The Regional Plan and You

The TRORC Regional Plan is a policy document that takes state planning goals and gives them more detail and guides the work of TRORC. All town planning and regulation, like the Regional Plan, has to further the state planning goals.

One of the main state goals is that all development is planned "so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside." This means that the landscape is not supposed to be just a big blur of sprawl. But where should the lines on the map be that form the village edge? How do we keep the countryside rural? What is meant by 'rural'? Our staff has tried to define these issues in the Regional Plan and map the rural areas.

How does all of this planning translate into what you can do on your property? Most planning is a wish, an aspiration. It is a direction on a journey, but not a detailed map. Plans use words like "encourage" and "should" a lot and thus are intentionally not mandatory in those places. Towns may take plans and then give them more subsequent definition and effect through local zoning and subdivision bylaws as they implement their vision.

TRORC has no such powers, there is no regional zoning. There is a statewide land use regulation administered by the State called Act 250, and it is through that process that town plans and the Regional Plan can have regulatory effect on the small percentage of development subject to Act 250's jurisdiction.

If you do happen to be considering <u>development that would trigger Act 250</u>, then the work we are doing over the next year on the Regional Plan will be of interest. We will be reviewing our policies around <u>types</u> of use and <u>intensity</u> of uses in each of what are called Future Land Use Areas. We are directed by new law to rename some of our current Future Land Use areas and create some new areas, too. The policies for these areas will need to be adjusted, but we don't envision large changes on the policy side. For the average person out there, if the Regional Plan has not come up in your daily life before now, that probably will remain the case.

Regardless, we hope everyone takes a look at the Regional Plan as we continue to revise it. There is a lot in the Plan, and we truly believe it is a tool to make the Region we all share an even better place.

Current Future Land Use Areas and New Areas

The Regional Plan has several Future Land Use Areas. Below is a summary of what we think will be the overall effect of our Plan revisions over the next year and-a-half. Current Future Land Use Area names and their new future names are in italics and bold.

The core of the **Regional Center** in Hartford will become a **Downtown Center**. The core of the **Town Center** in Randolph may also become a **Downtown Center**. The extent of these areas will be revisited but policies are expected to largely remain the same. Some of their edges may be a **Planned Growth Area**. One of the expected outcomes of creating these areas is that there will be less Act 250 permitting in these areas for housing development if towns so desire.

The *Town Centers* that are found in Bethel, Bradford, Chelsea, Fairlee, Norwich, Randolph, Rochester, South Royalton, Wells River, Wilder, and Woodstock will become *Village Centers*. The mapping changes for these areas will likely make them slightly larger, enabling more commercial development and greater housing. There will be less Act 250 permitting in these areas for housing development if towns want that.



The *Village Settlements* that are currently found in Barnard, Braintree, Bridgewater, East Corinth, East Randolph, East Thetford, East Topsham, Granville, Hancock, Hartford Village, Hartland Four Corners, Hartland Three Corners, Newbury, North Hartland, Pittsfield, Plymouth Union (Plymouth), Pond Village (Brookfield), Post Mills (Thetford), Quechee, Randolph Center, Royalton Village, Sharon, South Pomfret, South Strafford, South Woodstock, Stockbridge, Strafford, Taftsville, Thetford Center, Thetford Hill, Tunbridge, Tyson (Plymouth), Vershire, West Fairlee, and West Woodstock will also mostly become *Village Centers*. The mapping changes for these areas will likely make them larger, enabling more commercial development and greater housing.

The *Hamlets* found in Bridgewater Center, Bridgewater Corners, Corinth, East Barnard, East Bethel, East Braintree, East Brookfield, East Granville, Gaysville (Stockbridge), Locust Creek, North Pomfret, North Thetford, North Tunbridge, Stockbridge Central School, Thetford Hill, Vershire, Vershire Center, Waits River (Topsham), West Braintree, West Bridgewater, West Brookfield, West Hartford, West Newbury, and West Topsham will largely remain *Hamlets*. Some new *Hamlets* may be added, and a few *Hamlets* may change to *Village Areas*. The prohibition on 'principal retail' outside of the above areas will remain but only be applicable in Act 250.

The *Industrial Areas* will become *Enterprise Areas*. These areas are found in Bradford, Hartland, Hartford, Newbury, Randolph, Royalton, and Stockbridge. The extent of these areas may be changed, and a few new *Enterprise Areas* may be added.

The few *Mixed-Use Areas* will probably be placed into one of the other areas depending on the specific location. Similarly, the *Interchange Areas* will probably be placed into one of the other areas depending on the specific location. And, the *Quechee Gorge Tourist Area* will change into one of the new area categories.

The current *Rural Areas* and *Forest-Based Resource Areas* have to be broken into <u>three</u> areas, according to the new law. New *Rural General Areas* will encompass those current *Rural Areas* that have scattered homes and do not have larger concentrations of farms or forests. Other *Rural Areas* that are more predominantly agricultural will become *Rural Agriculture and Forestry Areas*. The policies that pertain to these lands will probably remain the same. Again, these policies only apply in Act 250, and to a lesser extent on cell towers and solar farms.

Forest Based Resource Areas will shrink as some of the forested areas that are less remote, steep, or have less conservation value become **Rural Agriculture and Forestry Areas**, while the remaining more remote forests with greater conservation value will become **Rural Conservation** and largely inherit the policies that apply in the **Forest-Based Resource Areas**.

You can follow the TRORC Regional Plan update process here.



New Land Use Tiers and the Regional Plan

Act 181 was enacted into law in Vermont in 2024 and creates a new program of the State's Land Use Review Board that will designate certain lands as being in 'tiers'. Three of these tiers will alter the Act 250 process that would otherwise occur at that location. Four tiers are under development – 1A, 1B, 2 and 3.

Development in Tier 1A areas will be exempt from Act 250 review. This will likely start in 2027 in the TRORC region. Development of 50 or fewer units of housing on a lot no bigger than 10 acres will be exempt from Act 250 review in Tier 1B areas. This will also likely start in 2027. Tier 2 areas will simply be all lands not in the other tiers. The Land Use Review Board will look at how the current Act 250 process might change in Tier 2 areas, with a report on that due in early 2026. Tier 3 lands will likely have additional Act 250 requirements than they have now, and the Board is just beginning to draft how it will create Tier 3 areas and what they will mean. There are two public meetings scheduled for that process on May 22, 2025 at 6 PM and July 24, 2025 at 6 PM. You can follow their Tier 3 process here, including details on meetings.

Tier 1A areas will be approved by the Land Use Review Board <u>only after a municipality</u> requests such approval, and only when the Board finds that the area meets certain requirements. The Board is in the process of creating how they will approve such requests, but as a minimum Tier 1A areas will have to meet the requirements in <u>10 VSA section 6034</u>. The second of these requirements ties into the Regional Plan, as it depends on TRORC showing these areas (as a Downtown Center, Village Center, or Planned Growth Area) in its updated Future Land Use Map. That drafting is going on through 2025 with the new map expected to be adopted in late 2026. You can find out more about that process <u>here</u>.

Similarly, Tier 1B areas will be approved by the Land Use Review Board <u>only after a municipality requests such approval</u>, and only when the Board finds that the area meets certain requirements. The Board is in the process of creating how they will approve such requests, but as a minimum Tier 1B areas will have to meet the requirements in part (b)(12)(C) of <u>24 VSA section 4348a</u> and be shown on the regional Future Land Use Map.





Regional Plan - Frequently Asked Questions

Q: What is TRORC

The Two Rivers-Ottauquechee Regional Commission (TRORC) is a regional planning commission. Maintaining a Regional Plan is just one part of its activities. You can see the entire range of its work here.

Q: Is TRORC a state agency?

No, TRORC, like all regional planning commissions, is a 'political subdivision' of the state. That means that we are created by the state.

Q: What area does TRORC cover?

TRORC overs 30 towns and 3 incorporated villages in parts of 4 counties. You can see a map of the Region <u>here</u>.

Q: Does TRORC have to prepare and adopt a Regional Plan?

Yes.

Q: Where can I find the current Regional Plan adopted in February, 2025?

You can find the current Plan <u>here</u>. There are links to the entire Plan, as well as each part. There is also a map viewer of the future land use map so you can see that in more detail.

Q: How is the Plan made?

The Plan is drafted by regional commission <u>staff</u> and then discussed at Board meetings as well as meetings with the general public before having a set of formal hearings.

Q: What is the purpose of a Regional Plan

Regional Plans have several statutory <u>purposes</u> and must further the <u>state planning goals</u>.

Q: Where can I follow the Regional Plan drafting process?

TRORC maintains a web page that shows any drafts, meetings, and hearings here.

Q: How is the Plan adopted?

The Plan is regionally adopted by the <u>TRORC Board</u> after a <u>required public process</u>. And then the Plan must go through an <u>approval process</u> with the <u>Land Use Review Board</u> for a 'determination of regional plan compliance'. After this approval the Plan is fully adopted.

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Q: What is the TRORC Board?

The Board is made up of representatives appointed by each member town's Selectboard, plus several atlarge members.

Q: Are TRORC's Board meetings public?

Yes. TRORC is covered under Vermont's <u>open meeting law</u>, just like towns, and our Board is considered a non-advisory body. You can find our agendas and schedule of upcoming meetings <u>here</u> and minutes of past meetings <u>here</u>.

Q: What are the parts of a Regional Plan?

A Regional Plan is required to cover several topic areas, referred to as <u>elements</u>, but may have different formats. Our Plan begins with an <u>Introduction</u> that explains the Plan's layout and uses. This is an excellent way to understand Regional Plans.

Q: What subjects does a Regional Plan have to cover?

A Regional Plan is required to cover several <u>elements</u>, including ones on natural resources and working lands, energy, transportation, utilities and facilities, housing, economic development, flood resilience, and future land use.

Q: Does the Plan have to have a future land use map?

Yes, the Plan is required to have <u>several maps</u>, often as part of each element. The <u>future land use map</u> is one of these.

Q: What is a future land use map?

It is a map of the entire region with lands placed into 'future land use areas'. Lands are placed into these areas largely based on their current or desired usage, their physical characteristics, the functions they perform, and the infrastructure that is serving them.

Q: Is the Regional Plan zoning?

No. The Plan has no regulatory effect of its own.

Q: Is the Regional Plan eminent domain?

No, the Plan does not take any land.

Q: Can TRORC veto local zoning through the Regional Plan?

No, that is not possible or even logical.



Q: Can TRORC veto town plans through the Regional Plan?

No. Towns can seek <u>regional approval</u> of their plans, but are not required to. After a town adopts a plan, if seeking regional approval it must be found to be consistent with the Regional Plan. A plan that does not have regional approval is still a valid plan.

Q: Can the Regional Plan ban logging?

No, that is not possible.

Q: Can the Regional Plan ban farming?

No, that is not possible.

Q: Does TRORC or the Regional Plan create tiers?

No. Tiers will be created by the Land Use Review Board.

Q: What are land use 'tiers'?

'Tiers' are neither a state designated area for tax and grant purposes by the <u>Community Investment</u>

<u>Board</u> nor a future land use area by TRORC. Tiers are a third thing that does not exist yet, but will be created by the <u>Land Use Review Board</u>. Tiers are mainly to alter what would otherwise be the Act 250 jurisdiction. Please see our <u>handout on tiers</u> and follow the development of tiers by the Land Use Review Board here.

Q: Does the Regional Plan designate areas?

This is complicated, but the short answer is not directly. 'Designation' is a certain state process that enables financial incentives. The Regional Plan describes future land use areas in its text and *delineates* them on its <u>future land use map</u>, and the state currently *designates* areas through its own process. Two of TRORC's most common core land use areas currently are 'Village Settlement' and 'Town Centers'. Often the central part of these areas is also currently *designated* by the state as a 'Village Center'. This <u>state designation</u> is separate from the Regional Plan, but the names are similar.

To bring these two processes more into alignment, our next future land use map will delineate areas that will essentially also become the map for the new state designations. Due to <u>Act 181</u>, in our 2026 Plan revision, many of our smaller core areas will be called 'Village Centers', which is *currently* one of five state designations. The <u>Community Investment Board</u> will review our map and, hopefully, use what we *delineate* as 'Village Centers' as the area they will then *designate* as 'Village Centers'.



Q: What does the Regional Plan mean to me?

The Plan is a great place to find out about many issues and the Region. It supports many actions beneficial to individuals, from energy assistance to increasing childcare. The Plan also has some policies that would affect developers that trigger Act 250, or build cell towers or electrical generation. See our handout – The Regional Plan and You.

Q: What does the Regional Plan mean for my town?

Towns can use the maps, data, and policies of the Regional Plan for much of what is needed for their town plan. The Plan also recommends ways that TRORC can help towns, and it raises some municipal concerns, such as the need for more funding for sewer systems, to state and federal agencies. Having certain areas called out on the future land use map creates the ability for those local areas to get or keep some grant funding and tax credits under a revised state designation program.

Q: Is the Regional Plan used in Act 250?

Yes. For decades <u>projects regulated under Act 250</u> have been required by the <u>District Environmental Commission</u> to conform to regional and town plans where these plans have mandatory and clear policies.

Q: How can I tell if the Regional Plan is mandatory?

Mandatory policies use words like 'shall' and 'must'. Most of the Plan is advisory and uses words like 'encourage' or 'should'.

Q: What projects are regulated by Act 250?

That is a long answer, since it depends on what town it is in and where in that town, but this <u>page</u> is where to start. As a general rule, building 5 housing units or creating five lots never triggers Act 250. Agriculture and forestry are also exempt from Act 250.

Q: Is the Regional Plan used by the Public Utility Commission?

Yes. Projects regulated by the PUC under a 248 (grid-connected electrical generation) or 248a (cell towers) process are looked at with an eye to regional and town plans. Such plans are at least given 'due consideration' when the PUC reviews projects, and may be given more stringent (but not mandatory) 'substantial deference' in certain cases.

Q: If a town's zoning is different than the Regional Plan, what happens?

Nothing, zoning and plans are different things. Local zoning is a local matter, though state statute lays out what towns can and can't do, and all zoning has to further the state's land use goals.