

MEMORANDUM

TO: Department of Planning and Zoning, Town of Richmond

FROM: Maya Balassa, Planner

DATE: December 31, 2024

RE: Initial Plan Review

CC: Planning Advisory Committee

This memo constitutes the Initial Staff Review of the Richmond, Vermont 2018 Town Plan: Our Town, Our Future adopted November 5, 2018. The intent of this review is to meet the review and consultation requirements regarding municipal planning in [24 V.S.A §4350](#) and the *CCCRPC Guidelines for Confirmation of Municipal Planning Process, Approval of Municipal Plans, and Granting of Determinations of Energy Compliance*.

On a more practical level, this review will:

- Confirm that the municipality is actively implementing the existing comprehensive plan;
- Provide suggestions to improve the existing comprehensive plan during readoption in 2026; and
- Outline statutory changes to comprehensive plan requirements since the adoption of the existing comprehensive plan.

Implementation of the Richmond Town Plan

Please submit a complete version of the *Municipal Plan Implementation Assessment Guidelines and Standards for Confirmation of Municipal Planning Process and Approval of Municipal Plans*. The Town documented that it has implemented the existing Town Plan since 2018 through the following work:

- See the attached implementation reports from Richmond's Conservation Commission, Transportation Committee, Housing Committee, Recreation Committee, Water & Sewer Commission, Andrews Community Forest Committee, and Parking Advisory Committee.

Review of Existing Comprehensive Plan

CCRPC staff have the following observations and recommendations related to the Richmond Town Plan:

General

- The plan has good specificity and nuance in the vision and purpose.
- The plan does not contain a policy on the extraction of earth resources as required under 24 V.S.A. §4302(c)(10). **This must be added for the plan to be confirmed by CCRPC.**
- The Town Plan can be generally updated to reflect changes in project progress, services, conditions, public sentiment, or any other aspect of the Town Plan that may have changed since adoption.
- Many of the actions throughout the plan are vague. Consider adding more detail-oriented language in place of language such as “support,” or “encourage.” Otherwise, the impact of these actions is unclear.
- The Housing Committee Town Goals check in, dated July 27, 2021, suggests more communication between the Housing Committee and Planning Commission to better support accomplishing the goals of the Town Plan. Consider including this and other commission/committee suggestions into the Town Plan update.

Land Use and Housing

- Housing Targets
 - Text discussing growth projections should be updated in light of the forthcoming regional and municipal housing targets, the provisions of Act 181.

Transportation

- Update all traffic, travel characteristics, safety, and other transportation data in the plan. CCRPC will work with the Town to assist with updating traffic volume data. Incorporate information from the most recent studies and plans, including:
 - 2021 Richmond Bridge Street Complete Streets Corridor Study – https://studiesandreports.ccrpcvt.org/wp-content/uploads/2021/09/20210827_RichmondBridgeStreet_ScopingMemo_WithAppendices.pdf
 - 2022 Richmond Bike Walk Trails Plan – https://studiesandreports.ccrpcvt.org/wp-content/uploads/2022/09/20220914_RichmondBikeWalkTrailsFINAL.pdf
 - 2022 Richmond Sidewalks Scoping Report – https://studiesandreports.ccrpcvt.org/wp-content/uploads/2022/11/Richmond_Scoping_Report_FINAL_9_23_2022.pdf
 - 2023 US-2 Pich Points Feasibility Study – https://studiesandreports.ccrpcvt.org/wp-content/uploads/2023/12/TechnicalFeasibilityMemo_20231130_FINAL.pdf

- 2023 Cochran Road Traffic Calming Study – <https://studiesandreports.ccrpcvt.org/wp-content/uploads/2024/01/Cochran-Road-Temporary-Speed-Hump-Location-Technical-Memo.pdf>
- Neighbor Rides is referenced on page 35. This program is no longer in operation. However, the Chittenden County Older Adults and Persons with Disabilities (O&D) Transportation Program can be highlighted instead. This service is operated by SSTA. For more information on the program, here is a link to the CCRPC webpage: <https://www.ccrpcvt.org/about-us/committees/chittenden-county-elders-and-persons-with-disabilities-ed-transportation-committee/>. Over the past fiscal year, SSTA provided 198 trips to Richmond residents.
- Transportation Equity: Consider an equity-focused goal that highlights the importance of ensuring access to transportation for vulnerable populations.
- Throughout the plan, there are a few instances where there are references to reducing traffic congestion. Try to avoid using terms like, “improve” or “reduce” when discussing traffic congestion, and instead – reframe the issue using a term like, “managing” congestion. We do this in an effort to distance ourselves from the build our way out of congestion mindset and instead, focus discussions on managing congestion and using technology/TDM efforts to help with the efficient movement of people and goods.
- On pages 75 and 76, the term “alternative transportation mode” is used. Consider updating this term to “multimodal transportation” or “active transportation,” etc. The term "alternative transportation" can imply that certain modes are outside the mainstream or less desirable. In contrast, "multimodal" emphasizes that all transportation options are part of a connected system without suggesting any modes are secondary.

Energy

- CCRPC has prepared new municipal energy data packets based on the updated Low Emissions Analysis Platform (LEAP) data provided by the Vermont Public Service Department to inform targets for energy consumption, energy sourcing, and renewable electricity production. This enhanced energy plan data should be included based on the attached guide.
- Additionally, the Act 174 Standards have been updated with the recent update to the VT Comprehensive Energy Plan. Please review the standards available [here](#). The following comments also apply to ensure alignment with the new standards.
 - Consider how to enhance discussion and policies related to climate resilient buildings (See Standard 6.B)
 - Evaluation of how renewable energy, distribution, transmission, energy efficiency in buildings, transportation and land use impact equity is needed (See Act 174 standard 10) Consider using the State’s Guiding Principles for a Just Transition as a framework to build equity into the Town’s energy and climate goals: [\(6\) Guiding Principles and Scoring Rubric.pdf \(vermont.gov\)](#)
 - Identify how the plan evaluates whether forest blocks or habitat connectors are treated as possible constraints to renewable energy generation development (See Act 174 standard 13.F.)

- Consider reference to the [State's Climate Action Plan](#), for items such as:
 - Incorporate Smart Growth strategies
 - Increase public transit
 - Net Zero Building Code by 2030
- Utility Outages
 - Regarding utility outages in GMP territory, consider changing the language to encourage solar generators/batteries or [back-up battery collectives](#) as a preference to diesel-fueled generators. Also consider working with GMP to build small solar-powered community micro-grids. See Green Mountain Power's battery lease program here: <https://greenmountainpower.com/rebates-programs/home-energy-storage/powerwall/>
- Electricity Generation
 - Note that the new modeling for regional and municipal energy generation now includes only a single target, rather than a low and high target. The new modeling is based on a lower statewide generation target than CCRPC previously assumed; in addition, municipal targets have been adjusted to better reflect each municipality's relative contribution to electricity demand, available space for renewable generation, and existing installed renewable generation at a regional scale. This may result in targets that are lower than prior plans, and for some municipalities the target for new generation may be 0. Still, the plan should support retention of existing generators and installation of new systems where they are consistent with the siting policies and constraints.
 - The new modeling also introduces information on grid capacity constraints, both for transmission and distribution. While municipalities do not have influence over grid planning (this is managed by utilities as overseen by the Public Utilities Commission), the plan should discuss grid constraints in the context of new renewable electricity generation goals.
- Thermal Energy
 - Energy Strategy 4 (p. 1-61) should reference the Vermont Commercial Building Energy Standards in addition to the Residential standards.
- Transportation
 - This section would benefit from a discussion on Electric Vehicle Charging Equipment. The Town should discuss if new buildings should be EV ready and whether or not the Town should adopt a specific use standard that requires those uses to provide every resident access to charging. See examples from other states [here](#). Make regulations friendly to Electric Vehicle Charging Equipment. Read these [EVSE friendly development regulations](#).

Maps

- Ensure the most current data is used for all maps.

- In addition, CCRPC will be updating its regional future land use map pursuant to Act 181.

Emergency Resilience

- The Town should consider using the [Municipal Vulnerability Indicators](#) tool to help analyze and communicate the risks posed by climate change and other hazards.
- The Town should update the Plan to reference the action items from the Town's 2022 All-Hazards Mitigation Plan.
- The Town should consider a discussion of the impacts of the 2023 and 2024 flood events.
- The Town may wish to update the discussion regarding floodplain bylaws and river corridors.
- Along with references to the 2018 Richmond Stormwater Master Plan, the Town should update this section with more discussion on the Town's Municipal Roads General Permit, the overall challenge of the maintenance of roads, bridges and culverts and the new challenges of existing stormwater permits and the recently issued 3-9050 (aka, 3-acre) permit.
- The discussion under hazard planning is comprehensive and provides good detail. Note that the LEOP has been renamed the Local Emergency Management Plan – LEMP. You could mention that Richmond is also a member of the Chittenden County Regional Emergency Management Committee (REMC). The REMC provides a forum for Chittenden County municipalities to coordinate emergency planning and preparedness activities to improve the region's ability to prepare for, respond to, and recover from all disasters.

Resilience and Emergency Management

- The Town could adopt River Corridor Bylaws, based on Vermont DEC's model, to provide stronger protection for properties in areas where the river corridor extends beyond the 100-year floodplain. These bylaws would address both *inundation*—flooding that occurs when water overflows into adjacent land—and *erosion*, which is the gradual wearing away of riverbanks. By implementing these bylaws, the Town would also become eligible for a permanent 5% increase in ERAF match funds from the State for Public Assistance projects following a Federally declared disaster.
- The Town could consider expanding the discussion about emergency management in the Emergency Resilience section.

Public Health

- Please consider reaching out to Melissa Needham (Melissa.Needham@vermont.gov) at the Burlington District Office of the Vermont Department of Health (VDH) for input on how to integrate public health information and goals into the Town Plan. VDH is available to review the Town Plan to provide feedback and advice about the public health implications of implementing the plan. VDH also has experience conducting health equity assessments at the municipal level.

Statutory Changes to Comprehensive Plan Requirement Since 2018

Environmental Justice

- Vermont's Environmental Justice Bill (Act No. 154 (S.148) establishes policies and procedures to address environmental health disparities affecting marginalized communities on a state level. The bill highlights the disproportionate impacts of environmental hazards on BIPOC and low-income individuals and emphasizes equitable access to environmental benefits. Municipalities should use the bill to guide their own consideration of environmental justice focus populations and community engagement in planning and their municipal decision. The bill also defines “meaningful participation” which the Town should consider as it embarks on the Town Plan update:
 - *“Meaningful participation” means that all individuals have the opportunity to participate in energy, climate change, and environmental decision making. Examples include needs assessments, planning, implementation, permitting, compliance and enforcement, and evaluation. Meaningful participation also integrates diverse knowledge systems, histories, traditions, languages, and cultures of Indigenous communities in decision-making processes. It requires that communities are enabled and administratively assisted to participate fully through education and training. Meaningful participation requires the State to operate in a transparent manner with regard to opportunities for community input and also encourages the development of environmental, energy, and climate change stewardship. (72 VSA § 6002).*

The HOME Act – Housing Data, Programs, and Targets

- The HOME Act (Act 47 of 2023) of 2024 amended 24 V.S.A. § 4348a(a)(9) to require regional planning commissions to adopt regional housing targets published in the State Housing Needs Assessment and to establish municipal housing data and targets to be included in municipal plans. CCRPC intends to provide municipal housing targets to all its municipalities in spring 2025.
 - Text of the Richmond Town Plan discussing growth projections should be updated to address forthcoming regional and municipal housing targets, the provisions of Act 181, and the Downtown Core Master Plan.
- The HOME Act also amended 24 V.S.A. § 4382(a)(10) to require that municipal plans have housing goals to “meet the needs of a diversity of social and income groups in each Vermont community, particularly for those citizens of low and moderate income, and consistent with housing targets.” Plans must include “specific actions to address housing needs of low- and moderate-income households.” These actions may include:
 - Connecting residents to housing support programs and funding;
 - Pursuing planning or implementation grants for the creation of affordable housing through the Department of Housing & Community Development, Vermont Housing & Conservation Board, and other sources;
 - Supporting options for multi-modal transportation within the community to reduce the share of household income spent on transportation pursuant to 24 V.S.A. § 4348a(a)(9).
 - See the [Index of Housing Challenges and Solutions](#) section of HUD’s [Eliminating Zoning Barriers to Affordable Housing Guidebook](#) for sample plan actions to increase housing supply and affordability. [Vermont’s Enabling Better Places Guide](#) is also a good resource for specific regulatory actions in this topic.

- The Town should consider including a summary of the HOME Act, especially if the Town receives a municipal housing target from CCRPC prior to locally adopting the Town plan. Here is a proposed summary for use in the plan:
 - The legislature passed the Housing Opportunities Made for Everyone (HOME) Act (Act 47) during the 2023 session. This included municipal regulatory reforms and programs to support the construction and preservation of housing. The regulatory reforms in the HOME Act focused on creating housing opportunities in existing settlement areas by allowing incremental, infill development in areas that have adequate infrastructure already and are planned for growth in their municipality. The HOME Act also created several programs that aim to assist homeowners and renters by directing the Vermont Housing Finance Agency (VHFA) to create a Middle-Income Homeownership Development Program to subsidize developers constructing perpetually affordable housing and a Rental Housing Revolving Loan Program to provide subsidized loans for rental housing developments serving middle-income households.

Act 181 – Housing, Land Use Mapping, and State Designation Programs

- The passage of [Act 181](#) in 2024 (the Act 250 Bill) led to significant changes in [24 V.S.A. § 4302](#) (State Planning Goals) and [24 V.S.A. § 4382](#) (The Plan for a Municipality) that must be addressed in the updated Richmond Town Plan.
 - **Changes to State Planning Goals - 24 V.S.A. § 4302:** Municipal plans must demonstrate that they are striving to meet state planning goals. Act 181 revised the state planning goals related to compact development to state the following:

(A) Intensive residential development should be encouraged primarily in downtown centers, village centers, planned growth areas, and village areas as described in section 4348a of this title, and strip development along highways should be avoided. These areas should be planned so as to accommodate a substantial majority of housing needed to reach the housing targets developed for each region pursuant to subdivision 4348a(a)(9) of this title.

Richmond’s Town Plan will need to be amended to show how the municipal housing target will be accommodated in these geographic areas once the Town receives a municipal housing target from CCRPC.

In addition, statute now includes a goal to “equitably distribute environmental benefits and burdens”.

- **Future Land Use Map:** Act 181 requires RPCs to develop a new regional future land use map based on 10 land use districts defined in statute. The Regional Future Land Use Map, adopted by the RPC and approved by the new State Land Use Review Board (LURB - formerly the Natural Resources Board), is the map used to determine location-based Act 250 jurisdiction and state designation boundaries.

CCRPC has begun developing the new regional future land use map according to the new requirements. This work includes conducting outreach with our member municipalities and

other interested and affected parties to build consensus on the maps. CCRPC intends to complete a new regional future land use map in spring 2025 as part of the readoption of the ECOS regional plan in Spring 2026.

The Richmond Future Land Use Map in the Richmond Town Plan must be compatible with the Regional Future Land Use Map. This standard of review is defined in [24 V.S.A. § 4302](#).

The Town and CCRPC will need to closely coordinate regarding the development of the Regional Future Land Use Map and the Richmond Future Land Use Map. CCRPC expects to develop a draft Regional Future Land Use Map in collaboration with municipalities by June 2025 and hopes to formally adopt the map as a part of the ECOS Plan in Spring 2026.

- **Designation Programs:** Act 181 revises the [state designation programs](#) in several ways that impact the content of the Richmond Town Plan. Most significantly, the boundaries of designated areas will no longer be approved by the State Downtown Board (which is now the State Community Investment Board). Instead, CCRPC will be responsible for mapping municipally-designated areas as a part of the regional future land use map. These same areas must be mapped in the municipal plan.

Another significant change to the state designation program is the consolidation of five state designation programs into two state designation programs: centers and neighborhoods. The center area program will have three “steps” related to how much planning and investment has been done by the municipality for those areas.

Richmond’s village centers will likely continue to be considered a center. In order to qualify to be a “Step Two” center, the Town Plan must include a “goals for investment in the center” per [24 V.S.A. 5803](#). Qualifying as a Step Two center enables towns to access considerable state benefits related to state grant funding, private property owner relief from some state fees and the land gains tax, and the ability for Selectboards to set a speed limit less than 25 mph.

A current barrier to achieving 'Step Three' designation under Act 181 is that Richmond lacks a qualified Downtown Organization. To move forward, the Town could consider forming a Downtown Organization or partnering with an existing organization in nearby areas to meet the qualification criteria, which would enhance access to state resources and support for downtown revitalization efforts.

- **Location-based Act 250 Jurisdiction:** The passage of Act 181 makes Act 250 jurisdiction location-based for the first time in history. Specifically, the bill creates two areas that are exempt from Act 250 jurisdiction or subject to limited Act 250 jurisdiction. These areas shall be mapped in the Town Plan if Richmond intends on pursuing Tier 1B or Tier 1A status for any portions of town:

- **Tier 1B:** These areas are shown on the Regional Future Land Use Maps as downtowns or village centers, planned growth areas, and village areas as defined in 24 V.S.A. § 4348a. Richmond’s Village Center may be eligible to be a Tier 1B areas. RPCs shall only include Tier 1B areas on the Regional Future Land Use Maps upon municipal request (Selectboard vote). **If requested by the Selectboard, and if approved by the State Land Use Review Board (LURB), municipalities shall include a map of Tier 1B areas in their Town Plan.** Tier 1B allows for the following limited exemptions from Act 250:
No Act 250 permit or permit amendment is required within a Tier 1B area approved by the LURB under section 6033 of this chapter for 50 units or fewer of housing on a tract or tracts of land involving 10 acres or less or for mixed-use development with 50 units or fewer of housing on a tract or tracts of land involving 10 acres or less.
- **Tier 1A:** Tier 1B areas are eligible to be “upgraded” to Tier 1A areas if the subject area meets the requirements in 10 V.S.A. §6034. The requirements are extensive and can only be met in areas that are intended for relatively dense residential development. Municipalities must apply directly to the State Land Use Review Board (LURB) to have areas upgraded from Tier 1B to Tier 1A. If approved by the LURB, Tier 1A areas are completely exempt from Act 250 jurisdiction.

If Richmond is interested in pursuing a Tier 1A area then that area must be mapped in the Town Plan.