

State of Vermont
Department of Housing and Community Development
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*Agency of Commerce and
Community Development*

MEMORANDUM

TO: Municipal Planning and Development Review Officials

FROM: Vermont Department of Housing and Community Development
Chris Cochran, Director of Community Planning & Revitalization
Jacob Hemmerick, Community Planning & Policy Manager
Maxwell Krieger, General Counsel

DATE: June 30, 2023

RE: 2023 Legislative Revisions Affecting Community Planning and Revitalization

This year, the General Assembly passed 94 bills and the Governor vetoed 9 of them, including the state budget. During its one day veto session, the House and Senate overrode five of the Governor’s vetoes and passed two additional bills – [H.158](#) “the Bottle Bill” and [H.171](#), part of which amends S.100/Act 47 to address housing and emergency shelter needs. Legislative action for 2023 ended with a veto of the Bottle Bill and the Governor’s signature on the emergency shelter bill.

In compiling these updates, we owe thanks to our sister state agencies, the Vermont Planners Association’s (VPA) legislative team, the Vermont League of Cities and Towns’ advocacy team (VLCT) and the Necrason Group for their companion legislative updates throughout the session, as well as the Vermont Association of Planning and Development Agencies (VAPDA).

The Vermont Statutes Online website is typically updated in October and does not include the prior session’s changes until then. The legislature will return to Montpelier for an impeachment session this fall and could take up legislation at that time. The next scheduled legislative session begins Wednesday, January 3, 2024.

[H.171](#) (Act number pending) – Extension of Emergency Shelter Provisions

The General Assembly passed this bill during the veto session, and it was signed by the Governor. **The bill amends the effective dates of the municipal zoning provisions**

in Section 2 of S.100/Act 47. Initially scheduled for December 1, 2024, the new effective date is now July 1, 2023 (see updated S.100/Act 47 summary, below).

The act redirects \$19 million from VHCB's one-time appropriations to various other purposes. These include allocating \$5 million to VHIP (Vermont Housing Improvement Program) and \$4 million to continue the (MHIR) Manufacture Housing Repair and Infrastructure program and \$10M for placing new manufactured homes in vacant park lots, with priority given to accommodating homeless families currently residing in motels.

Additionally, the bill extends the transition period for individuals currently living in hotels and motels until April 2024. It establishes formal legislative oversight of this transition and the Agency of Human Services' support for these households. It also grants the Administration some flexibility within the FY2024 budget to identify resources that can address ongoing emergency shelter needs.

H.42 (Act 1) – Extension of Remote Public Meeting

The bill passed early in the session, and extends COVID meeting protocols until July 1, 2024, e.g. adjusting the date of annual meeting, enabling virtual public meetings with no staff required to host meetings on site.

S.3 (Act 13) – Prohibition of Paramilitary Training Camps

Stemming from an ongoing challenge regulating these types of facilities, cities and towns may not permit or regulate paramilitary training camps. This bill prohibits this land use statewide. It does not prohibit or affect sport shooting ranges.

S.100 (Act 47) – HOME Act, Housing Policy and Appropriations

DHCD is maintaining a separate summary of Act 47, along with an FAQ. You can find these links, along with a form to submit questions here:

<https://accd.vermont.gov/community-development/resources-rules/planning/HOME>

H.479 (Act 62) – The T-Bill, Transportation Policy and Appropriations

This year's transportation budget is \$877,476,461 – an increase of nearly \$40 million from last year. The bill includes significant investments in policies and programs aimed at helping Vermonters reduce transportation-related emissions by promoting vehicle electrification and increasing options for walking, biking, and public transit across the state.

The bill invests \$21 million in incentives for electric vehicles, plug-in hybrids, e-bikes through purchase incentives – including new fleet electrification programs for municipalities and businesses. It establishes a process to create a new mileage-based fee for electric vehicles starting on July 1, 2025, to help offset declining transportation revenues paid at the pump.

To create a more balanced transportation network that encourages active transportation, reduces emissions, improves public health, and enhances overall quality of life in communities, the bill mandates that both the state and municipalities apply

“[complete streets](#)” principles to all transportation projects, with certain exceptions. VTrans will collaborate with the Vermont League of Cities and Towns and the Regional Planning Commissions to provide municipalities with training on these important changes.

VTrans will also begin the process of updating the Vermont State Standards and related documents to ensure that new and improved roads and bridges are more context-sensitive and accommodate all modes of transportation. In partnership with the Regional Planning Commissions, VTrans will conduct a survey of municipal interest and report on the economic benefits of constructing a bicycle corridor along Route 5, extending from Massachusetts to Canada. VTrans will also develop a Resilience Improvement Plan to direct how it will invest future federal funds to reduce vehicle emissions.

[H.126 \(Act 59\) – Planning for Community Resilience and Biodiversity Protection](#)

The loss of biodiversity, natural habitats, and working farm and forestland is occurring at an alarming rate in Vermont. To address this issue, the bill aims to establish conservation goals, create an inventory of conserved lands, and implement a conservation planning process. These initiatives will help identify critical areas for land protection and shape future conservation policies and projects in the state. State agencies and partner organizations will be involved in these planning efforts.

The conservation goals set by the bill include permanently conserving 30 percent of the state by 2030 and protecting 50 percent through a combination of strategies, including permanent tools like conservation easements and non-permanent tools. The primary focus is to maintain an ecologically functional and connected landscape that relies on sustainably managed farm and forestland. These areas are vital for Vermont's agricultural, forest products, and outdoor recreation sectors, as well as for climate resilience and adaptation. It is important to note that the bill acknowledges the need for future growth in Vermont and recognizes that the goals are aspirational, intended to support a planning process that will inform future land protection efforts.

The bill directs the Vermont Housing and Conservation Board (VHCB), in consultation with the Secretary of the Agency of Natural Resources (ANR), complete an inventory of Vermont's conserved lands and conservation policies by July 1, 2024, with biannual updates. Additionally, VHCB, in consultation with the ANR Secretary, is required to complete a Conservation Plan by December 31, 2025.

[H.145 \(Act 3\) – Budget Adjustment Act Appropriations](#)

Every year the Budget Adjustment Act (BAA) makes numerous minor accounting adjustments, typically involving total appropriations under \$10 million. However, due to a recent surge in federal funds, the scale of these adjustments has dramatically expanded to hundreds of millions of dollars. This year's BAA invested over \$70 million in housing and broadband, and it has also included a technical correction to fund \$650,000 in Municipal Planning Grants. Particularly noteworthy is the allocation of \$3 million to provide low-capacity rural towns help with grant or permit applications, project

management, grant administration, and other capacity-building activities. The funding is targeted at communities that score 75 percent or higher on the [Vermont Communities Index](#), but other communities with capacity needs may also qualify. Regional Planning Commissions are available to assist any community with interest in accessing this program.

**[H.494 \(Act 78\) – The Big Bill, FY24 Appropriations](#)
As amended by H.171 (Act Number Pending)**

The House and Senate successfully overrode the Governor's veto, mainly through a partly line vote. The recently passed state budget totals \$8.5 billion and invests millions in housing, childcare, universal school meals, human services, and climate mitigation. It includes over \$200 million for housing initiatives, encompassing new construction, rehabilitation and repair projects, support services, emergency shelter provisions, as well as transitional housing measures. Below are some highlights:

- \$50 million in one-time funding for VHCB to provide additional mixed-income housing and housing to address homelessness (as amended by H.171)
- \$5 million Vermont Housing Improvement Program
- \$4 million for the Manufactured Home Repair Program
- \$6.2 million for Regional Planning Commissions
- \$1 million in grants to Regional Planning Commissions to help property owners looking to redevelop contaminated sites
- \$300,000 VAPDA to hire Housing Navigators included in S.100
- \$898,000 for municipal planning grants, with up to \$500,000 for bylaw modernization grants
- \$8 million for the Brownfields Revitalization Program, with an additional \$2.5M to the Department of Environmental Conservation's brownfield program
- \$1.25 million to support the Regional Development Corporations' technical assistance program
- \$800,000 in grants for local Downtown Organizations
- \$500,000 in community grants for health equity

Prior DHCD memos summarizing the statutory changes starting in 2007 can be found at <http://accd.vermont.gov/community-development/resources-rules/planning>.

