March 2026

Vermont League of Cities and Towns

Oppose Amendment to H.941

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Why not RAPs?

VLCT opposes the use of RAPs to decide the bounds of municipal regulatory authority over agricultural activity:

- **RAPs do not consider or provide remedy for a variety of common zoning issues: setback, fencing and penting, parking, ingress and egress, screening, lighting etc.**
- **A property may be designated a commercial farm without earning any income: $2,000 in sales, or filing a schedule F**
- **The AAFM has proven a lack of ability to appropriately regulate small farms with a density of livestock (example, Orleans Village in the Town of Barton)**

Orleans Village in the Town of Barton, currently under municipal zoning enforcement

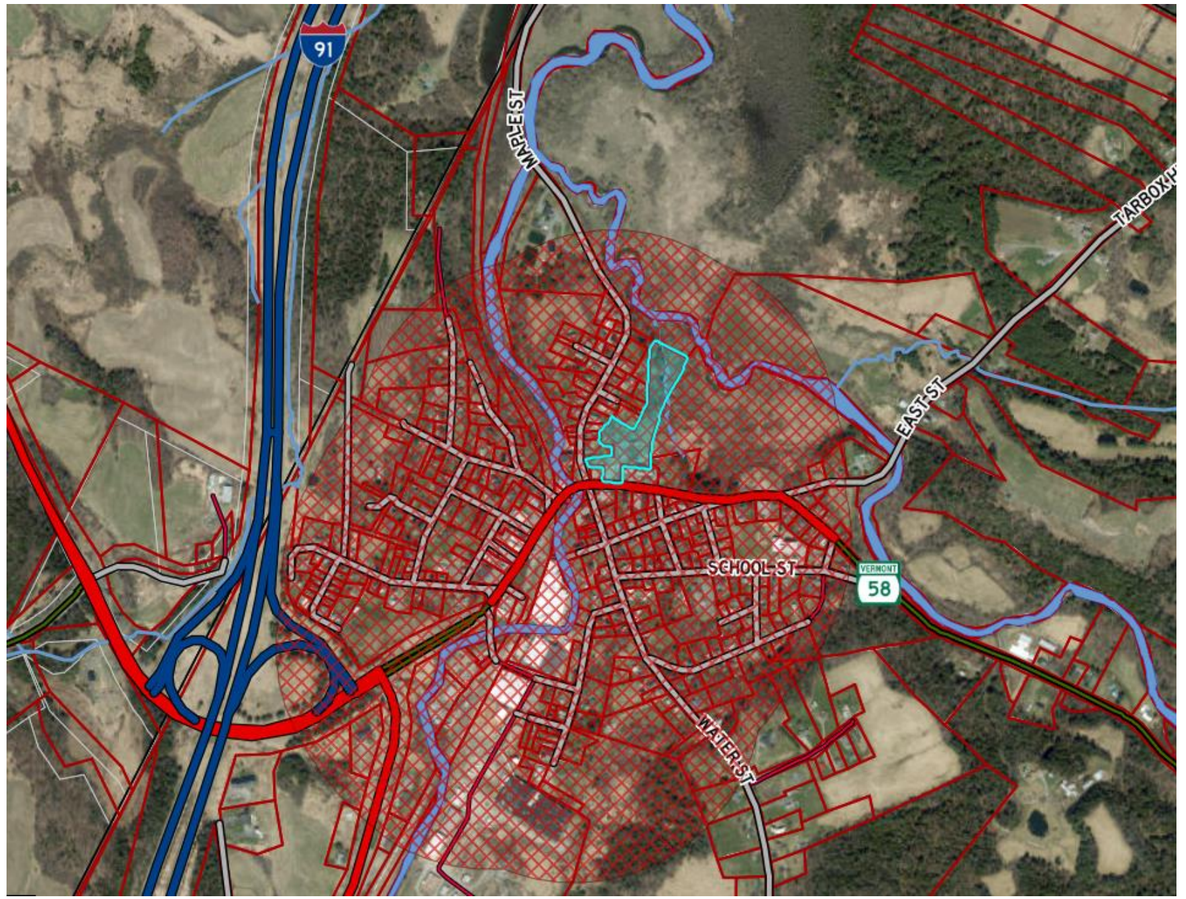
4.74 acre farm, hundreds of livestock including pigs, fowl, and goats





Support a right to grow food, and limited municipal zoning authority for commercial farms in town centers:

Allowing some municipal authority in Tier 1B & Tier1A would allow Orleans to appropriately enforce permit requirements that protect the use of neighboring properties, which include an affordable senior housing development, single family homes, municipally owned properties, and the Willoughby and Barton Rivers.



- Red village area is CURRENTLY Act 250 exempt for housing development up to 75 units, and for PHPs, ADUs, commercial to housing conversions, and homeless shelters per Act 181 of 2024

VLCT Supports:

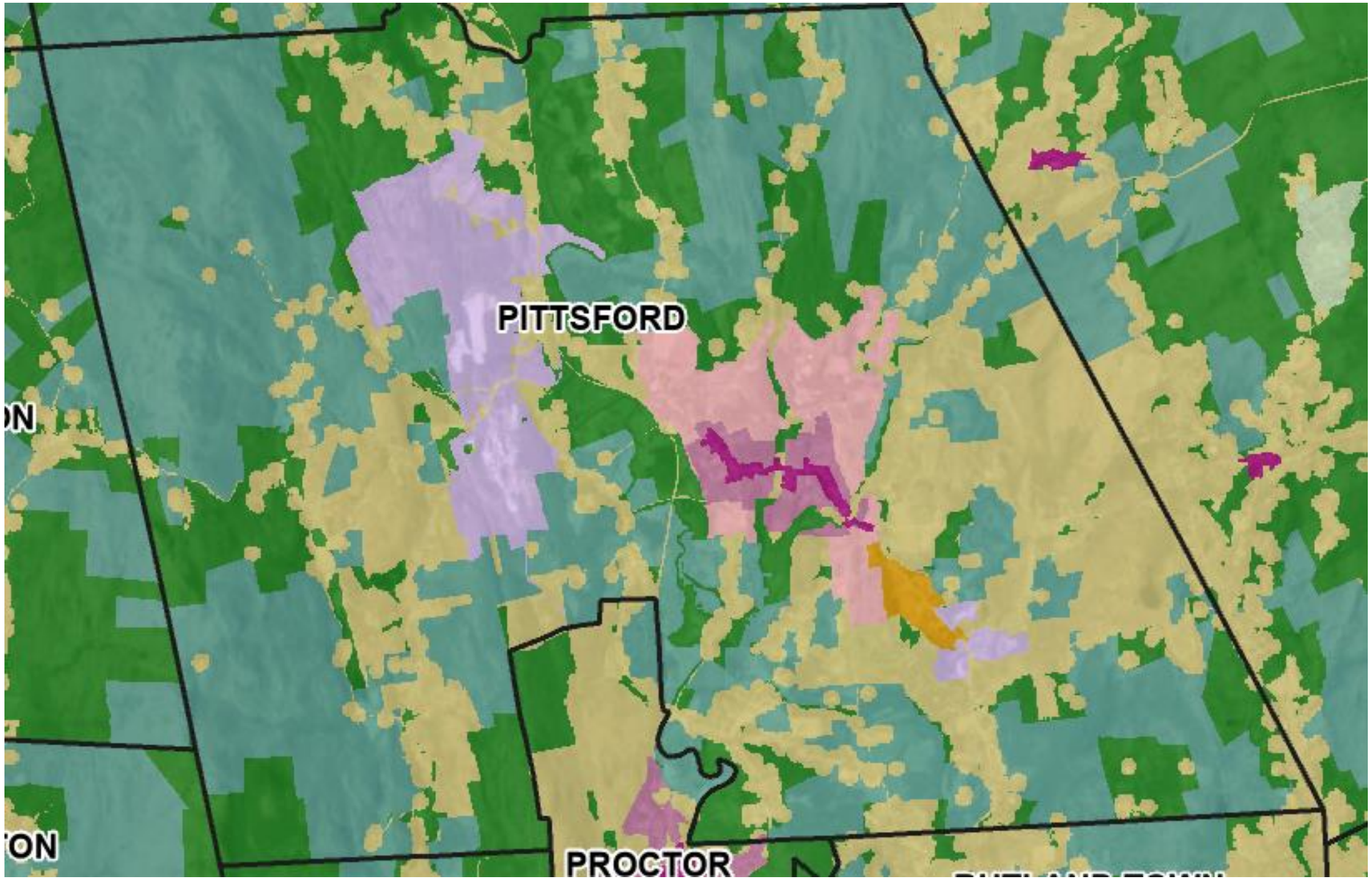
- A right to grow food for all property owners.
- Preventing any municipal ban on farming in state law.
- Total exemption for all farms from municipal regulation in 98% of the state's land area.
- Reducing conflict between farms & neighbors in dense growth areas in city, town and village centers by allowing limited zoning in Tier 1A and Tier 1B (2% of the state's land area).

What is Tier1B? Example: Pittsford, Rutland County

- Elligible for Act 250 exemption in Tier 1a or 1b if other statutory criteria are satisfied

Future Land Use Areas

- Downtown Center *
- Village Center *
- Planned Growth Area *
- Village Area *
- Transition or Infill
- Resource Based Recreation
- Enterprise
- Hamlet
- Rural General
- Rural Ag or Forestry *
- Rural Conservation *
- Special Use



January 2026

Questions???

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Links and Resources, Municipal Planning & Zoning

- Municipal Charters
- Title 24 Chapter 117: Municipal Planning and Development
- Municipal Plans and Bylaws Database
- TROC Town Plan Adoption and Manual
- Essentials of Local Land Use Planning and Regulation Handbook
- 10 Acre Towns List
- 10 Acre Town Check List (required zoning bylaws)



Links and Resources, Act 181

- Future land use map viewer
- Regional Planning Commission Application Guidelines, LURB
- Tier 1a guidelines
- Tier 3 draft rule 2.1
- Tier 3 map viewer
- VLCT webinar, Road Rule & Tier 3 (recorded)
- Key Takeaways from Act 181, VLCT 10/2024
- Act 181 Implementation, LURB – 01/2026
- Act 181 FLU area descriptions, CCRPC
- FLU Methodology and Process, RPCs
- Summary of Act 181 & HOME Act Housing Targets, 3 pager, CCRPC



Who creates and administers municipal regulatory systems?

1. Advisory Body: Often, the municipal plan and new bylaw processes begin with a citizen advisory committee such as the Planning Commission. Some communities have additional advisory bodies such as Electric or Energy Commissions or Housing Committees.

2. Legislative Body: The City Council, Selectboard, Board of Alderman, or Board of Trustees. The legislative function involves not only drafting and approval of the municipal plan, bylaws, and ordinance but also conducting public hearings. Actions of the legislative body are governed by numerous laws that ensue public access and transparency including Ethics Law, Public Records Law, and Open Meeting Law.

3. Appropriate Municipal Panel: A citizen layboard that serves a quasi-judicial role to interpret local law and serve as the local appellate body, such as the Design and Review Board or Zoning Board.

1. Administrator: Typically, a municipal staff person responsible for permitting, enforcement, inspection, and educating and assisting applicants. Most often this would be a Zoning Administrator, but could be a permit specialist, technician, or compliance officer.



Writing the Rules

Zoning Bylaws may be created to enforce the municipal plan within the authorities prescribed by state law.

- The Municipal Plan: is developed through a citizen led process, adopted by the legislative body, shared with statutory parties, and then must be approved by the RPC and DHCD. Each action of a local body and subsequent amendments require a public hearing. The Plan must contain 12 elements required by state law.

- Zoning and Bylaw: Many state preemptions exist to limit bylaw authority. Some charters require additional process. For substantial zoning changes additional outreach, long drafting and periods of deliberation, research, feasibility study, assessing infrastructure capacity, joint hearings, etc. are typical

- At a minimum, to adopt or amend a bylaw the appropriate municipal panel must:
  - Publish a public report, consistent with municipal plan
  - Hold a public hearing
  - 15-day notice period and statutory notices

