

## NEXT STEPS FOR ACRPC & MUNICIPALITIES

**All municipalities with defined Downtown Centers, Village Centers, Village Areas, and/or Planned Growth Areas can choose to opt-in to Tier 1B reducing ACT 250 permitting requirements.**

### TIER 1B BENEFITS

- Act 250 permits are not required for housing projects of 50 units or fewer on 10 acres in Downtown Centers, Village Centers, Village Areas, and Planned Growth Areas categorized in the Regional Plan Future Land Use map.
- Allows for easier and quicker permitting process.
- Decrease of permit fees reducing overall associated costs with project development.

### TIMELINE AND PROCESS

February – August 2025	Future Land Use Mapping with Municipal Collaboration
July – September 2025	Launch of Housing Targets, Interactive Map, and Regional Outreach
October – November 2025	Communications with Tier 1B Applicable Municipalities/ Gather Opt-In Resolutions from Town Officials
November 2025	Finalization of Regional Plan Draft and FLU Map
December 10, 2025	ACRPC Representatives Approval of Regional Plan and FLU Map for submission to Land Use Review Board
December 31, 2025	Regional Plan and FLU Map Submission to the Land Use Review Board and Vermont Public Service Department
March - May 2026	ACRPC Conducts Two Regional Public Hearings on Regional Plan and FLU Map
June – July 2026	RPC Regional Map and Plan Approval / Adoption. For towns with new centers and areas not previously “designated”, new “ <a href="#">designation program</a> ” in effect.

### TIER 1B MUNICIPAL REQUIREMENTS

**To opt-in to Tier 1B, per 10 V.S.A. § 6033(c), municipalities must meet the following criteria:**

- Municipality must request Tier 1B status from ACRPC via Select Board/City Council resolution.
- Municipality must have an ACRPC-confirmed plan & planning process at the time of LURB approval.
- Municipality must have permanent zoning & subdivision bylaws.
- In Tier 1B, a municipality must exclude or adequately regulate flood hazard areas /river corridors.
- In Tier 1B Village Area, a municipality should have either municipal water or wastewater. If no public wastewater is available, the area must have soils that are adequate for wastewater disposal.
- Municipality must have adequate municipal staff, municipal officials, or contracted capacity for development review and zoning administration. The municipality shall self-certify.

*A municipality can choose to submit their Tier 1B Opt-In Resolution in December 2025 or postpone until after the Regional Plan is approved mid-2026.*

< SEE FAQ ON THE FOLLOWING PAGE FOR MORE INFORMATION >

## FREQUENTLY ASKED QUESTIONS (FAQs)

### Why would our municipality want to opt-in to Tier 1B?

The goal is to encourage housing development in designated growth areas (Downtown Centers, Village Centers, Planned Growth Areas, Village Areas) by streamlining the permitting process for smaller housing projects.

### How do municipalities opt-in to Tier 1B?

Tier 1B Resolutions from all interested municipalities will be included with the formal application of the Regional Plan and FLU Map to the Land Use Review Board (LURB) which will be submitted in December 2025. ACRPC has a sample resolution if necessary. In addition, a municipality can opt-in after Regional Plan Approval in 2026. *ACRPC is currently seeking additional guidance regarding the process of opting-in after Regional Plan Approval and the process for town plans that are currently expired but may become eligible for Tier 1B status in the next 1-2 years.*

### What happens if a municipality does not pursue Tier 1B/ Act 250 Exemptions?

After the [interim Act 250 exemption areas](#) expire December 31, 2026, development projects will be subject to standard Act 250 jurisdictions throughout your community, including any changes to Act 181.

### What if a municipality wishes to make a change to its FLU map after submission or approval of a Regional FLU Map?

Minor boundary amendments to the Regional Future Land Use Map can be requested/submitted after affirmative vote from municipal legislative body and the RPC board. Land Use Review Board (LURB) will provide guidance as to what constitutes a minor amendment. *ACRPC will share more information once available.*

### What if the towns opt-in and then later want to opt-out?

*To be determined. ACRPC is seeking guidance.*

### Our municipality does not wish to / or is not able to opt-in. Are there any other benefits to Act 181 for small communities?

Yes. If the town does not currently have a center, village, and/or neighborhood “designation”, the newly mapped centers and areas shall now qualify for investment opportunities. Review complete details [here](#).

### Our municipality currently has a center, village and/or neighborhood “designation”. Now what happens?

Municipalities with legacy designations start at an increased “step” for investment opportunities. Review complete details [here](#).

### What if we the town’s Municipal Plan is expired? How soon can we get Tier 1B status after the Municipal plan is approved by all necessary parties?

ACRPC is compiling a list of towns and will include a written statement with the plan submission noting municipalities that may be eligible in the future.

### Will our municipality have to enforce existing ACT 250 Conditions?

No. The Land Use Review Board (formerly Natural Resources Board) will continue to enforce Existing ACT 250 permits and conditions in Tier 1B areas.

#### Questions? Reach out to a member of our team:

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More information is available on the ACRPC website ([www.acrpc.org](http://www.acrpc.org) or scan the QR Code), at the office during regular business hours, and we are also happy to schedule private in-person meetings.

