



Land Use Planning and Regulation in Vermont

A Practical Training for Citizen Planners

Prepared in conjunction with:
Vermont Association of Planning & Development Agencies (VAPDA)



Early Land Use Planning Legislation

1921 – The Vermont Legislature first authorized municipalities to create Planning Commissions that could propose Comprehensive Plans ...

“ for the future development of the municipality which shall be based primarily upon public welfare”

1931 – The Vermont Legislature first authorized Land Use Regulations- Zoning, establishing:

- A Zoning Commission, to recommend bylaws and boundaries of districts,
- A Board of Adjustment, to hear appeals on decisions and respect the general...

“harmony and intent of the regulations”



Early Land Use Planning Legislation

Early planning concerns primarily focused on:

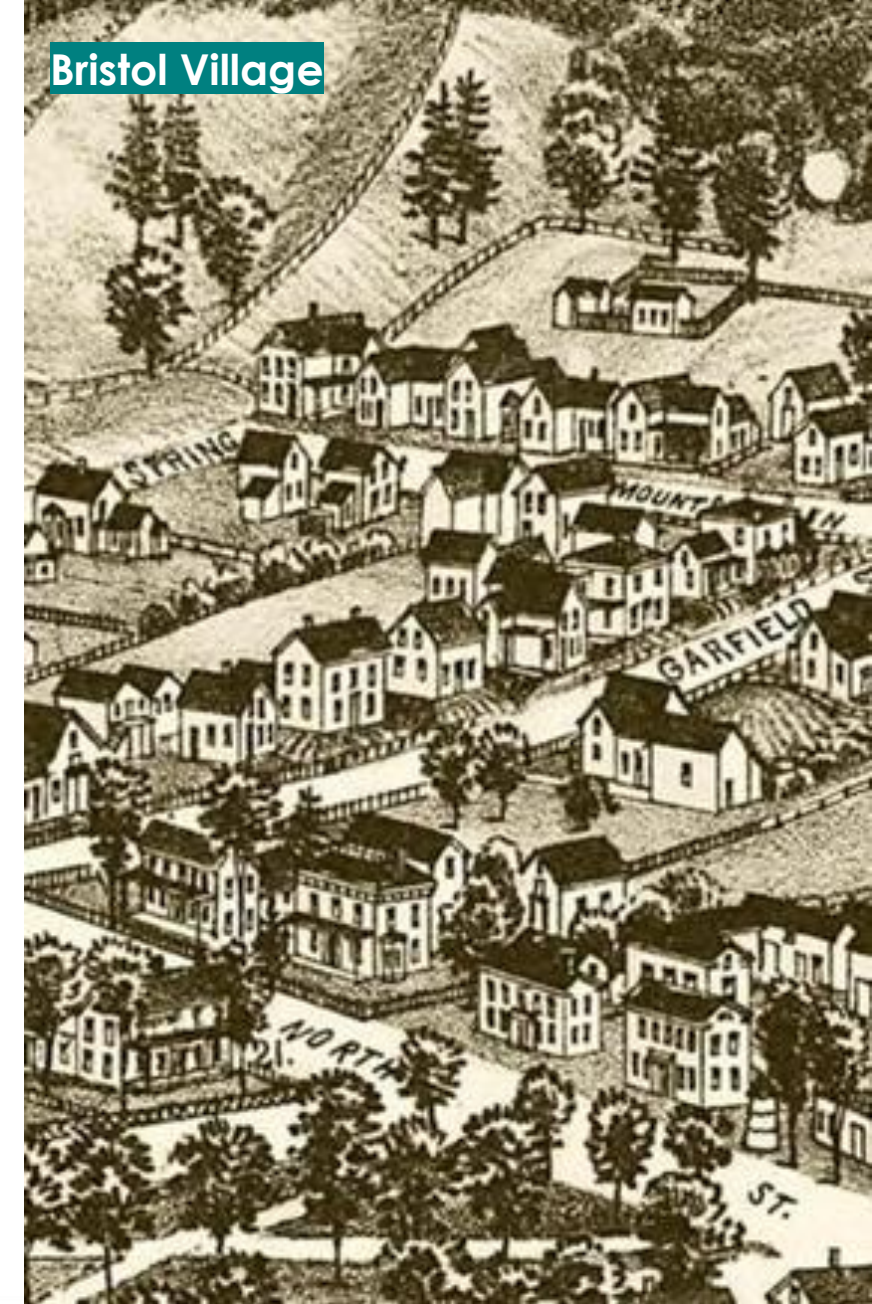
- location of public buildings,
- separating uses, and
- identifying zoning areas.



Agriculture/ Manufacturing



Public Buildings in Ripton



Early Land Use Planning Legislation

Increased economic development and growth of the 1960s raised concerns for environmental protection and growth management.



Landscape Aesthetics



Booming Ski Industry



Early Land Use Planning Legislation

1968 – The Municipal and Regional Planning and Development Act ([Title 24 VSA Chapter 117](#)) included:

- Purposes of planning and zoning
- Contents of municipal plans
- Adoption process for municipal plans
- Authorized zoning including specific types of review and regulations

1970 – **Act 250**, State review of major developments

1988 – **Act 200**, a substantial update of the municipal and regional planning portions of Chapter 117

2004 – **Act 115** incorporated significant updates to Chapter 117 related to local land use regulation(zoning).

2023 – **Act 47 / The Home Act**, zoning changes designed to encourage housing in existing villages and downtowns

2024 – **Act 181**, an Act 250 Reform Act

2026 – **S325**, an Act related to Regional Planning and Act 250





Roles and Responsibilities in Municipal Land Use

Function, Structure, and Process of Municipal Boards and Staff

Municipal Functions

Legislative, Quasi-judicial, Administrative, and Advisory



The **legislative** function includes creating and amending rules and laws. This is the role of the Selectboard, City Council, and the Planning Commission.



The **quasi-judicial** function involves **interpreting and applying the land use regulations** in development review. Depending on the structure of the municipality this may be the planning commission, development review board, or zoning board of adjustment.



The **administrative** function involves mostly non-discretionary acts such as **issuing permits, enforcing bylaws, and assisting applicants**. The administrative function is **performed** by the administrative officer, often known as the **zoning administrator** (ZA).



Legislative Functions

Legislative Body (Select Board, City Council, or Village Trustees)

- Appoints members of Planning Commission
- Reviews and edits Municipal Plan, holds public hearings, adopts or sends to voters
- Reviews and edits Zoning Bylaws/Subdivision Regulations; adopts or sends to voters
- Prepares and adopts Capital Program and Budget

Planning Commission

- Prepares and updates the Municipal Plan and Bylaws
- Initiates planning studies and community surveys
- Holds public meetings and educational forums on local planning issues
- Secures grants and performs other non-regulatory plan implementation
- Works with the Legislative Body on the Capital Program and Budget





Quasi-Judicial Functions

Development Review Board

- Site plans (site plan review)
- Subdivisions
- Conditional uses
- Variances & Waivers
- Appeals of ZA decisions
- PUDs

OR

Planning Commission

- Site plans (site plan review)
- Subdivisions
- PUDs

Zoning Board of Adjustment

- Conditional Uses
- Variances & Waivers
- Appeals of ZA decisions



Administrative Functions

Role of the Zoning Administrator (ZA)

- Assists applicants with the permitting; determines appropriate process of review: (See Statute 24 V.S.A. § 4464)
 - Administrative review **or**
 - Appropriate Municipal Panel (AMP)
- Coordinates across permitting process
 - Public notification of permits and hearings, notifies abutters
- Issues zoning permits
- Conducts enforcement
- Informs municipal boards on local permit activity and proposed projects

Advisory Boards

Conservation Commission

Housing Committee

Energy Committee

Design Review Committee

- May provide input for Town Plan
- May be required to provide input on aspects of development proposals
- Only able to provide advisory comments and not able to make decisions regarding land use applications

Appropriate Municipal Panel

A planning commission, board of adjustment, development review board, or legislative body performing development review.



The organizational model of the municipality will determine which boards act as the **Appropriate Municipal Panel**.

IF a town has a Planning Commission (PC) and a Zoning Board of Adjustment (ZBA), **then** both the PC and ZBA have quasi-judicial responsibilities.

IF a town has a Planning Commission and a Development Review Board (DRB), **then** only the DRB has quasi-judicial responsibilities, and the PC becomes purely a legislative entity.

Meetings vs. Hearings

**WHAT
happens...?**

**WHO
does it...?**

Meetings

- Discuss business or take action
 - Generally legislative
-

- All Public Boards

Legislative Hearings

- Receive public comment on a course of action (e.g. a plan or bylaw update)
-
- The Planning Commission
 - Select Board, City Council, Village Trustees

Quasi-judicial Hearings

- Hear from parties seeking board approval.
-
- Boards that review proposed development: the PC or DRB



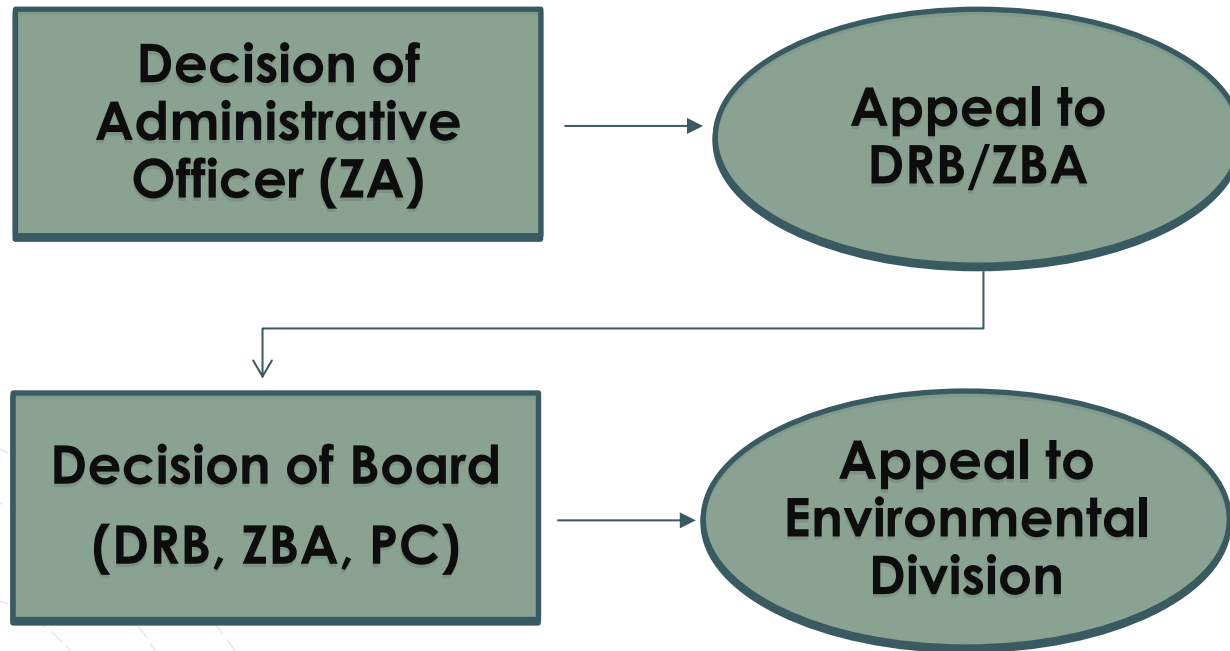
Role of the Board Chair

A Chair administers the agenda, **keeps board members focused on the issue at hand**, and ensures the Board finishes on time.

A Good Chair Should:

- State the Question
- Ask For Discussion (without giving own opinion)
- Ensure **ALL** aspects are covered that are needed to make findings, continuing hearing if needed
- Bring The Board To Resolution to Close Hearing
- Explain next steps

Appeals



Appeals of Zoning Administrator Decisions:

Decisions by ZA may be appealed to DRB or ZBA within 15 days of a permit being granted or denied.

Appeals of Board Decisions:

Decisions by Planning Commission, DRB, or ZBA may be appealed to the Superior Court, Environmental Division within 30 days of the date of decisions.

Who May Appeal?

- **The Applicant**
- **Interested Person**
 - The municipality or any adjoining municipality.
 - Someone owning or occupying property in the immediate neighborhood of the proposal and who can demonstrate a physical or environmental impact.
 - Any 20 persons who may be a combination of voters, residents, or property owners within the town by signed petition.
 - Departments or administrative subdivisions of the state owning property in the town or adjacent municipality.
- **Only interested persons who have participated in the hearing process may appeal a decision.**

Vermont's Open Meeting Law (1 V.S.A. §§310-314)

Every municipal board, council, commission, and committee (legally defined as “public bodies”) of a municipality is required to comply with the **Open Meeting Law**.

The Law applies when

- (1) a public body has *a quorum;
- (2) a public body is involved in a discussion or taking action; and
- (3) the subject matter of the discussion is one over which the body has authority or responsibility.

****A quorum is the majority of the total number of positions on the body, not the number of positions filled.***

[VLCT Open Meeting Law website](#)

Protecting Due Process

- Proper public notice
- People are given an opportunity to be heard
- An orderly proceeding
- Proper management of evidence
- Proper management of conflicts of interest
- Proper recording and posting of meeting minutes

Public Notice: 24 V.S.A. [§4444](#) and [§4464](#)



Resources

Statutes

- Planning Commissions: 24 V.S.A. § 4321 - § 4328
- Zoning Administrators: 24 V.S.A. § 4448, § 4449, § 4451, § 4452, § 4454
- Appropriate Municipal Panels: 24 V.S.A. § 4460
- Appeals: 24 V.S.A. § 4465 - § 4471

Vermont League of Cities & Towns <https://www.vlct.org/>

Zoning Administrator's Handbook https://vapda.org/wp-content/uploads/2025/11/za_handbook_vlct_may2025_copy.pdf



Municipal Plans

What is a Municipal Plan?

A **guide** for accomplishing community goals through **public investments, land use regulations** and **actions** the town can take to achieve its vision.

A living document that reflects **community values**.

Municipal Plans

- Provide a framework to measure and evaluate actions that affect the future physical, social, and economic health of a community.
- Inform regulatory and non-regulatory implementation actions
- Develop community-wide support through inclusive processes.
- Empower communities to respond to change in ways that reflect their own goals, needs, priorities and values.
- Allow communities to designate land areas for appropriate uses, such as future growth or conservation.



Municipal Plan

Zoning &
Subdivision
Regulations

Local Review
in Act 250 &
Section 248

Grant Benefits

Capital
Planning &
Budgeting

Other Plans &
Infrastructure
Projects

Vermont State Planning Goals

Although developing and/or updating your municipal plan is a local process reflecting local needs and priorities,

Municipal plans need to address state statutes laid out in the 1968:

Municipal and Regional Planning and Development Act
([Title 24 V.S.A. Chapter 117](#)).

State law establishes goals for both the **process** and the **content** of municipal planning.
([Title 24 V.S.A. Chapter 117, § 4302](#))



Process Goals (§4302(b))

- Coordinated comprehensive process to guide decisions
- Citizen participation at all levels
- Consider use of resources and consequences of growth and development locally and beyond
- Work with neighboring municipalities and region to implement plans

**The process is often more important
than the product!**



Content Goals (§4302(c))

Municipal Plans
should further these
15 specific interlocking
“content” goals.



Plan Elements (§4382(a))

Vermont Law also requires the inclusion of **12 elements** in a municipal plan.

Planning Commissions may decide how it will address each element.

1. Objectives and Policies
2. Land Use
3. Transportation
4. Utilities and Facilities
5. Education
6. Energy
7. Economic Development
8. Housing
9. Flood Resilience
10. Natural, Scenic, and Historic Resources
11. Compatibility
12. Implementation Plan

“When it comes to planning,
if you’re not doing it with
people – they think you are
doing it to them.

Roger Millar, AICP
National Complete Streets Coalition



Updating Your Municipal Plan

Getting Started

- Make use of existing plans- Don't reinvent the wheel!
- Focus on achieving the vision of the future, not documenting the past or the present.
- Structure your plan around your big ideas.
- Utilize maps, images, and graphics.
- Take out unnecessary information or unfeasible ideas.



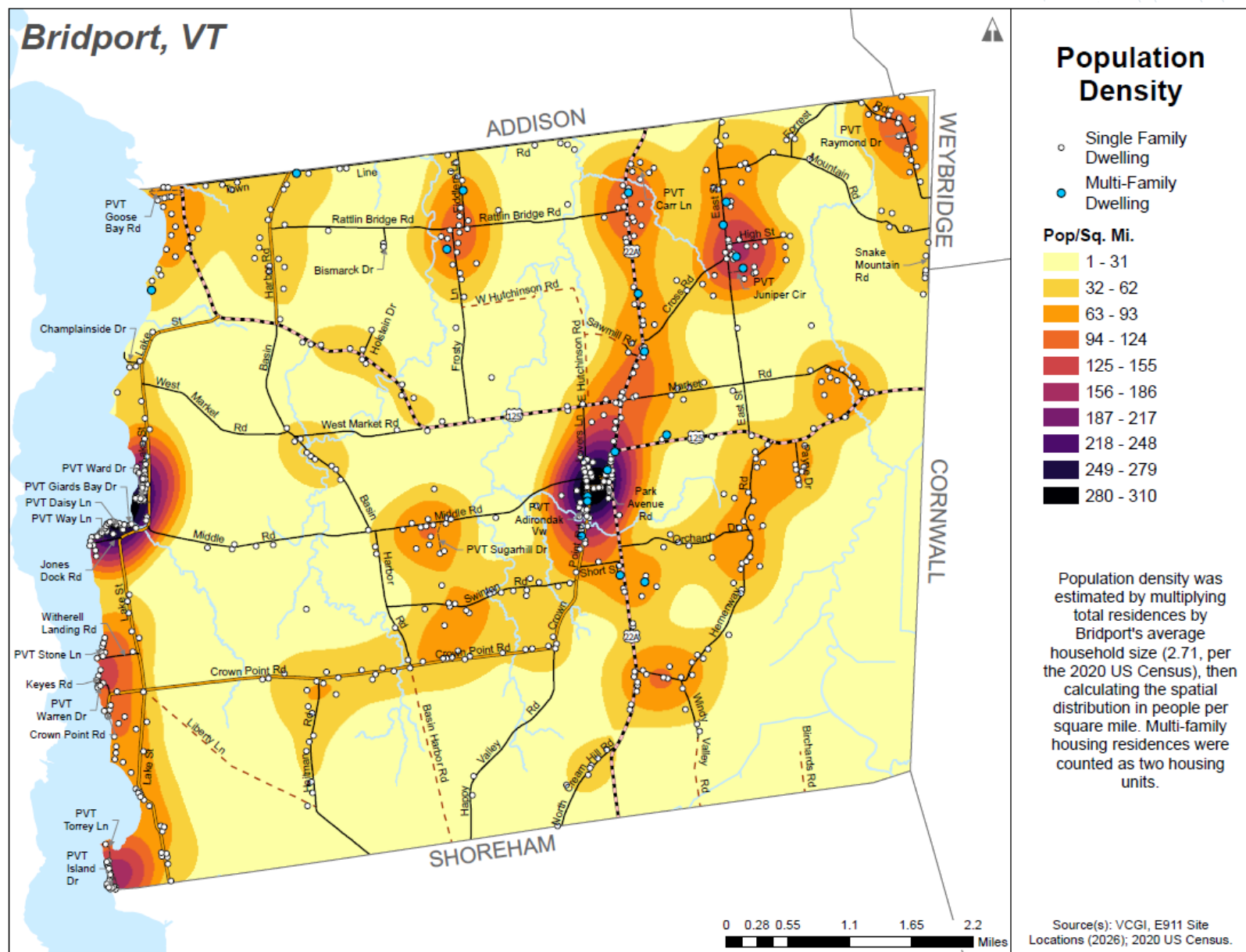
The Planning Process



Step 1: Community Assessment

Taking inventory
and focusing
on key
considerations.

Use your
appendix for
data.



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Figure 11: Median Household Income in Waltham & Addison County, VHFA

Step 2: Develop a Shared Community Vision

- Maintain
- Evolve
- Transform



- *Create separate bike and walking paths.*
- *I love the improvements on Route 30; wish the same could be done of Route 125.*
- *The 'bike path' is narrow, but an important start both philosophically and practically.*
- *I believe that for the health benefits of our community combines with the savings on fossil fuels, we should make the creation of bike paths a top priority of our community.*
- *(provisions should continue to be made for bicyclists and pedestrians) only if bicyclists are licensed and taxed for the privilege of using roads funded by automobile taxes.*
- *Sadly, the improvements to Route 30 have only mitigated the danger of being a cyclist or runner by a small amount. Speeds on Route 30 are higher than when the road was in worse condition.*

Step 2: Engaging People in Planning



Talk to People



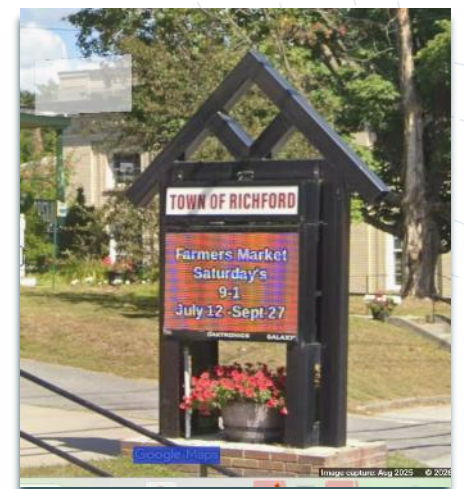
Food, fun, and
celebration



Meet people
where they are



Meetings with
local community
groups



Have a culture of
communication

Step 2: Spectrum of Participation

Inform

- Social media posts
- Press release
- Agendas
- Municipal website
- Mailings

Consult

- Comments at public meetings
- Open houses
- Public hearings
- Surveys

Involve

- Community workshops
- Focus Groups
- Advisory committees

Collaborate

- Community/co-lead boards
- Coalitions and partnerships
- Advisory Committee

Empower

- Community-led process
- Delegated decisions

Step 3:

Identify Common Goals and Opportunities

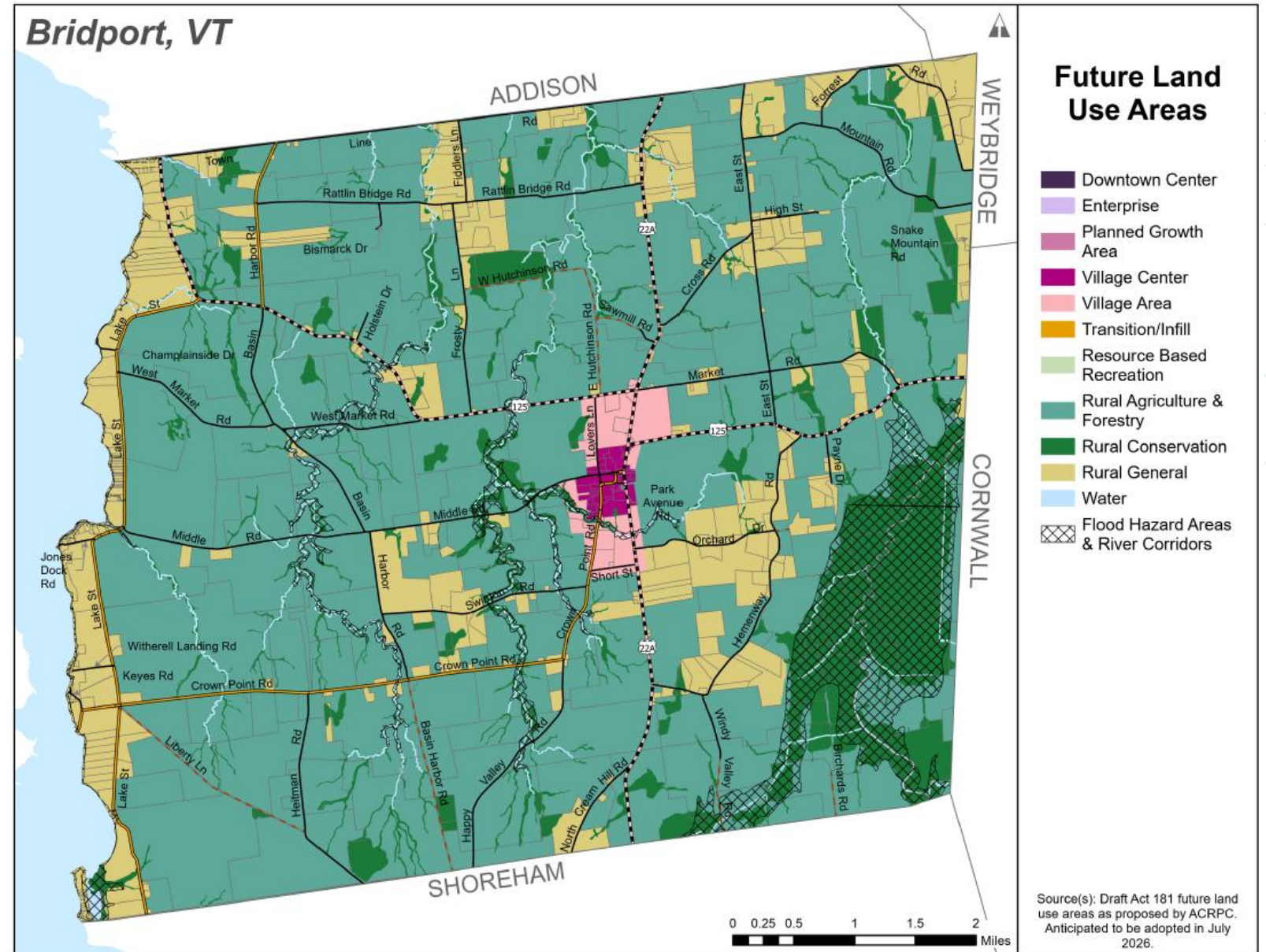
Population & Housing: Goals & Objectives	
Goal 1	Promote increased housing opportunities in the Northern Residential Land Use district.
Objective A	Continue to update zoning regulations that allow for increased density; smaller lot sizes, reduced setbacks, and flexible parking standards.
Objective B	Ensure that proposals for multi-unit housing projects include a mix of housing sizes and prices.
Objective C	Support new/renovated housing that is within walkable distance to retail, municipal services, recreational and educational facilities, and public transportation.
Objective D	Encourage the Select Board to investigate the possibility of extending water and or wastewater lines from the City of Vergennes into the Northern Residential Land Use Section.

Step 4: Map Out the Future

Based on steps 1-3,
develop a Future
Land Use Map.

Map out:

- Future land uses
- Prospective utilities, facilities, and services
- Areas to be considered for state designation
- Forest agriculture, recreation, open space, conservation



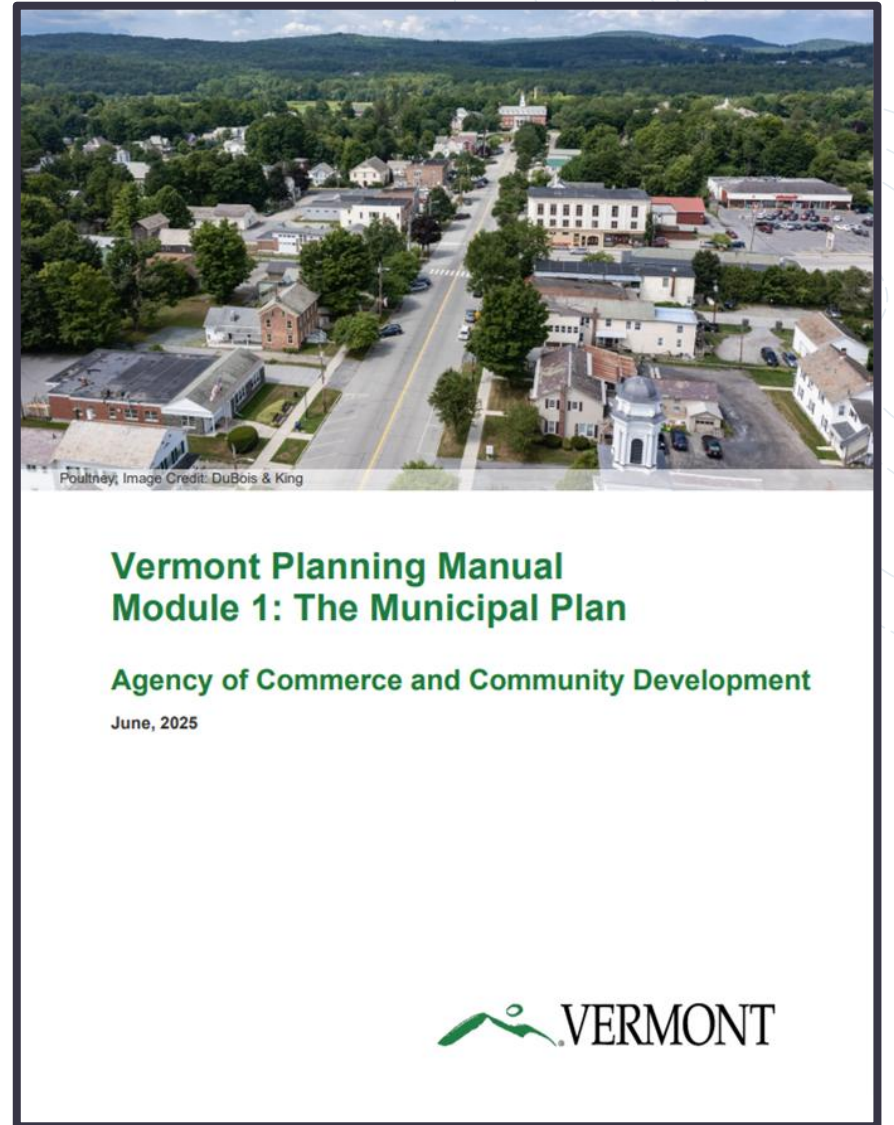
Step 5: Make it Happen

Compile an
**Implementation
Actions list**,
timeline, and
identify the
responsible party.

ACTIONS	RESPONSIBILITY	TIMELINE
Establish a capital plan for the budget and maintenance of Addison's public facilities, such as the following: Town Clerk's Office, Community Center, Town Hall, Fire Station and Salt Shed.	Selectboard	1-5 years
Identify and pursue new housing options throughout town with specific emphasis on the Village Area as designated in the future land use map.	Planning Commission	1-2 years
Determine the best plan for an improved Town Clerk's Office, that will serve the community for years to come, including expanded space for daily operations, board meetings, storage, research and offices.	Selectboard and community	1-2 years
Pursue options to calm traffic and improve safety at Addison Four Corners, for both vehicles and pedestrians.	Planning Commission	1-3 years
Develop a town-wide Recreation Master Plan.	Planning Commission	1-5 years
Implement river corridor protection thereby increasing Addison's ERAF (Emergency Relief Additional Funding) rate.	Planning Commission	1-3 years

Municipal Planning Manual: Module 1

[Find it here!](#)





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Questions?

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