



VPA LEGISLATIVE PRIORITIES

September 9, 2022

With the conclusion of the 2022 Legislative Session, the Vermont Planner's Association's Legislative Committee began a review of future legislative priorities. These priorities will help focus the organization and advocacy approach for the Legislative Committee – e.g., testimony on draft legislation, advocating for specific policy changes, supporting direct municipal outreach on legislative topics, or a combination of these efforts. These priorities were crafted by the Legislative Committee at meetings throughout the summer of 2022. The Executive Committee reviewed and approved these legislative priorities at their September 9, 2022 meeting.

The priorities below are established for the next two years. Since 2023 will be the first year of the Vermont legislative biennium, a significant number of new legislators will be considering these topics for the first time, even though some have been discussed for a number of years now.

Priorities for 2023 & 2024 Legislative Biennium

1. Climate Action Planning

The VT Climate Council submitted a climate action plan to the Legislature in January 2022. Their recommendations were incorporated into some legislation in 2022, but there is still more to do. Particular emphasis is needed on both mitigation and adaptation measures. VPA should evaluate bills that have a planning nexus, and contemplate how these bills will integrate or have an impact on climate change as a function of quality and consistent land use planning. VPA should engage with legislators to ensure the links between land use planning and climate change are known and understood. VPA believes there are two main categories of work to be done:

- a. **Climate Mitigation** - refers to actions that are taken to reduce the speed and amount of climate change. Mitigation measures involve reducing greenhouse gas emissions or increasing the removal of carbon dioxide from the atmosphere. Two particular issues of concern to VPA include:
 - i. Compact land use patterns with robust bike, walk and transit can reduce transportation emissions. A key component of mitigating climate change in Vermont is acknowledging and making way for a dense land use pattern in places served by robust walk and bike facilities and transit services. While electric vehicles are key to lowering greenhouse gas emissions, converting our fleets is not the end all solution. We must concentrate on getting people out of single occupancy vehicles and reducing overall vehicle miles travelled, by funding walk and bike facilities and transit services to a degree that will create real behavior change. Significant funding is needed to improve these facilities and transit offerings in a more equitable fashion to suit all needs (e.g., commuters to second and third shift jobs). *Engage with VNRC, VAPDA and VTrans on this issue.*
 - ii. Protection of forest resources is critically important for carbon sequestration and storage. Protection of them has been debated under several specific regulatory programs rather than a wholistic method of protection regardless of the proposed development. There is more work to be done to best protect these resources while accommodating smart growth. *Engage with VNRC and VAPDA on this issue.*

- b. **Climate adaptation** - refers to actions that are taken to reduce adverse impacts from climate change, or to take advantage of beneficial impacts. The ability to cope with, and recover from, the effects of climate change is also called resiliency. For example, adaptation options for increased flooding might include floodproofing buildings to protect from the impact and prevent new development in flood hazard areas. However, these solutions need a balanced approach as many of our existing communities are next to rivers. A state planning office could be a helpful function within the Administration to bring a balanced approach to these measures. Future development and re-development needs to strategically retreat from river corridors, while demanding creative approaches to make historic centers more resilient where they stand.

2. Housing

VPA recommends continuing to identify ways to incentivize or encourage development of housing, specifically “the missing middle.” There has been a lot of work on this topic already, including a significant amount of funding in the 2022 legislative session. Going forward VPA may need to focus in on a more detailed approach, and identify what VPA is advocating for specifically as a priority. VPA believes there are two specific categories of work to be done:

- a. **Wastewater:** A major limiting factor to housing development in our Villages is wastewater. This includes funding issues and permitting issues. Specifically, VPA believes it is important to clarify state wastewater permit requirements for Accessory Dwelling Units, reduce state wastewater permit burden for some or all municipal sewer/water hookups, and ease requirements for alternative wastewater systems. *Engage with VT DEC, VAPDA and ACCD on this issue.*
- b. **Zoning and Chapter 117:** Support municipalities in reforming development regulations to promote fair housing, create more diverse housing types and opportunities (dwelling unit size, single vs. multi-unit homes, rental and owner-occupied housing) and increase the supply of housing. Establish a study committee, comprised of planners, housing developers, housing providers, equity professionals, and other key stakeholders to analyze and recommend changes to Chapter 117. *Engage with VLCT and ACCD on this issue.*
- c. **Data Improvements:** Currently there is no consistent data throughout the state on how many homes exist and are newly built. Without this data it is hard to properly define the problem and the solution. In addition, population and housing projections are necessary for future planning, and are not done consistently at the state level. Provide VCGI with funding and resources needed to produce annually updated municipal-level population and growth projections that can serve cross sector policymaking.

3. Funding for Planning

VPA is grateful for the increased funding to the Municipal and Regional Planning Fund (MRPF) in the 2022 session. In many municipalities, this is the primary source of funds to support local planning efforts. In the past, VPA has advocated for increases in funding for these programs. VPA should advocate for State funding per statutory formula for planning at all levels (local, regional, statewide) every year, as the State budget is formulated by the Legislature and the Governor.

4. Revise and Update Statewide Planning Goals

Establish a process, with representation from state agencies, regional planning commissions, municipalities, the Vermont Planning Association, and allied organizations, to recommend revisions to the planning half of Title 24, Chapter 117, Sections 4302, 4348a and 4382, to modernize the law and

integrate equity, climate mitigation and adaptation into municipal and regional plans. A reasonable appropriation, \$100,000, will be needed for the Department of Housing & Community Development for a staff person to support this, and other work being recommended here.

5. Other initiatives

- a. Create Planning 101 education materials for legislators with a focus on statewide planning goals. Adapt these materials in 2023 to include information from the Natural Resource Board's statewide reports due at the end of 2023 (Capability & Development Plan and location-based jurisdiction). *Coordinate with VAPDA*
- b. VPA will be following/participating in the following studies and will likely promote legislation following those efforts: VMT reduction study (incorporate I-89 2050 strategic model with policy choices), VTrans road design standards study (incorporate previous work with SmartGrowth America to update standards), DHCD designation study, NRB accessory on-farm business study (due at the end of 2022), NRB Natural Resources Board Capability & Development Plan, and location-based jurisdiction study (due at the end of 2023).
- c. Monitor implementation of the new environmental justice policy (Act 154, 2022), and the work of the newly formed Environmental Justice Advisory Council and the Interagency Environmental Justice Committee.
- d. Support American Institute of Architects Vermont their efforts to improve building code/energy code issues, while VPA stays more specifically focused on enabling development in the right places and better funding for bike/walk/transit.