that the plan is being actively used to advance local and state goals.

Statute (24 VSA § 4350(b)) requires that a municipality must have its plan regionally approved by the RPC to obtain confirmation. CCRPC shall grant regional approval of a municipal plan if it finds that the plan:

- Is consistent with state planning goals under 24 V.S.A. § 4302;
- Is compatible with CCRPC's Regional Plan;[2]
- Is compatible with neighboring municipal plans; and
- Contains all the plan elements listed in 24 V.S.A. § 4382(a)(1)-(12).

In addition, 24 V.S.A. § 4350(a) states that CCRPC must confirm a municipal planning process that meets all of the following criteria:

1) The municipality is engaged in a continuing planning process that, within a reasonable time, will result in a plan that is consistent with the goals of Chapter 117 (see 24 V.S.A. § 4302);
2) The municipality is actively engaged in a process to implement its municipal plan, consistent with the program for implementation required under 24 V.S.A. § 4382(a)(7); and,
3) The municipality is maintaining its efforts to provide local funds for municipal and regional planning.

Appendix A includes the goals as specified in 24 V.S.A. § 4302 with which the municipal plans must be consistent, and the elements as specified in 24 V.S.A. § 4382(a), which must be contained within the municipal plans. There are many ways to satisfy each goal and element and a municipality should tailor the approaches it uses to local considerations. CCRPC encourages each municipality to confer with CCRPC staff early in the planning process to review how the municipality proposes to meet the goals and elements as well as to request assistance from CCRPC in developing its plan.

Confirmation of a Municipal Planning Process & Approving Readoption of a Municipal Plan

Materials to Submit:

A municipality requesting that CCRPC regionally approve the municipal plan, and confirm its municipal planning process, must provide the following materials to CCRPC:

- Cover letter requesting CCRPC review;
- Funding summary for planning activities since last plan adoption;
- Appendix A (consistency checklist);
- Implementation documentation (updated tables or Appendix B);
- Full PDF of the plan (including maps, appendices, and supporting plans incorporated by reference); and
- A copy of the Town Plan Report (24 V.S.A. §4384(c)).

A municipality requesting a Determination of Energy Compliance must submit:

- Cover letter requesting CCRPC review (if separate from request for regional approval of the municipal plan); and
- Appendix C (Energy Planning Standards for Municipal Plans).

[2] CCRPC does not expect that a municipality will use the land use categories on the regional future land use map on the municipal future land use map to demonstrate compatibility.

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Housing needs assessment;¶
Capacity and constraint analysis (e.g. water/sewer, infrastructure, environmental constraints);¶
Progress toward assigned housing target;¶
Proposed housing strategies, actions, and policies.¶
Environmental Justice documentation, including:¶
Summary of burdens and benefits;¶
Documentation of public outreach to EJ populations;¶
Proposed policies or actions to mitigate identified EJ concerns.¶
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CCRPC Review Process for Confirming a Municipality's Planning Process & Approving a Municipal Plan

The general process is as follows:

1. Initial Plan Review – Staff will provide notice to a municipality of upcoming plan expiration and initiate a review of municipal plans approximately 18-24 months prior to the expiration of each municipal plan. To assist with this review, CCRPC will request that each municipality submit a completed Appendix B.

   The purpose of the initial plan review is to provide information to the municipality about new statutory plan requirements, to identify any parts of the municipal plan that may not conform to existing statutory requirements or are not compatible with the regional plan, and to provide the municipality with general recommendations about how to improve the content of the municipal plan. The initial plan review shall also function as one of the two required consultations within an 8-year period (24 V.S.A. § 4350(a)) and will include a review of progress made on the existing plan's implementation program.

   Staff will share the initial plan reviews with municipal staff, municipal planning commission, and the Planning Advisory Committee (PAC). Staff will provide initial plan reviews to the CCRPC Board representatives and alternates from the municipality being reviewed and from adjacent municipalities. This will ensure that municipalities are aware that their neighbors are beginning a plan update and provide an opportunity for neighboring municipalities to become involved early in the process.

   The municipality may also request staff and/or PAC review their draft municipal plan at any point in the plan development process prior to the formal plan review described below. This allows the municipality to gain detailed feedback and suggestions from staff and the PAC while there is still time to incorporate it.

2. Formal Plan Review – In accordance with 24 V.S.A. § 4385(c) the municipal request for approval from the RPC may be before or after adoption of the plan by the municipality, at the option of the municipality. However, to aid with CCRPC review scheduling, CCRPC would prefer if the formal request is made 120 days before the current municipal plan expires, or 45 days before the municipal Planning Commission's first public hearing, whichever comes first.

   Upon receipt of the formal plan review request, staff will review the municipal plan and develop a staff recommendation regarding regional approval of the municipal plan and confirmation of the municipal planning process. Staff will schedule a PAC meeting to complete a public hearing on regional approval of the municipal plan (24 V.S.A. § 4350(b)) and confirmation, and to complete the formal plan review. The CCRPC Commissioner and Alternate Commissioner from the municipality and Commissioners/Alternate Commissioners from the municipality's neighboring municipalities will be invited to participate in this formal plan review.

   Upon closing the public hearing, the PAC will provide its written recommendation regarding regional approval of the municipal plan, and confirmation, to the CCRPC Board of Directors and the municipality. If the PAC recommends that the municipal plan not be approved because of deficiencies, or that the municipal planning process not be confirmed, the municipality may address that recommendation at a CCRPC Board of Directors meeting or agree to rectify the deficiencies and resubmit its plan to PAC for formal plan review. The formal plan review will serve as the second of the two consultations required every eight years by 24 V.S.A. § 4350(a).

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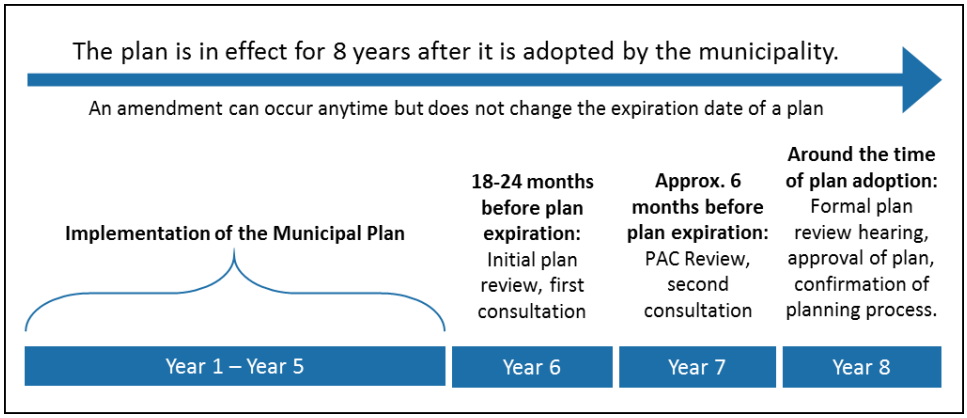

If the CCRPC is unable to coordinate a PAC public hearing before the first municipal planning commission public hearing, CCRPC staff will review the draft plan and provide an informal Staff recommendation to both the Planning Advisory Committee (PAC) and the municipal planning commission in time for the municipal planning commission's public hearing (if requested by the municipality). The CCRPC Board will be cc'd on the informal Staff recommendation.

3. CCRPC Review and Action. The CCRPC Board of Directors will hold a public hearing (if not held under Step 2) and consider the recommendation of the PAC regarding regional approval of the municipal plan and confirmation at a regularly scheduled meeting. Scheduling of this meeting will occur in consultation with the municipality. The municipality may attend the CCRPC Board of Directors meeting and voice its positions related to the PAC's recommendation.

   a. The CCRPC may approve or not approve a municipal plan or amendment within two months of CCRPC's receipt of the plan following a final hearing held by the municipality to adopt the municipal plan pursuant to 24 V.S.A. § 4385.
   b. Pursuant to 24 V.S.A. § 4350(f), CCRPC's decisions to approve a municipal plan, and confirm a municipal planning process, must be made by a majority vote of the Commissioners representing municipalities in accordance with CCRPC's bylaws.

   If CCRPC disapproves a plan or plan amendment, it must state its reasons in writing and, if appropriate, suggest modifications that would be acceptable to CCRPC. If the municipality requests approval of a resubmitted plan with modifications, CCRPC must give its approval or disapproval within 45 days.

   The CCRPC shall file any adopted plan or amendment with the Vermont Department of Housing and Community Development.

   If a resolution to regionally approve a municipal plan, and confirm a municipal planning process, is adopted by the CCRPC Board of Directors, CCRPC staff shall file a copy of the resolution with the municipal clerk.

Expiration - The CCRPC's approval of the plan will remain in effect until the municipal plan expires, which will occur eight years after the plan is adopted by the municipality.

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CCRPC Review Process for Granting an Affirmative Determination of Energy Compliance

Per 24 VSA §4352 (b)-(c), a municipality that wishes to seek a Determination of Energy Compliance submits its plan to the Regional Planning Commission. If the regional plan has an affirmative determination of energy compliance (CCRPC's regional energy plan received this determination on August 9, 2018), CCRPC shall issue an affirmative Determination of Energy Compliance if the municipal plan:

1) is compatible with the regional plan,
2) includes an energy element under 24 V.S.A. § 4348a(a)(3),
3) is consistent with Vermont's energy goals and policies, including:
   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) Vermont's State energy policy under 30 V.S.A. §202a and State energy plans adopted pursuant to 30 V.S.A. §§ 202 and 202b,
   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; and
4) meets the standards for issuing a determination of energy compliance included in the State energy plans, as described by the Vermont Department of Public Service in their Energy Planning Standards for Municipal Plans.

The Department of Public Service standards, described in Part 4 and included as Appendix C, have been written to ensure that compliance with those standards and demonstrates that a municipal plan has met requirements 1-3 above.

The general process is as follows:

1. A municipality may request that CCRPC issue an affirmative Determination of Energy Compliance for a municipal plan. To initiate a request, the municipality shall submit a completed Appendix C (Energy Planning Standards for Municipal Plans checklist).

2. Staff will review the plan against the Energy Planning Standards for Municipal Plans and make a recommendation to the PAC.
   a. If a municipality is seeking a Determination of Energy Compliance at the same time as it is seeking CCRPC approval of the plan and confirmation of the planning process, compliance with the Energy Planning Standards will be reviewed during the PAC review as described in Step 2. If the energy element of the plan meets the requirements of 24 V.S.A. § 4348a(a)(3) but does not meet the more stringent Energy Planning Standards, the PAC may recommend approval and confirmation of the plan, but not recommend granting an affirmative Determination of Energy Compliance.

   b. A municipality may seek a Determination of Energy Compliance based on plan amendments without readopting its plan. If an existing regionally approved plan with a confirmed planning process has been amended to meet the Energy Planning Standards, but has not otherwise been changed to meet any revisions to planning statute, the PAC will review the energy section(s) of the plan. The CCRPC may grant an affirmative Determination of Energy Compliance to the amended plan without re-approving the plan or confirming the planning process. This will grant the municipality the benefits of having an enhanced energy plan, but will not change the expiration date of the plan.

3. The CCRPC Board of Directors will hold a public hearing (if not held during PAC review) and consider the recommendation of the PAC at a regularly scheduled CCRPC Board of Directors meeting. Scheduling of this meeting will occur in consultation with the municipality. The municipality may attend the CCRPC Board of Directors meeting and voice its positions related to the PAC's recommendation. If the municipality is seeking confirmation and approval of the plan at the same time, CCRPC will review all issues during the same meeting.

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a. Per 24 V.S.A. §4352, the CCRPC may grant an affirmative determination of energy compliance. CCRPC must make a determination of energy compliance within two months of CCRPC's receipt of the adopted plan pursuant to 24 VSA 4385. Pursuant to 24 V.S.A. § 4350(f), CCRPC's decisions to grant an affirmative Determination of Energy Compliance must be made by a majority vote of the Commissioners representing municipalities in accordance with CCRPC's bylaws.

If CCRPC does not grant an affirmative determination of energy compliance, it must state its reasons in writing and, if appropriate, suggest modifications that would be acceptable to CCRPC. If the municipality requests approval of a resubmitted plan with modifications, CCRPC must give its approval or disapproval within 45 days of the request.

The CCRPC shall forward a copy of an affirmative determination of energy compliance resolution to the Department of Public Service, the Public Utility Commission Clerk, and the municipal clerk.

Expiration - The CCRPC's determination of energy compliance will remain in effect until the plan expires, which will occur eight years after the plan is adopted by the municipality.

Amending an Un-Expired Plan

With the clarification in Act 90 that an amendment to a plan does not affect or extend the plan's expiration date (24 V.S.A. § 4385(d)), CCRPC has a simplified review process for plan amendments. Upon request, CCRPC will review plan amendments to ensure that the amendment will not alter or risk the municipality's standing plan approval and confirmation status.

Materials to Submit

A municipality requesting that CCRPC review an amendment to a municipal plan needs to provide the following materials to CCRPC:

- A letter from the municipality requesting CCRPC to review its plan amendment and briefly describing the amendment and the reason for amending (a sample letter is available from CCRPC staff);
- An electronic copy of the amended section/chapter in its entirety with the changes clearly indicated. It is not necessary to send a copy of the full plan.

CCRPC Review Process for Reviewing an Unexpired Amended Municipal Plan

1. The municipality will contact CCRPC staff to inform staff of the intent to amend an unexpired plan that has been previously approved and for which the planning process has been confirmed.

2. Upon receipt of the amendment review request, staff will review the amended section(s) of the plan to determine whether the section(s) continue to meet the required elements and goals related to the amended section(s), and compatibility with the Regional Plan.
   a. If staff determines that the proposed amendments do not need to be formally reviewed by the PAC and the CCRPC Board, following staff review, staff will provide a letter to the PAC and the municipality stating that the plan amendment does or does not impact the municipality's standing plan approval and planning process confirmation.
   b. If staff are concerned that the amendments may impact the municipality's standing plan approval and planning process confirmation, or have any other concerns, Staff will ask PAC to conduct a formal plan review of the proposed plan amendment.
   c. At any time, a municipality can request that CCRPC conduct a formal plan review of the plan amendment and follow the full process for readoption of a plan described above.

3. The CCRPC staff will forward a copy of this letter to the Vermont Department of Housing and Community Development, the PAC, and the municipal clerk.

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Definitions

For the purposes of administering this policy, the following terms shall have the following meanings:

Adopted Plan — A municipal plan that

1) has been legally adopted by the local legislative body or voters, having followed the procedures of 24 V.S.A. § 4385,
2) includes the required elements set out in 24 V.S.A. § 4382, and
3) is consistent with the goals set out in 24 V.S.A. § 4302.

Amended Plan — A municipal plan that has been previously adopted and approved may be amended to change a limited portion of the plan. CCRPC has reviewed the plan to ensure that the section(s) continue to meet the required elements and goals related to the amended section(s), and consistency with the Regional Plan. An amended plan does not necessarily incorporate changes made to planning requirements since its adoption and approval, and the expiration date of the plan does not change based on the amendment.

Approved Plan — An adopted plan that has been approved by CCRPC because CCRPC has found that the plan meets all of the requirements of 24 V.S.A. § 4350 (b) [the four criteria listed at the end of the preceding section of these "Guidelines"].

CCRPC — Chittenden County Regional Planning Commission

Compatible with 24 V.S.A. § 4302 (f)(2) — A plan is compatible with a second plan when the first plan:

1) will not significantly reduce the desired effect of the implementation of the second plan or
2) includes a statement that identifies
   a) the ways that the first plan will significantly reduce the desired effect of the second plan,
   b) an explanation of why any incompatible portion of the first plan is essential to the desired effect of the plan as a whole,
   c) an explanation of why there is no reasonable alternative way to achieve the desired effect of the plan, and
   d) an explanation of how the first plan has been structured to mitigate its detrimental effects on the implementation of the second plan.

Consistent with 24 V.S.A. § 4302 (f)(1) — A plan is consistent with the goals of 24 V.S.A. § 4302 if:

1) the plan is making substantial progress toward attainment of those goals, or
2) the planning body determines that a particular goal is not relevant or attainable (subject to review), in which case the planning body shall identify the goal in the plan and describe the situation, explain why the goal is not relevant or attainable, and indicate what measures should be taken to mitigate any adverse effects of not making substantial progress toward that goal.

Confirmed Planning Process — A municipal planning process that has been confirmed by CCRPC because CCRPC has found that the planning process meets the requirements of 24 V.S.A. § 4350 (a).

Municipality — A town, city, incorporated village, or unorganized town or gore. An incorporated village shall be deemed to be within the jurisdiction of a town, except to the extent that a village adopts its own plan and one or more bylaws either before, concurrently with, or

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subsequent to such action by the town.

Program A schedule of sequenced actions that identifies information such as who is to undertake each action, anticipated costs, possible financing, and expected or desired outcomes.

Readoption In accordance with 24 V.S.A. § 4385 and § 4387 an expired plan or plan that is about to expire may be readopted. A readopted plan is one that is brought into full compliance with statute.

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Appendix A – Municipal Plan Review Tool

Chittenden County Regional Planning Commission

Guidelines and Standards for Confirmation of Municipal Planning Processes and Approval of Municipal Plans

This form addresses the statutory requirements of the State of Vermont for town plans, as cited in the Vermont Municipal and Regional Planning and Development Act, Title 24 V.S.A Chapter 117 (the Act). It includes the 12 required elements found in § 4382 of the Act; the four planning process goals found in § 4302(b), the 154 specific goals found in § 4302(c); and the standard of review found in § 4302(f), which covers consistency with goals and compatibility standards.

During the Regional approval and confirmation process, specified in § 4350 of the Act, the regional planning commission is required to assess town plans and the process whereby they are developed according to the criteria of the Act. Sections of relevant statute are quoted at each question.

	Required Elements § 4382	Met	Not Met
1	Statement of Objectives, Policies, Programs	☐	☐
2	Land Use Plan	☐	☐
3	Transportation Plan	☐	☐
4	Utility and Facility Plan	☐	☐
5	Rare Natural Resources/Historic Resources	☐	☐
6	Educational Facilities Plan	☐	☐
7	Implementation Program	☐	☐
8	Development Trends	☐	☐
9	Energy Plan	☐	☐
10	Housing Element	☐	☐
11	Economic Development Element	☐	☐
12	Flood Resiliency Plan	☐	☐

	State Planning Goals § 4302	Met	Not Met
1	Development Pattern	☐	☐
2	Economy	☐	☐
3	Education	☐	☐
4	Transportation	☐	☐
5	Natural and Historic Resources	☐	☐
6	Quality of Resources	☐	☐
7	Energy	☐	☐
8	Recreation	☐	☐
9	Agriculture and Forest Industries	☐	☐
10	Use of Resources	☐	☐
11	Housing	☐	☐
12	Public Facilities	☐	☐
13	Child Care	☐	☐
14	Flood Resiliency	☐	☐
15	Environmental Benefits and Burdens	☐	☐

TOWN PLAN REQUIRED ELEMENTS

Title 24 Chapter 117: Municipal and Regional Planning and Development

24 V.S.A. § 4382. The plan for a municipality

(a) A plan for a municipality ~~may~~ shall be consistent with the goals established in section 4302 of this title and compatible with approved plans of other municipalities in the region and with the regional plan and shall include the following:

(1) A statement of objectives, policies and programs of the municipality to guide the future growth and development of land, public services and facilities, and to protect the environment.

Comments:

Choose an item.
Pages:

(2) A land use plan, consisting of a map and statement of present and prospective land uses, that indicates those areas proposed for forests, recreation, agriculture (using the agricultural lands identification process established in 6 V.S.A. § 8), residence, commerce, industry, public and semi-public uses and open spaces, areas reserved for flood plain, and areas identified by the State, the regional planning commission, or the municipality 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; sets forth the present and prospective location, amount, intensity and character of such land uses and the appropriate timing or sequence of land development activities in relation to the provision of necessary community facilities and service; identifies those areas, if any, proposed for designation under chapter 76A of this title and for status under 10 V.S.A. §§ 6033 and 6034, together with, for each area proposed for designation, an explanation of how the designation would further the plan's goals and the goals of § 4302 of this title, and how the area meets the requirements for the type of designation to be sought; and indicates those areas that are important as forest blocks and habitat connectors and plans for land development in those areas to minimize forest fragmentation and promote the health, viability, and ecological function of forests.

Comments:

Choose an item.
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MAPS
Present Land Use Plan ☐
Prospective Land Use Plan ☐

(3) A transportation plan, consisting of a map and statement of present and prospective transportation and circulation facilities showing existing and proposed highways and streets by type and character of improvement, and where pertinent, parking facilities, transit routes, terminals, bicycle paths and trails, scenic roads, airports, railroads and port facilities, and other similar facilities or uses, with indications of priority of need;

Comments:

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MAP
Transportation ☐

(4) A utility and facility plan, consisting of a map and statement of present and prospective community facilities and public utilities showing existing and proposed educational, recreational and other public sites, buildings and facilities, including hospitals, libraries, power generating plants and transmission lines, water supply, sewage disposal, refuse disposal, storm drainage and other similar facilities and activities, and recommendations to meet future needs for community facilities and services, with indications of priority of need, costs and method of financing;

Comments:

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Pages:

MAP
Utility and Facility ☐

(5) A statement of policies on the preservation of rare and irreplaceable natural areas, scenic and historic features and resources;

Comments:

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(6) An educational facilities plan consisting of a map and statement of present and projected uses and the local public school system;

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MAP
Educational Facility ☐

(7) A recommended program for the implementation of the objectives of the development plan;

Comments:

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(8) A statement indicating how the plan relates to development trends and plans of adjacent municipalities, areas and the region developed under this title;

Comments:

Choose an item.
Pages:

(9) An energy plan, including an analysis of energy resources, needs, scarcities, costs and problems within the municipality, a statement of policy on the conservation of energy, including programs, such as thermal integrity standards for buildings, to implement that policy, a statement of policy on the development of renewable energy resources, a statement of policy on patterns and densities of land use likely to result in conservation of energy;

Comments:

Choose an item.
Pages:

(10) A housing element that shall include a recommended program for public and private actions to address housing needs and targets ~~addressing low and moderate income persons~~[1]

~~housing needs~~ as identified by the regional planning commission pursuant to subdivision 4348a(a)(9) of this title. The program ~~should account for permitted accessory dwelling units, as defined in subdivision 4412(1)(E) of this title, which provide affordable housing~~ shall use data on year-round and seasonal dwellings and include specific actions to address the housing needs of persons with low income and persons with moderate income and account for permitted residential development as described in section 4412 of this title.

Comments:

Choose an item.
Pages:

(11) An economic development element that describes present economic conditions and the location, type, and scale of desired economic development, and identifies policies, projects, and programs necessary to foster economic growth.

Comments:

Choose an item.
Pages:

(12)(A) A flood resilience plan that:
(i) identifies flood hazard and fluvial erosion hazard areas, based on river corridor maps provided by the Secretary of Natural Resources pursuant to 10 V.S.A. § 1428(a) or maps recommended by the Secretary, and designates those areas to be protected, including floodplains, river corridors, land adjacent to streams, wetlands, and upland forests, to reduce the risk of flood damage to infrastructure and improved property; and
(ii) recommends policies and strategies to protect the areas identified and designated under subdivision (12)(A)(i) of this subsection and to mitigate risks to public safety, critical infrastructure, historic structures, and municipal investments.
(B) A flood resilience plan may reference an existing local hazard mitigation plan approved under 44 C.F.R. § 201.6.

Comments:

Choose an item.
Pages:

§4382(c) Data:

Where appropriate, and to further the purposes of subsection 4302(b) of this title, a municipal plan shall be based upon inventories, studies, and analyses of current trends and shall consider the probable social and economic consequences of the proposed plan. Such studies may consider or contain, but not be limited to:

(1) population characteristics and distribution, including income and employment;

(2) the existing and projected housing needs by amount, type, and location for all economic groups within the municipality and the region;

(3) existing and estimated patterns and rates of growth in the various land use classifications, and desired patterns and rates of growth in terms of the community's ability to finance and provide public facilities and services.

Comments:

Choose an item.
Pages:

GOALS AND STANDARDS OF REVIEW

GOALS

24 VSA § 4302

(a) General purposes . . .

(b) It is also the intent of the legislature that municipalities, regional planning commissions and state agencies shall engage in a continuing planning process that will further the following goals:

(1) To establish a coordinated, comprehensive planning process and policy framework to guide decisions by municipalities, regional planning commissions, and state agencies.

(2) To encourage citizen participation at all levels of the planning process, and to assure that decisions shall be made at the most local level possible commensurate with their impact.

(3) To consider the use of resources and the consequences of growth and development for the region and the state, as well as the community in which it takes place.

(4) To encourage and assist municipalities to work creatively together to develop and implement plans.

(c) In addition, this chapter shall be used to further the following specific goals:

Goal 1:

To plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside.

Choose an item.
Pages:

(A) Intensive residential development should be encouraged primarily in ~~areas related to community centers~~ downtown centers, village centers, planned growth areas, and village areas as described in section 4348a of this title, and strip development along highways should be ~~discouraged~~avoided. These areas should be planned so as to accommodate a substantial majority of housing needed to reach the housing targets developed for each region pursuant to subdivision 4348a(a)(9) of this title.

(B) Economic growth should be encouraged in locally and regionally designated growth areas, or employed to revitalize existing village and urban centers, or both.

(C) Public investments, including construction or expansion of infrastructure, should reinforce the ~~general character and~~ planned growth patterns of the area.

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

Goal 2:

To provide a strong and diverse economy that provides satisfying and rewarding job opportunities and that maintains high environmental standards, and to expand economic opportunities in areas with high unemployment or low per capita incomes.

Choose an item.
Pages:

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

Goal 3:
To broaden access to educational and vocational training opportunities sufficient to ensure the full realization of the abilities of all Vermonters.

Choose an item.
Pages:

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

Goal 4:
To provide for safe, convenient, economic and energy efficient transportation systems that respect the integrity of the natural environment, including public transit options and paths for pedestrians and bicyclers.

Choose an item.
Pages:

(A) Highways, air, rail and other means of transportation should be mutually supportive, balanced and integrated.

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

Goal 5:
To identify, protect and preserve important natural and historic features of the Vermont landscape including:

Choose an item.
Pages:

(A) significant natural and fragile areas;

(B) outstanding water resources, including lakes, rivers, aquifers, shorelands and wetlands;

(C) significant scenic roads, waterways and views;

(D) important historic structures, sites, or districts, archaeological sites and archaeologically sensitive areas

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

Goal 6:
To maintain and improve the quality of air, water, wildlife, forests and other land resources.

Choose an item.
Pages:

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

Goal 7:
To encourage the efficient use of energy and the development of renewable energy resources.

Choose an item.
Pages:

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

Goal 8:
To maintain and enhance recreational opportunities for Vermont residents and visitors.

Choose an item.
Pages:

(A) Growth should not significantly diminish the value and availability of outdoor recreational activities.

(B) Public access to noncommercial outdoor recreational opportunities, such as lakes and hiking trails, should be identified, provided, and protected wherever appropriate.

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

Goal 9:
To encourage and strengthen agricultural and forest industries.

Choose an item.
Pages:

(A) Strategies to protect long-term viability of agricultural and forestlands should be encouraged and should include maintaining low overall density.

(B) The manufacture and marketing of value added agricultural and forest products should be encouraged.

(C) The use of locally-grown food products should be encouraged.

(D) Sound forest and agricultural management practices should be encouraged.

(E) Public investment should be planned so as to minimize development pressure on agricultural and forest land.

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

Goal 10:
To provide for the wise and efficient use of Vermont's natural resources and to facilitate the appropriate extraction of earth resources and the proper restoration and preservation of the aesthetic qualities of the area.

Choose an item.
Pages:

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

Goal 11:
To ensure the availability of safe and affordable housing for all Vermonters.

Choose an item.
Pages:

(A) Housing should be encouraged to meet the needs of a diversity of social and income groups in each Vermont community, particularly for those citizens of low and moderate income, and consistent with housing targets provided for in subdivision 4348a(a)(9) of this title.

(B) New and rehabilitated housing should be safe, sanitary, located conveniently to employment and commercial centers, and coordinated with the provision of necessary public facilities and utilities.

(C) Sites for ~~multi-family~~ multifamily and manufactured housing should readily available in locations similar to those generally used for single-family ~~conventional~~ dwellings.

(D) Accessory ~~apartments~~ dwellings within or attached to single family residences ~~which~~ that provide affordable housing in close proximity to cost-effective care and supervision for relatives or disabled or elderly persons should be allowed.

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

Goal 12:
To plan for, finance and provide an efficient system of public facilities and services to meet future needs.

Choose an item.
Pages:

(A) Public facilities and services should include fire and police protection, emergency medical services, schools, water supply and sewage and solid waste disposal.

(B) The rate of growth should not exceed the ability of the community and the area to provide facilities and services.

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

Goal 13:
To ensure the availability of safe and affordable child care and to integrate child care issues into the planning process, including child care financing, infrastructure, business assistance for child care providers, and child care work force development.

Choose an item.
Pages:

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

Goal 14:
To encourage flood resilient communities.
(A) New development in identified flood hazard~~, fluvial erosion,~~ and river corridor protection areas should be avoided. If new development is to be built in such areas, it should not exacerbate flooding and fluvial erosion.
(B) The protection and restoration of floodplains and upland forested areas that attenuate and moderate flooding and fluvial erosion should be encouraged.
(C) Flood emergency preparedness and response planning should be encouraged.

Choose an item.
Pages:

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

Goal 15:
To equitably distribute environmental benefits and burdens as described in 3 V.S.A. chapter 72.

Choose an item.
Pages:

How has the Town Plan addressed this goal:

If the goal is not relevant or attainable, how does the plan address why:

STANDARD OF REVIEW

24 V.S.A. § 4302(f)

(1) As used in this chapter, "consistent with the goals" requires substantial progress toward attainment of the goals established in this section, unless the planning body determines that a particular goal is not relevant or attainable. If such a determination is made, the planning body shall identify the goal in the plan and describe the situation, explain why the goal is not relevant or attainable, and indicate what measures should be taken to mitigate any adverse effects of not making substantial progress toward that goal. The determination of relevance or attainability shall be subject to review as part of a consistency determination under this chapter.

(2) As used in this chapter, for one plan to be "compatible with" another, the plan in question, as implemented, will not significantly reduce the desired effect of the implementation of the other plan. If a plan, as implemented, will significantly reduce the desired effect of the other plan, the plan may be considered compatible if it includes the following:

(A) a statement that identifies the ways that it will significantly reduce the desired effect of the other plan;

(B) an explanation of why any incompatible portion of the plan in question is essential to the desired effect of the plan as a whole;

(C) an explanation of why, with respect to any incompatible portion of the plan in question, there is no reasonable alternative way to achieve the desired effect of the plan, and

(D) an explanation of how any incompatible portion of the plan in question has been structured to mitigate its detrimental effects on the implementation of the other plan.

Details of CCRPC's plan review process can be found in "Guidelines and Standards for Confirmation of Municipal Planning Processes, Approval of Municipal Plans and Granting Determinations of Energy Compliance~~," as amended on September 19, 2018~~."

Appendix B – Municipal Plan Implementation Assessment

Guidelines and Standards for Confirmation of Municipal Planning Processes and Approval of Municipal Plans

Municipality: _____
Date: _____
Municipal Plan Expiration: _____

Planning Process Currently Confirmed?: □ Yes □ No

In order to obtain or retain confirmation, a municipality must be actively engaged in a process to implement its adopted plan. Actively engaged is defined as making progress in all of the four implementation categories in 24 V.S.A. 4350(c) or a determination that the plan does not call for any implementation actions in a category. CCRPC is particularly interested in understanding municipal implementation of the Town Plan related to achievement of the municipal housing targets:

Activity	**Progress?** (select all that may apply)	**Explanation of Progress**
Preparation or adoption of bylaws or amendments:	□ Activity Completed □ Currently Implementing □ Not a Priority During Time Period □ Not a Priority in Plan □ Hindered or Delayed □ No Activity	
Capital budgets and programs:	□ Activity Completed □ Currently Implementing □ Not a Priority During Time Period □ Not a Priority in Plan □ Hindered or Delayed □ No Activity	

Supplemental plans: **[list one or more identified in the plan, but not necessarily all]**	□ Activity Completed □ Currently Implementing □ Not a Priority During Time Period □ Not a Priority in Plan □ Hindered or Delayed □ No Activity	
Other actions, programs, or measures undertaken or scheduled to implement the adopted plan: **[list one or more identified in the plan, but not necessarily all]**	□ Activity Completed □ Currently Implementing □ Not a Priority During Time Period □ Not a Priority in Plan □ Hindered or Delayed □ No Activity	

24 V.S.A. 4350(c): *In order to retain confirmation or the planning process, a municipality shall document that it has reviewed and is actively engaged in a process to implement its adopted plan.*

(1) When assessing whether a municipality has been actively engaged in a process to implement its adopted plan, the regional planning commission shall consider the activities of the local boards and commissions with regard to the preparation or adoption of bylaws and

(2) amendments; capital budgets and programs; supplemental plan; or other actions, programs, or measures undertaken or scheduled to implement the adopted plan. The regional planning commission shall consider factors that may have hindered or delayed municipal implementation efforts.

Deleted: ¶

Appendix C

Energy Planning Standards for Municipal Plans

Instructions

Before proceeding, please review the requirements of Parts I and II below, as well as the Overview document. Submitting a Municipal Plan for review under the standards below is entirely voluntary, as enabled under Act 174, the Energy Development Improvement Act of 2016. If a Municipal Plan meets the standards, it will be given an affirmative "determination of energy compliance," and its land conservation measures and specific policies will be given "substantial deference" in the Public Utility Commission's review of whether an energy project meets the orderly development criterion in the Section 248 process. Specifically, with respect to an in-state electric generation facility, the Commission:

> *[S]hall give substantial deference to the land conservation measures and specific policies contained in a duly adopted regional and municipal plan that has received an affirmative determination of energy compliance under 24 V.S.A. § 4352. In this subdivision (C), "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. The term shall not include consideration of whether the determination of energy compliance should or should not have been affirmative under 24 V.S.A. § 4352.*

Municipal Plans should be submitted by the municipality's legislative body to the Regional Planning Commission (RPC) if the Regional Plan has received an affirmative determination of energy compliance (determination), along with the completed checklist below. After a Municipal Plan and completed checklist have been submitted to the RPC, the RPC will schedule a public hearing noticed at least 15 days in advance by direct mail to the requesting municipal legislative body, on the RPC website, and in a newspaper of general publication in the municipality. The RPC shall issue a determination in writing within two months of the receipt of a request. If the determination is negative, the RPC shall state the reasons for the denial in writing and, if appropriate, suggest acceptable modifications. Submissions for a new determination following a negative determination shall receive a new determination within 45 days.

The plans that Municipalities submit must:

- Be adopted
- Be confirmed under 24 V.S.A. § 4350
- Include an energy element that has the same components as described in 24 V.S.A. § 4348a(a)(3)
- Be consistent with state energy policy (described below), in the manner described in 24 V.S.A. § 4302(f)(1)
- Meet all standards for issuing a determination of energy compliance (see below)

Municipalities are encouraged to consult with their RPC before undertaking the process of plan adoption, which may help in identifying any deficiencies or inconsistencies with the standards or other requirements that would be more difficult to remedy after a plan has gone through the formal adoption process.

The 2022 Comprehensive Energy Plan (CEP), published on January 14, 2022, includes several important updates to the Act 174 enhanced energy standards:

- A revised set of standards, presented in this document, updated to reflect current developments in state energy policy
- An updated suite of recommendations tailored specifically toward the work of the regions and municipalities. Unlike the set of recommendations published with the original standards, which were written prior to the passage of Act 174, these recommendations are included in the 2022 CEP itself.

In addition, a revised guidance document will be published within six months after the publication of the 2022 CEP to reflect new issues and best practices that have emerged from the regions and municipalities that have gone through an initial process of applying for a determination of energy compliance. This document will also include the recommendations for regions and municipalities outlined in the 2022 CEP.

Affirmative determinations are valid for the life cycle of a revision of the Municipal Plan. Plans submitted after the 2022 CEP is issued are expected to meet the updated standards that are issued at that time, with the exception of plans for regions or municipalities who can demonstrate they had meaningfully initiated the planning process (ex. through proof of a publicly noticed meeting) before the 2022 CEP was published. Municipalities are encouraged to consult with their RPC regarding interim amendments that might affect any of the standards below, to discuss whether a new review is triggered.

If you wish to submit your Municipal Plan to your RPC for a determination, please read closely the specific instructions at the start of each section below, and attach your Municipal Plan to this checklist.

Determination requests to an RPC (and any other questions) should be submitted to your RPC's designated contact.

Part I: Applicant Information

Applicant:	Click here to enter text.
Contact person:	Click here to enter text.
Contact information:	Click here to enter text.

Received by: Click here to enter text.	**Date:** Click here to enter text.

Part II: Determination Standards Checklist

The checklist below will be used to evaluate your plan's consistency with statutory requirements under Act 174, including the requirement to be adopted, contain an enhanced energy element, be consistent with state energy policy, and meet a set of standards designed to ensure consistency with state energy goals and policies.

Please review and attach your plan (or adopted energy element/plan, along with supporting documentation) and self-evaluate whether it contains the following components. Use the Notes column to briefly describe how your plan is consistent with the standard, including relevant page references (you may include additional pages to expand upon Notes). If you feel a standard is not relevant or attainable, please check N/A where it is available and use the Notes column to describe the situation, explaining why the standard is not relevant or attainable, and indicate what measures your municipality is taking instead to mitigate any adverse effects of not making substantial progress toward this standard. If N/A is not made available, the standard must be met (unless the instructions for that standard indicate otherwise) and checked "Yes" in order to receive an affirmative determination. There is no penalty for checking (or limit on the number of times you may check) N/A where it is available, as long as a reasonable justification is provided in the Notes column.

Plan Adoption Requirement

Act 174 requires that municipal plans be adopted and approved in order to qualify for a determination of energy compliance. In the near term, it is likely municipalities will revise and submit isolated energy plans or elements, particularly due to long planning cycles. Therefore, the plan adoption requirement can be met through an amendment to an existing plan in the form of an energy element or energy plan, as long as the amendment or plan itself is duly adopted as part of the municipal plan and incorporated by reference or appended to the underlying, full plan (i.e., is officially "in" the municipal plan), as well as approved for confirmation with the region. If this route is chosen, the municipality should also attach the planning commission report required for plan amendments under 24 V.S.A. § 4384, which should address the internal consistency of the energy plan/element with other related elements of the underlying plan (particularly Transportation and Land Use), and/or whether the energy plan/element supersedes language in those other elements. Standards 1 and 2 below must be answered in the affirmative in order for a plan to receive an affirmative determination of energy compliance.

1. Has your plan been duly adopted and approved for confirmation according to 24 V.S.A. § 4350?	☐ Yes. Adoption date: Click here to enter text.	☐ No	Click here to enter text.

	Confirmation date: Click here to enter text.		
2. Is a copy of the plan (or adopted energy element/plan, along with underlying plan and planning commission report addressing consistency of energy element/plan with other elements of underlying plan) attached to this checklist?	☐ Yes	☐ No	Notes: Click here to enter text.

Energy Element Requirement

To obtain a determination of energy compliance, Act 174 requires municipalities to include an "energy element" that contains the same components described in 24 V.S.A. § 4348a(a)(3), which was revised through Act 174 to explicitly address energy across all sectors and to identify potential and unsuitable areas for siting renewable energy resources:

> *An energy element, which may include an analysis of resources, needs, scarcities, costs, and problems within the region across all energy sectors, including electric, thermal, and transportation; a statement of policy on the conservation and efficient use of energy and the development and siting of renewable energy resources; a statement of policy on patterns and densities of land use likely to result in conservation of energy; and an identification of potential areas for the development and siting of renewable energy resources and areas that are unsuitable for siting those resources or particular categories or sizes of those resources.*

The standards below are generally organized to integrate each component of the enhanced energy element with related determination standards that evaluate the plan's consistency with state goals and policies. **Energy element components are identified in bolded text.**

While municipalities may choose to primarily address energy used for heating, transportation, and electricity in the required energy element, they may also choose to address some of these components in related plan elements (e.g., Transportation and Land Use) and should indicate as much in the Notes column. To the extent an energy element is designed to comprehensively address energy, it should be complementary to and reference other relevant plan elements.

3. **Does the plan contain an energy element, that contains the same components described in 24 V.S.A. § 4348a(a)(3)?**	☐ Yes	☐ No	Page: Click here to enter text. Notes: Click here to enter text.

Individual components of the energy element will be evaluated through the standards below.			

Consistency with State Goals and Policies Requirement

Act 174 states that regional and municipal plans must be consistent with the following state goals and policies:

- Greenhouse gas reduction requirements under 10 V.S.A. § 578(a) (26% from 2005 levels by 2025; 40% from 1990 levels by 2030; 80% from 1990 levels by 2050)
- The 25 x 25 goal for renewable energy under 10 V.S.A. § 580 (25% in-state renewables supply for all energy uses by 2025)
- Building efficiency goals under 10 V.S.A. § 581 (e.g., reduce fossil fuel consumption across all buildings by 10% by 2025)
- State energy policy under 30 V.S.A. § 202a and the recommendations for regional and municipal 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
- 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

The standards in the checklist below will be used to determine whether a plan is consistent with these goals and policies. The standards are broken out by category. *Analysis and Targets* standards address how energy analyses are done within plans, and whether targets are established for energy conservation, efficiency, fuel switching, and use of renewable energy across sectors. *Pathways (Implementation Actions)* standards address the identification of actions to achieve the targets. *Mapping* standards address the identification of suitable and unsuitable areas for the development of renewable energy.

Municipalities may choose to incorporate the information necessary to meet the standards in their energy elements, and/or in other sections of their plans (many transportation items may fit best in the Transportation chapters of plans, for instance). However, plans must be internally consistent, and applicants should cross-reference wherever possible.

Analysis and Targets Standards

For the *Analysis & Targets* determination standards below, municipalities will be provided with analyses and targets derived from regional analyses and targets by their RPC. Municipalities may choose to rely on these "municipalized" analyses and targets to meet the standards in this section. Municipalities which elect to use the analysis and targets provided by a region will be presumed to have met the standards in this section**.** Alternatively, municipalities may develop their own custom analyses and targets or supplement the analyses and targets provided by

the regions with specific local data; if this option is chosen, the analysis and targets must include all of the same components and meet the standards required of regions, as described below.

For municipalities that choose to undertake their own analysis and target-setting (and for regions), the Department of Public Service (PSD) has provided guidance documents to explain the expected level of detail in and data sources and methodologies available for meeting the standards (including areas where it is understood data at the municipal level is unavailable, and therefore not expected). These guidance documents can be retrieved from the following links:

- In 2017, the PSD developed two guidance documents, one for regional plans and one for municipal plans:
  - Guidance for Regional Plans
  - Guidance for Municipal Plans
- In addition, in 2019 the Northwest Regional Planning Commission, with input from all 11 RPCs in the state, created a best practices and resources guide for municipalities to use when undertaking enhanced energy planning.

The guidance developed by the PSD will be updated in 2022 to incorporate best practices that have emerged from the regions and municipalities who have completed an initial round of energy plans. Note that standards 5A-5E are all derived directly from requirements in Act 174 (with minor modifications to make them feasible) and must be met affirmatively in order for a municipal plan to receive an affirmative determination of energy compliance.

Targets set by regions and municipalities should be aligned with state energy policy (see the goals and policies listed above). Where targets (and efforts to reach them) depart significantly from state energy goals and policies, an explanation for how the plan otherwise achieves the intent of the state goal or policy should be provided. The guidance document also offers additional clarification on alignment with state goals and policies.

The analysis items below are intended to provide regions and municipalities with an overview of their current energy use, and with a sense of the trajectories and pace of change needed to meet targets, which can be translated into concrete actions in the *Pathways* standards below. Targets provide regions and municipalities with milestones or checkpoints along the way toward a path of meeting 90% of their total energy needs with renewable energy, and can be compared with the potential renewable energy generation from areas identified as potentially suitable in the *Mapping* standards exercise below to give regions and municipalities a sense of their ability to accommodate renewable energy that would meet their needs.

4. **Does your plan's energy element contain an analysis of resources, needs, scarcities, costs, and problems within the municipality across all energy sectors (electric, thermal, transportation)?** *Note: You may want to reference the guidance document, developed by Northwest Regional Planning Commission, with input from all 11 regional planning commissions, on best practices for conducting such an analysis, including examples and suggested units to use when developing analyses.*	☐ Yes	☐ No	Page: Click here to enter text. Notes: Click here to enter text.
5. Does your plan contain an analysis that addresses A-E below, either as provided by your Regional Planning Commission or as developed by your municipality? *Municipalities may meet this standard by using the analysis and targets provided by their regions, or by developing their own analyses and targets. If using the analysis & targets provided by your region, please answer "Yes-Region" and skip ahead to #6. If developing a custom analysis, please answer "Yes-Custom" and address 5A-5E separately, below.*	☐ Yes-Region ☐ Yes-Custom	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
A. Does the plan estimate current energy use across transportation, heating, and electric sectors? *As noted in the Guidance Document, plans meet this standard by transparently calculating estimated energy consumption by region by 1) transportation, 2) building heat, and 3) electricity consumption. More detailed support is available in Appendix A of the Guidance developed by the PSD.*	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
B. Does the plan establish targets for 2025, 2035, and 2050 for thermal efficiency improvements and use of renewable energy for heating and evaluate the amount of thermal-sector conservation, efficiency, and conversion to alternative heating fuels needed to achieve these targets?	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
C. Does the plan establish targets for 2025, 2035, and 2050 for use of renewable energy for transportation and evaluate transportation system changes and land use strategies needed to achieve these targets?	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text.

			Notes: Click here to enter text.
D. Does the plan establish 2025, 2035, and 2050 targets for electric efficiency improvements and use and renewable energy for electricity and evaluate electric-sector conservation and efficiency needed to achieve these targets?	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.

Pathways (Implementation Actions) Standards

This section examines whether plans meet the Act 174 expectation that they include pathways and recommended actions to achieve the targets identified through the *Analysis and Targets* section of the Standards (above). Plans are expected to include or otherwise address all of the pathways (implementation actions) below; some actions may not be applicable or equally relevant to all applicants (small vs. large municipalities, for instance), in which case N/A may be checked (if available) and the justification provided in the Notes column. There is no penalty for choosing N/A one or more times, as long as a reasonable justification is provided in the Notes column, preferably including an explanation of how the plan alternatively achieves attainment of the targets should be included. If N/A is not provided as an option, the standard must be met, and "Yes" must be checked, in order for the plan to meet the requirements for a determination (unless the instructions particular to that standard indicate otherwise).

The PSD will be updating its guidance documents in 2022 with potential implementation actions included in the 2022 Comprehensive Energy Plan, from existing regional and municipal plans that have received a determination of compliance, and from other sources. We also offer potential starting points for consideration as italicized text under each standard. Plans are encouraged to promote as diverse a portfolio of approaches as possible in each sector, or if not, to explain why they take a more targeted approach. Implementation actions may fit best in a holistic discussion contained within a plan's energy element, though cross-referencing to other relevant plan elements is also acceptable.

Municipalities must demonstrate a commitment to achieving each standard in policies, objectives, and implementation actions in clear, action-oriented language. Definitions of policies, objectives, and actions can be found on p. 52 of the Vermont State Planning Manual Module 1.

6. **Does your plan's energy element contain policies or objectives on the conservation and efficient use of energy?**	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.

A. Does the plan encourage conservation by individuals and organizations? *(Actions, objectives, and policies could include educational activities and events such as convening or sponsoring weatherization workshops, establishing local energy committees, encouraging the use of existing utility and other efficiency and conservation programs and funding sources, etc.)*	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
B. Does the plan promote efficient and climate resilient buildings? *(Actions, objectives, and policies could include education on and promotion of compliance with residential and commercial building energy standards for new construction and existing buildings, including additions, alterations, renovations and repairs; promoting the implementation of residential and commercial building efficiency ratings and labeling; considering adoption of stretch codes, identification of buildings and facilities that serve critical community functions, etc.)*	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
C. Does the plan promote decreased use of fossil fuels for heating? *(Actions, objectives, and policies could promote switching to wood, liquid biofuels, biogas, geothermal, and/or electricity (e.g. beneficial electrification). Suitable devices include advanced wood heating systems and cold-climate heat pumps, as well as use of more energy efficient heating systems; and identifying potential locations for, and barriers to, deployment of biomass district heating and/or thermal-led combined heat and power systems in the municipality)*	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
D. Does the plan demonstrate the municipality's leadership by example with respect to the efficiency of municipal buildings? (*Actions could include building audits and weatherization projects in schools and town offices, etc.)*	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
E. Other (please use the notes section to describe additional approaches that your municipality is taking)	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.

7. Does your plan's energy element contain policies and objectives on reducing transportation energy demand and single-occupancy vehicle use, and encouraging use of renewable or lower-emission energy sources for transportation?	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
A. Does the plan promote a shift away from single-occupancy vehicle trips, through strategies appropriate to the municipality? *(Actions, objectives, or policies could include rideshare, vanpool, car-sharing initiatives; participation in efforts to identify and develop new public transit routes, promote full utilization of existing routes, integrate park-and-rides with transit routes, efforts to develop or increase park-and-rides; enhancement of options such as rail and telecommuting; deployment of broadband to support remote services such as telework or telemedicine; education; intergovernmental cooperation; etc.)*	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
B. Does the plan promote a shift away from gas/diesel vehicles to electric or other non-fossil fuel transportation options through strategies appropriate to the municipality? *(Actions, objectives, or policies could include developing a plan for preferred siting of charging infrastructure (ex. placement of fast or level two chargers), installing or promoting the installation of electric vehicle charging infrastructure, providing education and outreach to potential users, supporting non-fossil fuel vehicle availability through outreach to vehicle dealers, etc.)*	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
C. Does the plan facilitate the development of walking and biking infrastructure through strategies appropriate to the municipality? *(Actions, objectives, or policies could include studying, planning for, seeking funding for, or implementing improvements that encourage safe and convenient walking and biking; adopting a "Complete Streets" policy, etc.)*	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
D. Does the plan demonstrate the municipality's leadership by example with respect to the efficiency of municipal transportation?	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text.

(*Actions, objectives, or policies could include purchasing energy efficient municipal and fleet vehicles when practicable, installing electric vehicle charging infrastructure, etc.)*			Notes: Click here to enter text.
E. Other (please use the notes section to describe additional approaches that your municipality is taking)	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
8. **Does your plan's energy element contain policies and objectives on patterns and densities of land use likely to result in conservation of energy and climate resilience?**	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
A. Does the plan include land use policies (and descriptions of current and future land use categories) that demonstrate a commitment to reducing sprawl and minimizing low-density development? *(Actions, objectives, or policies could include promoting wastewater infrastructure in planned growth areas, policies or zoning that require design features that minimize the characteristics of strip development [multiple stories, parking lot to the side or back of the store], and requirements that development in those areas be connected by means other than roads and cars; policies or zoning that limits conversion and fragmentation of forest blocks and impacts to primary agricultural soils, adopting a capital budget and program that furthers land use and transportation policies; etc.*)	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
B. Does the plan strongly prioritize development in compact, mixed-use centers when physically feasible and appropriate to the use of the development, or identify steps to make such compact development more feasible? *(Actions, objectives, or policies could include participating in the state designation program, such as obtaining state designated village centers, downtowns, neighborhoods, new town centers, or growth centers; exploration of water or sewage solutions that enable compact development; working with state agencies and local utilities to identify priority areas for EV charging, storage, and*	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.

other resources to promote downtown economic and every resilience, etc.)			
C. Other (please use the notes section to describe additional approaches that your municipality is taking)	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
9. **Does your plan's energy element contain policies and objectives on the development and siting of renewable energy, storage, and transmission and distribution resources?**	☐ Yes	☐ No	Notes: Click here to enter text.
A. Does the plan evaluate (estimates of or actual) generation from existing renewable energy generation in the municipality? *Municipalities should be able to obtain this information from their regions.*	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
B. Does the plan analyze generation potential, through the mapping exercise (see *Mapping* standards, below), from potentially suitable areas in the municipality? *Municipalities should be able to obtain this information from their regions.*	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
C. Does the plan identify sufficient land in the municipality for renewable energy development to reasonably reach 2050 targets for renewable electric generation, based on population and energy resource potential (from potential resources identified in the *Mapping* exercise, below), accounting for the fact that land may not be available due to private property constraints, site-specific constraints, or grid-related constraints? *If N/A, please describe how you are working with your regional planning commission to ensure overall regional objectives are achieved.*	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
D. Does the plan ensure that any local constraints (locally designated resources or critical resources, from 13B and 13C under *Mapping*, below) do not prohibit or have the effect of prohibiting the	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text.

provision of sufficient renewable energy to meet state, regional, or municipal targets? *If N/A, please describe how you are working with your regional planning commission to ensure overall regional objectives are achieved.*			Notes: Click here to enter text.
E. Does the plan include policies and objectives to accompany maps (could include general siting guidelines), including policies and objectives to accompany any preferred, potential, and unsuitable areas for siting generation (see 13 and 14 under *Mapping*, below)?	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
F. Does the plan maximize the potential for renewable generation on preferred locations (such as the categories outlined under 13E in the *Mapping* standards, below)?	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
G. Does the plan demonstrate the municipality's leadership by example with respect to the deployment of renewable energy? (*Actions could include deploying renewable energy to offset municipal electric use, etc.)*	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
H. Other (please use the notes section to describe additional approaches that your municipality is taking)	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
10. Does your plan's energy element assess the potential equity impacts of the policies and objectives included to meet standards 6-9? *Such an assessment could consider, for example, what communities will be most impacted by the policy or objective, the distribution of benefits and burdens related to specific actions, whether actions will address existing inequities, or the extent to which communities were or will be consulted in the development of any programs or actions.*	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.

Mapping Standards

Act 174 requires plans to identify potential areas for the development and siting of renewable energy, storage, transmission, and distribution resources and areas that are unsuitable for siting those resources or particular categories or sizes of those resources. It furthermore requires that the standards address the potential generation from the potential siting areas. Lastly, it requires that – in order to receive an affirmative determination – municipal plans allow for the siting in the region of all types of renewable generation technologies.

The *Mapping* standards lay out a sequence of steps for planners to examine existing renewable resources and to identify potential (and preferred) areas for renewable energy development, and to identify likely unsuitable areas for development, by layering constraint map layers on to raw energy resource potential map layers. The maps should help municipalities visualize and calculate the potential generation from potential areas, and compare it with the 2025, 2035, and 2050 targets from the *Analysis and Targets* standards to get a sense of the scale and scope of generation that could be produced within the municipality to meet the municipality's needs. The PSD will provide additional guidance to accompany the standards that fleshes out the steps, layers, and standards more fully.

Plans must include maps that address all of the standards below, unless N/A is provided as an option, in which case a compelling reason why the standard is not applicable or relevant should be provided in the Notes column. Regions must develop their own maps and to then break out the maps for their municipalities, who can use their region-provided maps to meet the municipal *Mapping* standards.

Municipalities may choose to rely on the maps provided by the regions to meet the standards in this section. Those maps should be somewhat familiar to municipalities, who are expected to be consulted as regions develop their maps. Alternatively, municipalities may choose to undertake their own mapping, according to the same set of standards as regions. Additionally, municipalities are expected to work collaboratively with their regions and with neighboring municipalities to ensure compatibility between the final products.

The map and the text describing the policies or rules used to construct the map, as well as the text describing specific policies applicable to map features, should be complementary. That should help ensure that any "land conservation measures and specific policies" that might be given substantial deference in the context of a particular project review under 30 V.S.A. § 248 are clearly identifiable in the text, should a map lack sufficient clarity or granularity regarding the area in which a project is proposed. Policy language must be clear, unqualified, and create no ambiguity in relation to the specific area and the type of permissible development.

Consistent with the Climate Action Plan and Act 171 of 2016, the 2022 update to the Act 174 standards adds standard 12F to emphasize the value of forest lands in sequestering and storing carbon. By the 2028 update to the standards, the Department expects to incorporate Vermont Conservation Design priority interior forest and connectivity blocks into the possible constraints in standard 12C.

11. Does your plan contain one or more maps that address 12-14 below, as provided by your Regional Planning Commission or as developed by your municipality?	☐ Yes-Region	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text.

Municipalities may meet this standard by using the maps provided by their regions, or by developing their own maps. If using the maps provided by your region, please answer "Yes-Region" and skip ahead to #15. If developing custom maps, please answer "Yes-Custom" and address 12-14 separately, below.	☐ Yes-Custom		Notes: Click here to enter text.
12. Does the plan identify and map existing electric generation sources? *Maps may depict generators of all sizes or just those larger than 15 kW, as long as information on generators smaller than 15 kW is summarized and provided or referenced elsewhere. It is expected that the best available information at the time of plan creation will be used. This information is available from the PSD.*	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
13**. Does the plan identify potential areas for the development and siting of renewable energy resources** and the potential generation from such generators in the identified areas, taking into account factors including resource availability, environmental constraints, and the location and capacity of electric grid infrastructure? *Maps should include the following (available from VCGI and ANR), and the resulting Prime and Secondary Resource Maps will together comprise "potential areas"*:	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
A. Raw renewable energy potential analysis (wind and solar), using best available data layers (including LiDAR as appropriate)	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
B. Known constraints (signals likely, though not absolute, unsuitability for development based on statewide or local regulations or designated critical resources) to include: • Vernal Pools from Vermont Center for Ecostudies (VCE; confirmed layers) • DEC River Corridors • FEMA Floodways • State-significant Natural Communities	☐ Yes	☒ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.

• Rare, Threatened, and Endangered Species • National Wilderness Areas • Class 1 and Class 2 Wetlands (VSWI and advisory layers) • Regionally or Locally Identified Critical Resources *If areas are constrained for the development of renewable energy due to the desire to protect a locally designated critical resource (whether a natural resource or a community-identified resource), then the land use policies applicable to other forms of development in this area must be similarly restrictive; for this category, policies must prohibit all permanent development (and should be listed in the Notes column).* *These areas should be subtracted from raw renewable energy resource potential maps to form Secondary Resource Maps*			

C. Possible constraints (signals conditions that would likely require mitigation, and which may prove a site unsuitable after site-specific study, based on statewide or regional/local policies that are currently adopted or in effect), including but not limited to:
• Vernal Pools from VCE (potential and probable layers)
• Agricultural Soils
• FEMA Special Flood Hazard Areas
• Protected Lands (State fee lands and private conservation lands)
• Act 250 Agricultural Soil Mitigation areas
• Deer Wintering Areas
• The following features from ANR's Vermont Conservation Design:
  ○ Interior Forest Blocks – Highest Priority
  ○ Connectivity Blocks–- Highest Priority
  ○ Physical Landscape Blocks - Highest Priority
  ○ Surface Water and Riparian Areas - Highest Priority
• Hydric Soils
	☐ Yes	☐ No	Page: Click here to enter text.
			Paragraph #: Click here to enter text.
			Notes: Click here to enter text.

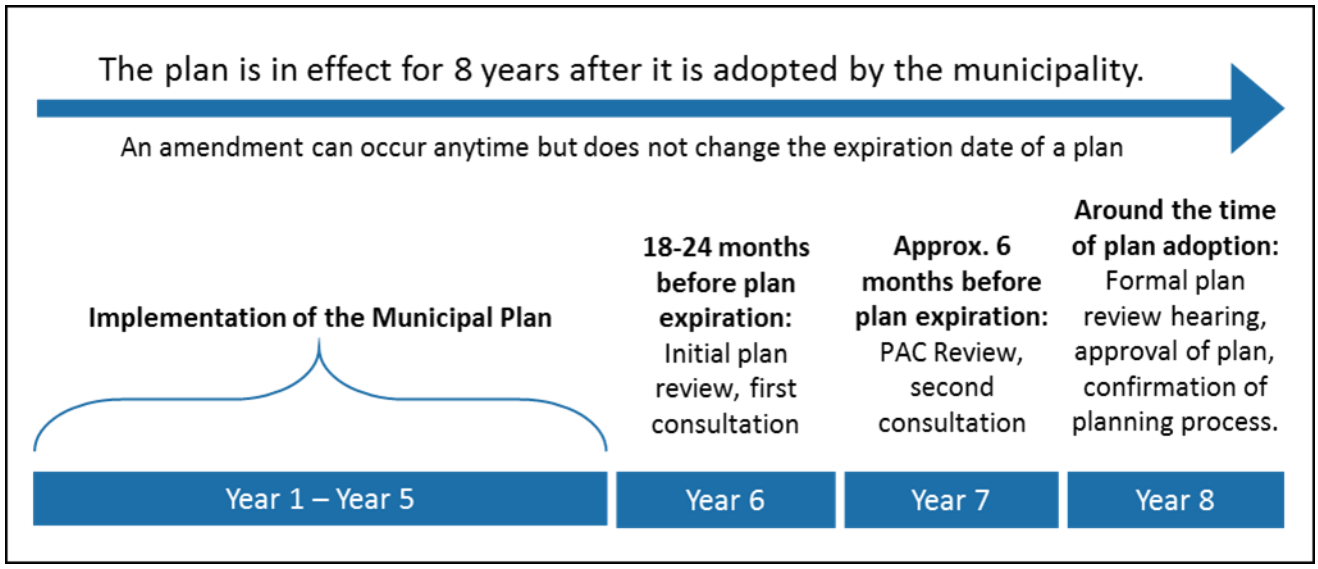
• Regionally or Locally Identified Resources *If locations are constrained for the development of renewable energy due to the desire to protect a locally designated resource (whether a natural resource or community-identified resource, like a viewshed), then the land use policies applicable to other forms of development must be similarly restrictive (and should be listed in the Notes column).* *These areas should be subtracted from Secondary Resource Maps to form Prime Resource Maps.*			
D. Transmission and distribution resources and constraints, as well as transportation infrastructure. *(Including three-phase distribution lines, known constraints from resources such as Green Mountain Power's solar map, known areas of high electric load, etc.)*	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
E. Preferred locations (specific areas or parcels) for siting a generator or a specific size or type of generator, accompanied by any specific siting criteria for these locations *Narrative descriptions of the types of preferred areas in accompanying plan text are acceptable, though mapping of areas and especially specific parcels (to the extent they are known) is highly encouraged, to signal preferences to developers, particularly for locally preferred areas and specific parcels that do not qualify as a statewide preferred location under i. below.* *The locations identified as preferred must not be impractical for developing a technology with regard to the presence of the renewable resource and access to transmission/distribution infrastructure.*	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
i. Statewide preferred locations such as rooftops (and other structures), parking lots, previously developed sites, brownfields, gravel pits, quarries, and Superfund sites.	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.

Note: These preferred locations align with the locations identified in the net metering rule 5.100. As of January 15, 2022 that rulemaking is currently active. Should the preferred locations identified in the rule change during that rulemaking, plans would be required to consider the updated preferred locations identified.			
ii. Other potential locally preferred locations *For example, customer on- or near-site generation, economic development areas, unranked and not currently farmed agricultural soils, unused land near already developed infrastructure, locations suitable for large-scale biomass district heat or thermal-led cogeneration, potential locations for biogas heating and digesters, etc.* *These are particularly important to map if possible, as "a specific location in a duly adopted municipal plan" is one way for a net metering project to qualify as being on a preferred site.*	☐ Yes	☐ No ☐ N/A	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
F. Does the plan (a) evaluate whether forest blocks or habitat connectors identified pursuant to 24 V.S.A. § 4348a(a)(2)(F) [for regional plans] and 24 V.S.A. § 4382(a)(2)(D) [for municipal plans] should be treated as possible constraints, and (b) ensure that land conservation measures and specific policies established for the development and siting of renewable energy resources incorporates consideration of the evaluation undertaken in part (a)?	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
14. **Does the plan identify areas that are unsuitable for siting renewable energy resources or particular categories or sizes of those resources**? *Either Yes or No ("No" if the plan chooses not to designate any areas as unsuitable) is an acceptable answer here. "Resources" is synonymous with "generators."*	☐ Yes ("Yes" for A and B must also be selected below)	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.

A. Are areas identified as unsuitable for particular categories or sizes of generators consistent with resource availability and/or land use policies in the regional or municipal plan applicable to other types of land development (answer only required if "Yes" selected above, indicating unsuitable areas have been identified)? *If areas are considered unsuitable for energy generation, then the land use policies applicable to other forms of development in this area should similarly prohibit other types of development. Please note these policies in the Notes column.*	☐ Yes	☐ No ☐ N/A (if no unsuitable areas are identified)	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
B. Does the plan ensure that any regional or local constraints (regionally or locally designated resources or critical resources, from 13B-13C above) identified are supported through data or studies, are consistent with the remainder of the plan, and do not include an arbitrary prohibition or interference with the intended function of any particular renewable resource size or type? *Please explain in the Notes column.*	☐ Yes	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.
15. Municipalities seeking a determination of energy compliance from the Department and not using their region's maps only: Does the plan ensure that its approach, if applied regionally, would not have the effect of prohibiting any type of renewable generation technology in all locations?	☐ Yes (also check Yes if seeking determination from region, or from DPS but using region-provided maps)	☐ No	Page: Click here to enter text. Paragraph #: Click here to enter text. Notes: Click here to enter text.

Appendix D – Municipal Plan Review Application and Process

I. Purpose. The purpose of this document is to provide step-by-step instructions for completing initial plan reviews and formal plan reviews as outlined in *Chittenden County Regional Planning Commission Guidelines and Standards for Confirmation of Municipal Planning Processes, Approval of Municipal Plans and Granting Determinations of Energy Compliance*.



II. Initial Plan Review.

1. **Purpose**. The purpose of the initial plan review is to provide information to the municipality about new statutory plan requirements, to identify any parts of the municipal plan that may not conform to existing statutory requirements or are not compatible with the regional plan (including differences between the regional and municipal future land use maps), and to provide the municipality with general recommendations about how to improve the content of the municipal plan. The initial plan review shall also function as one of the two required consultations within an 8-year period (24 V.S.A. § 4350(a)) and will include a review of progress made on the existing plan's implementation program.

2. **Timing.** CCRPC Staff will provide notice to a municipality of upcoming plan expiration and initiate a review of municipal plans approximately 18-24 months prior to the expiration of each municipal plan.

3. **Submission Requirements.** Staff will ask the municipality to submit a completed Appendix B - Municipal Plan Implementation Assessment. This document is not needed to start an initial plan review, but is needed by Staff before the initial plan review can be completed and shared with the municipality.

4. **Process.**

    a. A CCRPC staff member will be assigned by the Planning Program Director as "lead" for a specific municipal initial plan review.

b. The lead staff member will ask the municipality to complete Appendix B and will coordinate staff review of the municipal plan. Coordination may include assigning staff members to review specific parts of the municipal plan.

c. The lead staff member will review the completed Appendix B and complete a final draft of the initial plan review.

d. Once completed, the initial plan review memo will be shared with municipal staff, municipal planning commissions and CCRPC's Planning Advisory Committee (PAC). The initial plan review will be listed under "Other Business" on the next available PAC meeting agenda in case members would like to discuss the review. The lead staff member will also provide initial plan review memos to the CCRPC Board representatives and alternates from the municipality being reviewed and from adjacent municipalities.

III. Formal Plan Review.

1. **Purpose.** The purpose of formal plan review is to meet the requirements of 24 V.S.A. § 4385 related to regional review of municipal plans and confirmation of a municipal planning process. The formal plan review will serve as the second of the two consultations required every eight years by 24 V.S.A. § 4350(a).

2. **Timing.** The municipal request for regional approval of the municipal plan, and confirmation, may be before or after adoption of the plan by the municipality, at the option of the municipality. However, to aid with CCRPC formal plan review scheduling, CCRPC would prefer if the municipal request for formal plan review is made 120 days before the current municipal plan expires or 45 days before the municipal Planning Commission's first public hearing, whichever comes first.

   Earlier submittals of municipal plans allow for CCRPC staff and PAC to provide comments to the municipal planning commission **before** the first municipal public hearing to adopt the municipal plan. This can benefit the municipality if there are changes needed to the municipal plan in order to comply with statutory requirements or compatibility with the regional plan.

3. **Submission Requirements.** Municipalities submit the following materials to initiate formal plan review:

   a. Cover letter requesting CCRPC review;

   b. Five-year funding summary of planning activities;

   c. Appendix A;

   d. Appendix B;

   e. Appendix C (if seeking a determination of energy compliance);

   f. Draft municipal plan in PDF format (including maps, appendices, and any supporting plans incorporated by reference); and

   g. A copy of the Municipal Plan Report (24 V.S.A. §4384(c)). Note that if the plan includes any change to the future land use map, this report must address the elements in 24 V.S.A. § 4384(c)(1)-(5). In addition, the report should address consistency with the regional plan's future land use map and whether any changed land use areas meet the

statutory criteria for classification as Downtown or Village Centers, Planned Growth Areas, or Village Areas and whether any areas meet the criteria for Tier 1A or Tier 1B status.

4. **Process.**

   a. **Staff Assignment**. A CCRPC staff member will be assigned by the Planning Program Director as "lead" for a specific municipal formal plan review. The lead staff member will coordinate all aspects of the formal plan review process. Typically, the staff person assigned to the formal plan review and the initial plan review will be different.

   b. **Staff Review.** The lead CCRPC staff member will complete the following upon receiving a submission from a municipality:

      i. Conduct a review of municipality's submission to ensure completeness.

      ii. If submission is complete, the lead staff member will schedule a public hearing at the next available PAC meeting. If not, the staff member will reach out to the municipality for any additional required materials.

      iii. The lead staff member will then complete a review of the municipal plan and draft a staff report for the Planning Advisory Committee (PAC). The staff report shall include findings related to determining whether the municipal plan is:

      - Consistent with the general goals of §4302;
      - Consistent with the specific goals of §4302;
      - Contains the required elements of §4382;
      - Compatible with the Regional Plan (per §4350);[1] and
      - Compatible with approved plans of other municipalities (per §4350).

      The staff report shall also include findings related to planning process confirmation requirements in §4350. If the municipality is seeking an affirmative determination of energy compliance, the staff report shall also include findings related to the statutory requirements of 24 V.S.A. §4352 and the Vermont Department of Public Service's Energy Planning Standards for Municipal Plans.

      The staff report should include recommended edits to the municipal plan if staff's review indicates that the municipal plan, or the municipal planning process, does not comply with the above cited standards.

      The staff report should contain a draft motion for the PAC related to regional approval of the municipal plan, confirmation of the municipal planning process, and determination of energy compliance (if applicable).

   c. Public Hearing.

[1] CCRPC does not expect that a municipality will use the land use categories on the regional future land use map on the municipal future land use map to demonstrate compatibility.

i. Newspaper. A copy of the public hearing notice shall be published in a newspaper or newspapers of general publication in the region affected at least 15 calendar days ahead of the scheduled public hearing. This often will mean coordinating with newspapers at least 21 calendar days ahead of the public hearing notice to ensure timely publication.

ii. Physical Posting. A copy of the public hearing notice shall be physically posted at least 15 days before the public hearing in the following locations:
- CCRPC;
- Municipal Clerk; and
- at least one public place within the municipality.

iii. Website Posting. A copy of the public hearing warning shall be posted on the CCRPC and municipal websites at least 15 days before the public hearing.

iv. Notice via Email. Notice of the public hearing will also be provided to the parties in the list below at least 15 days before the public hearing. Notice to these parties should include the public hearing notice, a link to submission materials, and a copy of the staff report to PAC (if available). Notice can be provided via email. CCRPC will notify the following parties:
- Selectboard Chair;
- PC Chair;
- Planning Director and/or Municipal Manager/Administrator;
- RPC Commissioners;
- PC Chairs of neighboring municipalities; and
- RPC Commissioners of neighboring municipalities.

d. **Planning Advisory Committee (PAC) Meeting and Public Hearing.** PAC will conduct a public hearing at its next available meeting. The meeting agenda should be as follows:

i. Review Staff Report
ii. Open the Public Hearing
iii. Accept Public Comment
iv. Close the Public Hearing
v. Questions and Comments
vi. Recommendation to the CCRPC Board

After the close of the public hearing, the PAC will provide its written recommendation regarding regional approval of the municipal plan, confirmation, and determine of energy compliance (if applicable), to the CCRPC Board of Directors and the municipality.

If the PAC determines that the municipal plan cannot be approved because of deficiencies, or that the municipal planning process cannot be confirmed, the municipality may address that recommendation by editing the municipal plan and providing a revised copy to the CCRPC Board of Directors meeting or agree to rectify the deficiencies and resubmit its plan to PAC for formal plan review.

e. **CCRPC Board Meeting.** The municipality shall notify CCRPC after the municipal adoption of the municipal plan so that staff can include an agenda item on the next Board of Directors meeting agenda. The Board shall give approval or disapproval to a municipal

plan or amendment within two months of its receipt following a final municipal legislative body public hearing.

After municipal adoption, the CCRPC Board shall put an agenda item on their next meeting agenda to discuss the PAC recommendations related to regional approval of the municipal plan, confirmation of the municipal planning process, and determination of energy conformance (if applicable).

The CCRPC staff lead shall prepare the following materials for inclusion in the Board packet approximately one week before the CCRPC Board meeting:

i. A cover memo to provide the Board with context about the municipal review and recommended action;
ii. A copy of the staff report and PAC recommendation; and
iii. A copy of the draft resolution regionally approving the municipal plan, confirming the municipal planning process, and granting an affirmative determination of energy conformance (if applicable).

At the Board meeting, the Planning Program Director will review the cover memo, staff report, and PAC recommendation. The Board will then vote on the PAC recommendation.

f. Post-Board Meeting.

i. Regionally Approved Plan and Confirmed Planning Process. The staff lead shall file any adopted plan or amendment, and related Board resolution, with the Vermont Department of Housing and Community Development. The staff lead shall also file the Board resolution with the municipal clerk and town planning staff.

If applicable, the staff lead shall also file the resolution and plan with the Department of Public Service and Clerk of the Public Utility Commission.

ii. Plan NOT Approved. If the municipality requests approval of a resubmitted municipal plan, with modifications, CCRPC must give its approval or disapproval within 45 days.

IV. Municipal Plan Amendments

1. **Purpose.** An amendment to a municipal plan does not affect or extend the plan's expiration date (24 V.S.A. § 4385(d)). However, an amendment may impact a municipality's standing regional approval of the municipal plan and confirmation status. The following outlines CCRPC's simplified review process for plan amendments.

2. **Submission Requirements.** Municipalities shall submit the following documents:

    a. A letter from the municipality requesting CCRPC review its plan amendment and briefly describing the amendment and the reason for amending (a sample letter is available from CCRPC staff);

b. An electronic copy of the amended section/chapter in its entirety with the changes clearly indicated. It is not necessary to send a copy of the full plan.

3. Process.

a. Staff Review: Upon receipt of the amendment review request, staff will review the amended section(s) of the plan to determine whether the section(s) continue to meet the required elements and goals related to the amended section(s), and compatibility with the Regional Plan.

i. If staff determines that the proposed amendments do not need to be formally reviewed by the PAC and the CCRPC Board, following staff review, staff will provide a letter to the PAC and the municipality stating that the plan amendment does not impact the municipality's standing plan approval and planning process confirmation. The CCRPC staff will forward a copy of this letter to the Vermont Department of Housing and Community Development, the PAC, and the municipal clerk.

ii. If staff are concerned that the amendments may impact the municipality's standing plan approval and planning process confirmation, or have any other concerns, Staff will ask PAC to conduct a formal plan review of the proposed plan amendment.

iii. At any time, a municipality can request that CCRPC conduct a formal plan review of the plan amendment and follow the full process for readoption of a plan described above.

V. Determination of Energy Compliance

Municipalities seeking an affirmative determination of energy compliance shall follow the process outlined above for formal plan review.