



To: David Carter, Selectboard Chair; Sue Arguin, Town Administrator

From: Greta Brunswick, Senior Planner

CC: David Roy, Planning Commission Chair; Martha Taylor Varney, Zoning Administrator; Bob Buermann and Peter Zamore, Regional Commissioners

Date: August 21, 2025

Subject: NRPC Regional Future Land Use Map and Tier 1B Act 250 Jurisdiction “Opt-In” Process

NRPC is working on updating the Northwest Regional Plan to reflect new state law from 2024. Regional plans now will include maps that set the boundaries for the State Designation program (formerly known as Downtown and Village Center designations). Also, with municipal approval, these maps determine where certain housing projects are exempt from Act 250 permits.

The purpose of this memo is to provide information on what areas on the Regional Future Land Use Map will be eligible for the State Designation Program and information about the process for each municipality to “opt in” to the Act 250 housing exemptions. ***Please note that there is specific action requested by the legislative body related to Act 250 jurisdiction (page 2).***

DRAFT REGIONAL FUTURE LAND USE MAP

Enclosed is the latest draft of the Regional Future Land Use map for your municipality. The map has 11 land use categories defined in statute law [24 V.S.A. § 4348a]. Different colors show areas generally planned for downtowns and villages, businesses and industries, homes and neighborhoods, farming and forestry, or nature and conservation.

Please note that the Regional Future Use Map does not change or supersede local zoning or land use regulations in any way. And while it will be compatible with the municipal future land use map in your town plan, it will not match it exactly.

STATE DESIGNATION PROGRAM

The Regional Future Land Use Map includes areas that may be approved as Centers and Neighborhoods under the State’s Designation Programs. If the regional plan is approved by the State Land Use Review Board, the Village Centers mapped at South Hero Village and Keeler Bay will become new Designated Centers, replacing the boundaries of the existing Designated Village Centers. Additionally, the Village Areas around South Hero Village and Keeler Bay will become new Designated Neighborhoods. No municipal action is needed for the designation process.

More information on the State's Designation program is available here:
<https://accd.vermont.gov/community-development/designation-programs>

Act 250 TIER 1B OPT-IN

The Regional Future Land Use Map includes areas that are eligible for Act 250 Tier 1B jurisdiction status. Tier 1B status means that new housing development projects of 50 or fewer dwelling units on 10 acres or less are exempt from Act 250. In South Hero, eligible Tier 1B areas include the Village Centers and Village Areas mapped at South Hero Village and Keeler Bay Village.

Interim Act 250 housing exemptions are already in place in parts of these areas. For Tier 1B status to become effective, allowing the housing Act 250 exemptions to continue, the municipality must "opt-in," and the map must be approved by the State Land Use Review Board.

Selectboard Action to Opt-in

To opt-in, the South Hero Selectboard must adopt a resolution at a regular or special meeting. A resolution form is attached. The Selectboard is requested to decide whether to opt-in and return the completed resolution by September 30th. Please let us know when this will be on the Selectboard's agenda so that we can attend. Do not hesitate to reach out with any questions in the meantime.

Why Opt-In?

Importantly, Tier 1B status does not override local zoning. All developments would still be subject to local zoning reviews as well as any applicable state regulations and permits. Existing Act 250 permit conditions would still apply and be enforced, but new permits and conditions would not be added. It is also important to emphasize that Tier 1B does not apply to any commercial development.

NRPC supports applying Tier 1B status to all eligible areas in South Hero because it aligns with the Town Plan's goal to "Encourage the availability of safe, adequate and affordable housing for South Hero residents." South Hero has clearly prioritized development within and around South Hero Village and there are also opportunities to support housing around Keeler Bay Village. In these areas, Act 250 includes an additional layer of permitting that can delay projects and increase costs, even when local zoning already ensures density, environmental protection, and infrastructure planning. Tier 1B status would streamline permitting in these areas and support South Hero's efforts to provide diverse and affordable housing options.

OUTREACH AND COLLABORATION

NRPC staff met with the South Hero Planning Commission three times and the Selectboard twice to discuss and collaborate on the Regional Future Land Use Map. NRPC listened to feedback from board members on the boundaries of land use areas. Where changes were in alignment with statute and established regional goals and policies, we adjusted the draft map.

NRPC held public open houses on the draft regional plan and future land use map throughout the month of June. These were held in North Hero, Swanton, Saint Albans, Richford, Grand Isle, Enosburgh and Georgia, meeting residents at libraries, local businesses, and farmers' markets. In August, NRPC is holding another series of public open houses in Sheldon, Alburgh, Montgomery and Fairfax, in addition to 2 remote zoom sessions. People continue to have the opportunity to learn about the plan and provide input through a survey and online mapping tool (<https://www.nrpcvt.com/regionalplanupdate/>).

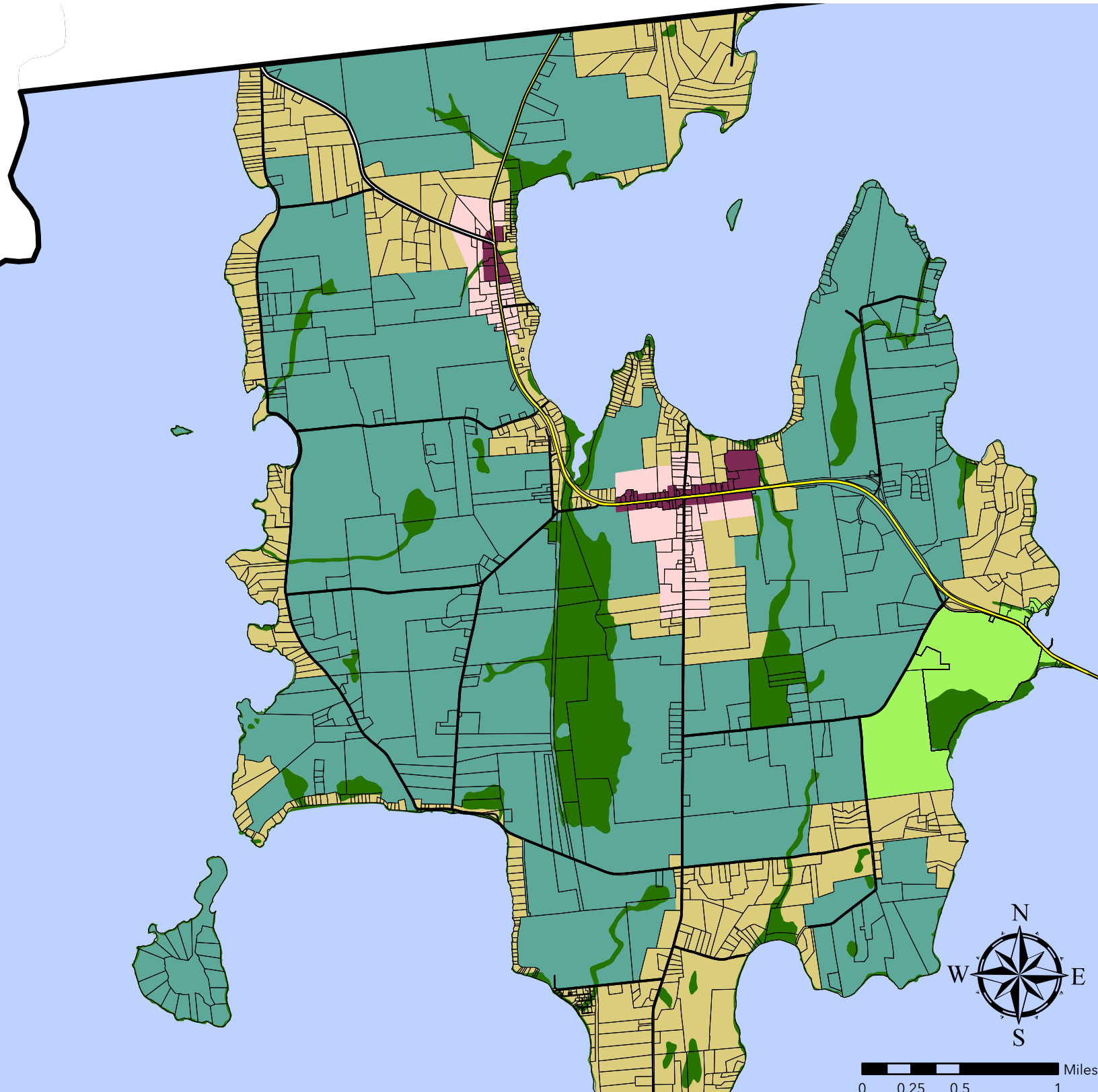
Information on the regional plan update and Act 181 is available on our website, along with a complete draft of the updated Northwest Regional Plan.
<https://www.nrpcvt.com/regionalplanupdate/>

NRPC continues to review and incorporate comments into the draft plan and will release an updated draft in mid-September.

Enclosures:

1. Regional Future Land Use Map for South Hero
2. Sample Tier 1B Resolution

NRPC Draft Future Land Use - South Hero









Vermont Coordinate System
Transverse Mercator, NAD 83.
For planning purposes only.

Prepared by:
Northwest Regional
Planning Commission
75 Fairfield Street
St. Albans, VT 05478
802.524.5958
www.nrpcvt.com
August 2025.



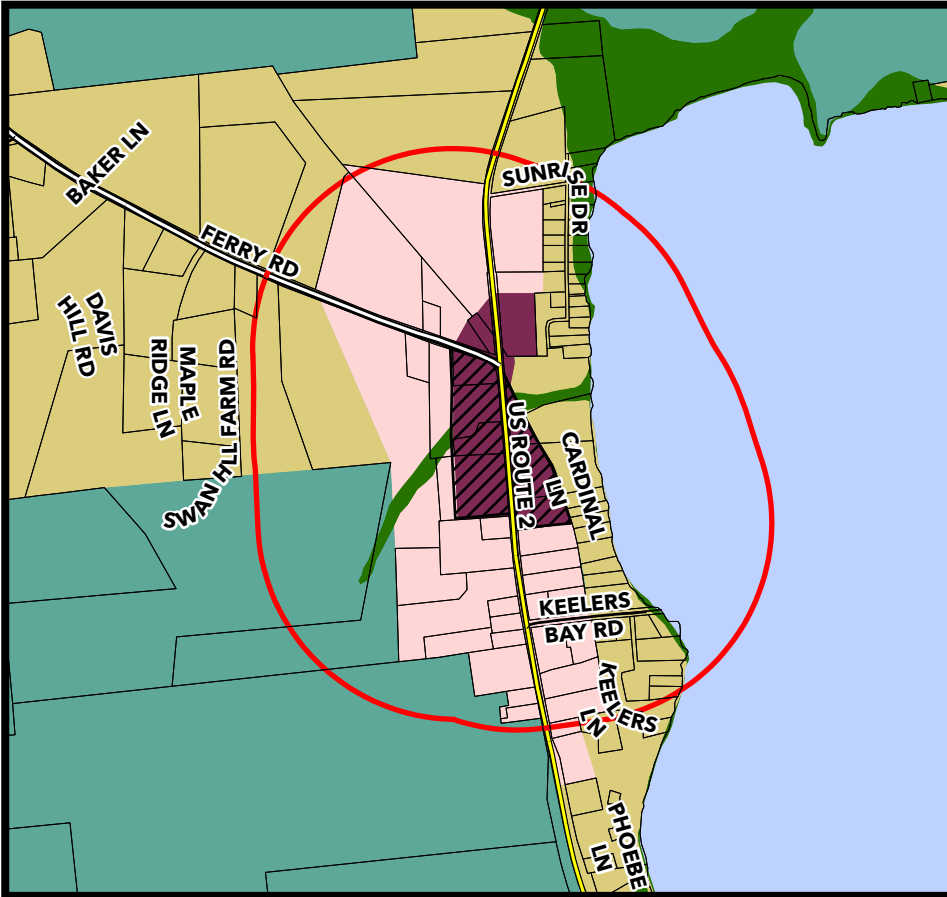
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regionalplan2025/futurelanduse2025.aprx



Future Land Use Areas

-  Village Center
-  Village Area
-  Resource-Based Recreation
-  Rural Conservation
-  Rural Agriculture and Forestry
-  Rural General






NRPC Draft Future Land Use - South Hero

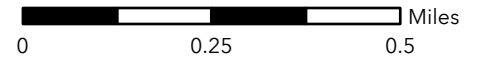
Keeler Bay



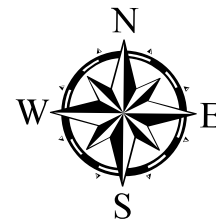
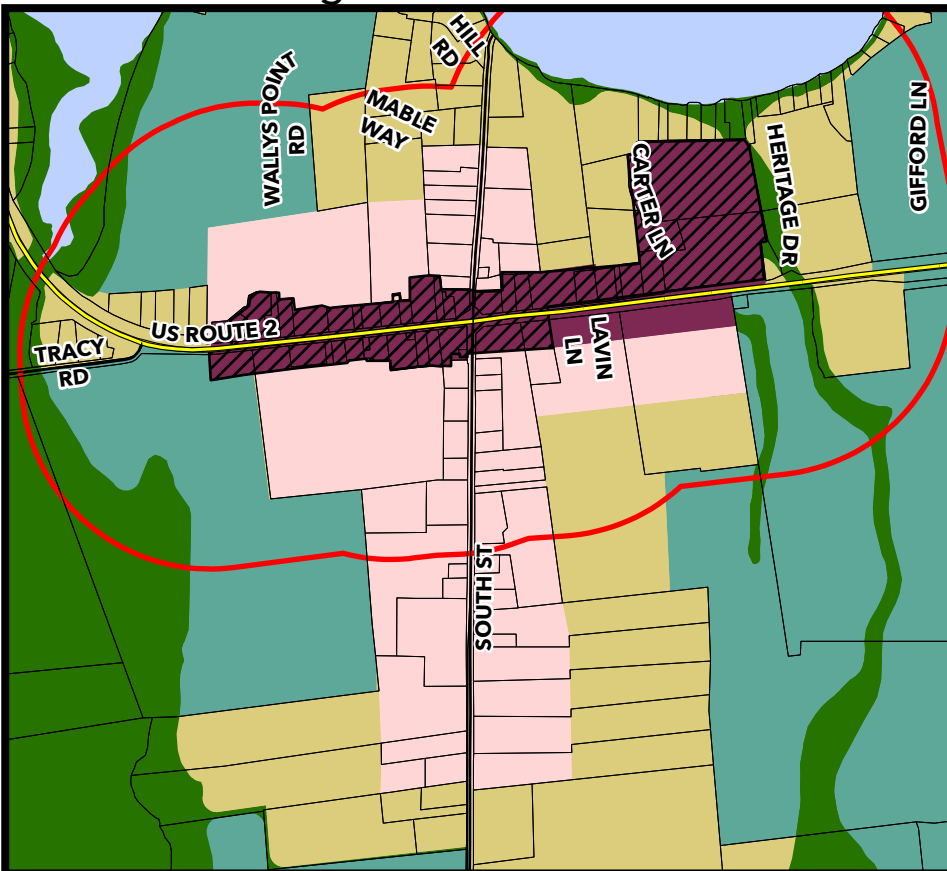
-  Existing Village Center Designation
-  Existing Interim Act 250 Exemption Area

Future Land Use Areas

-  Village Center
-  Village Area
-  Rural Conservation
-  Rural Agriculture and Forestry
-  Rural General



South Hero Village



Vermont Coordinate System
 Transverse Mercator, NAD 83.
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Location:
 z:/nrpc-gis/projects/nrpc/regionalplan/
 regionalplan2025/futurelanduse2025.aprx