

City of Barre, VT

**Regular Meeting of the
Barre City Planning Commission
Thursday, July 9, 2026 at 5:30 PM**

<https://us06web.zoom.us/j/83132944524?pwd=OY7bpA4Xp6W6PoMaXOCjgyinPLafJx.1>

Hybrid Participation (both in person and remote ability)

Meeting ID: 831 3294 4524

Passcode: 381609

AGENDA

Agenda Item #	Page No.	Description
1	-	Call to Order
2	-	Adjustments to the Agenda
3	-	Public comment (for something not on the agenda)
4	2	Approval of Minutes: for the May 14, 2026 Regular Meeting
5		New Business
	5	Commission Welcome, Tools and Requirements
	99	Annual Election of Officers: Chair, Vice Chair, Secretary
	103	CVRPC Regional Plan – Future Land Use Map and Regional Housing Targets Discussion
6		Old Business
	120	Act 176 regarding Cannabis Events Discussion
	149	Alcohol and Tobacco Retail Establishments Locations Discussion
7		Confirmation of next meeting date of August 13, 2026
8		Executive Session – as needed
9	177	Staff updates – as needed
10		Roundtable
11		Adjourn

Barre City Planning Commission

May 14, 2026 Meeting Minutes

Present: David Sichel (Chair), Wendy Ducey (Vice Chair), Joe Reil (Secretary), Cat Allen, Rosemary Averill.

Absent: Raylene Meunier

Staff: Janet Shatney (Director of Planning, Permitting & Assessing)

Visitors: David Delcore, Times Argus Reporter.

1. Call to Order.

5:30pm.

2. Adjustments to the Agenda.

None.

3. Public comment (for something not on the agenda).

None.

4. Approval of Minutes.

a. March 12, 2026 Regular Meeting.

Averill moved to approve, Sichel seconded, unanimous in favor.

5. Old Business.

a. Commission Membership Update.

Corkins resigned from the Planning Commission. Reil, Meunier, and Averill are not seeking re-appointment. As of July 1, the membership will be David Sichel, Wendy Ducey, and Kat Allen. Shatney asked that if anyone knew of potential members to encourage them to apply.

There was a brief Round Table of introductions and discussion about the Planning Commission's size from 7 members to 5.

b. Municipal Ethics Training Reminder and Certifications.

Reminder about the periodic requirement for the State of Vermont Municipal Ethics Certification.

6. New Business.

- a. New Commissioner Cat Allen welcome.
- b. Rules of Procedure Edits Discussion.

Revised Rules of Procedure for the Planning Commission that were included in the packet. There was no discussion.

Allen moved to approve, Ducey seconded, unanimous in favor.

- c. Alcohol and Tobacco Retail Establishments Locations Discussion

Allen presented a proposal (included in the packet) about introducing new land use categories and location buffers for sensitive use areas for businesses dealing in specific regulated substances. The impetus was concern about an excessive number of businesses dealing in these substances, limiting diversity in the downtown retail environment, potentially hindering engagement and growth in our downtown, this being inconsistent with the goals in the City Plan, as well as discussing the data behind these ideas.

There was follow-up discussion about how these changes would impact or be impacted by surrounding communities and questions about how the density of these businesses in Barre City compares with other communities (we are on the high side) and how the area as a whole may not have a higher density.

There were also some concerns expressed about limiting the creation of new businesses and wanting to be conservative with changes. This was addressed with discussion about the sources of the data and how this proposal is not significantly different than what's been done in other communities, e.g., Brattleboro.

There was a suggestion to include the text of Brattleboro's ordinance in the next meeting packet for review and context.

Averill moved to table discussion to the next meeting, Ducey seconded, Averill, Ducey, and Sichel voted in favor, Allen and Reil voted against, this will be up for discussion during the next meeting.

- d. S.278 regarding Cannabis Consumption events Discussion.

Act 278 is currently being discussed in the State Legislature, looking to create pilot program for two years for cannabis consumption events. Annually, there would be 10 permits for private events, 10 for public events. There is no language in the bill that ties the location to a retail establishment. Allen suggested that Barre should prepare for this possibility and craft an ordinance with guidelines and to define which zones these events could be held in.

There was discussion around whether this is something the Planning Commission could or should address.

Allen moved to table discussion to the next meeting and to include an invitation to Chief Vail to offer his insight, Reil seconded, unanimous in favor, this will be up for discussion during the next meeting.

7. Confirm Date of Next Meeting.

June 11, 2026.

8. Executive Session.

None.

9. Staff Updates.

Details are in the packet.

Additionally, Shatney also discussed Corporate Cup, Barre City's team was named "Team Cara" in honor of Cara Rea, who is experiencing an illness. Shatney also mentioned that Barre City Manager, Nicolas Storellicastro, gave notice of leaving his position.

There was a question from Sichel about Construction Work on Quarry Hill. Shatney indicated that the intent is for new construction, but the current permit is only for clearing the land.

10. Round Table.

Ducey had a question about the work on the upcoming Municipal Plan. Shatney indicated that the RFP will be going out soon and will have an update in June. Allen asked why an RFP was necessary and Shatney answered that the amount of work needed is sufficient to require one.

Allen mentioned that there is a Bill, S.198, currently in the House, about restrictions/barrier for entry updates on vape products and wholesale licenses, as well as there being notes from the Tobacco Strategic Plan available, and suggested that these might be worth reviewing, related to the other discussions.

11. Adjourn.

7:12 pm, **Ducey moved to adjourn, Reil seconded, unanimous in favor.**

Welcome to the City of Barre Planning Commission

Thank you all for very recently joining the City's Planning Commission. I wanted to take the time to acknowledge, other than your appointment at City Council, that you are now a member, and with 5 new members out of seven, there is much to learn. In addition to the City Resources that the City Manager has recently shared with you, there is a plethora of materials that I want all of you to have. If you want any of these documents printed and in a binder for ease, please let me know and I will be more than happy to make you a binder with these in them.

The Planning Commission is again fully staffed comprising of 7 members, each having a 3-year term. You were appointed to a position that was either vacant, or filled a post that was recently vacated by someone not renewing their term. Planning Commission terms of office are for 3 years; but with discussions about having 6 out of 7 members' terms all ending the same year, the Manager helped me figure out how to appropriately stagger them with some of you with 2-year initial appointments.

Our current Chair is Dave Sichel, and Wendy Ducey is our Vice Chair. Our Secretary is now a vacant post as the person in this role has retired from the Commission, and I am your staff liaison. The Officers are chosen at a meeting when we have a full Commission, and usually is in May. This year, with several departures, we are holding elections in July for a Chair, Vice Chair and Secretary. Our recently updated [Rules of Procedure](#) are attached.

The Chair and I complete the agendas and I do my very best to get the packet of materials out to you all on their prior Friday before a meeting. It is always posted on the city's website, along with any packet that was sent out, posted as well to [Agendas and Minutes - City of Barre](#). Our official public electronic notification site is the City's Facebook page, and we do have the agendas posted to Front Porch Forum. The link to the main Planning Commission page is [HERE](#).

We meet the second Thursday of every month; meetings are hybrid meetings, meaning you can attend via the Zoom link, or in person here at City Hall in Council Chambers, you have options. We start at 5:30, and end at 7:00 PM.

Some valuable tools and requirements:

I have attached a document that was published by VT Dept. of Housing & Community Affairs. It's an older document, and some of the links don't work, but is still a good read, and a very nice welcome document.

The Planning Commission is the body that writes the municipal plan and zoning and subdivision regulations, and the Development Review Board is the body that executes them. You are a policy-making board. I have 2 documents attached, that provide good context as to the Commission and the work you do. The First is a handout created by the VLCT attorneys about Roles and Responsibilities (22 pages), and the second is a more broad document about Land Use Planning (60 pages) and all the various requirements that come with it.

The following are large documents and the links to view them are here:

Land use refers to the relationship between people and the land, more specifically, how the physical world is adapted, modified, or put to use for human purposes. Decisions about land use

are made by people from many walks of life. The public sector also makes important decisions about land use. Because policy and funding decisions have myriad effects on land use, courts interpreting how laws and policies apply in practice, there are many acronyms and terms the public may not be familiar with. This [Glossary of Land Use and Planning Terms](#) has been compiled to assist in understanding the topic of land use and planning, making it less mysterious and more accessible. We hope you find it valuable when you don't understand what something means. Bookmarks for each alphabet letter so you can easily move through to the term you might be looking for.

The City's Municipal Plan, a plan that the Planning Commission has authored: <https://www.barrecity.org/municipal-plan/>. If you would like this printed in a binder as a reference document, let me know and I will create it for you.

The Unified Development Ordinance, also authored by the Commission: <https://www.barrecity.org/land-use-and-other-ordinances.html>. Again, if you would like this printed and in a binder, please let me know.

Our Downtown Historic District, which was nominated in 1979: this District and the contributing buildings were updated by the BADC in 2017: <https://www.barrecity.org/downtown-historic-district.html>

Our Currier Park Historic District, which was nominated in 1990: <https://www.barrecity.org/currier-park-historic-district.html>

We have the Merchant's Row Master Plan: <https://www.barrecity.org/the-merchants-row-master-plan-april-2010.html>

The North Main to Summer Street Master Plan: <https://www.barrecity.org/the-north-main-to-summer-street-master-plan-march-2012.html>

The Transit-Oriented Downtown Master Plan: [The TOD Downtown Master Plan - July 2025 - City of Barre](#)

Ethics Trainings: Lastly, the Commission is highly encouraged to complete the tri-annual ethics training. Municipal officers subject to the Code are: members of municipal legislative bodies, members of municipal quasi-judicial bodies, advisory budget committee members, auditors, building inspectors, cemetery commissioners, chief administrative officers, tax collectors, department heads, first constables, listers, assessors, town clerks, treasurers, mayors, department heads, moderators, planning commission members, road commissioners, town or city managers, village or town trustees, trustees of public funds, and water commissioners.

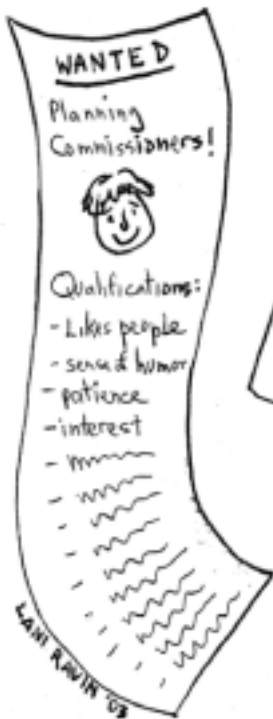
Click on this link: [Municipal Ethics Training: Municipal Ethics Training](#) to begin your training. As stated above, it's a 3-year certification, and must be completed within 120 days of taking your position. Once you've completed your training, please forward a copy of your certificate to me for filing. Thank you.

Again, welcome and if you have any questions or needs, please let me know, thanks.

So...

you've just become a member of your town's Planning Commission, Zoning Board, or Development Review Board

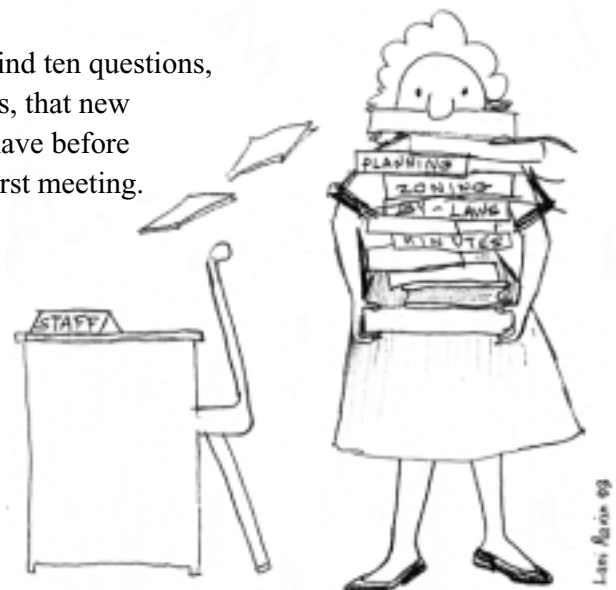
Welcome



Kudos to you for your willingness to serve! The future of our communities depends on people like you getting involved, taking your turn to volunteer time. It will keep you on your toes. You will learn a lot. It should be interesting.

Your central duty is a tough one: to determine how to balance the public good with private rights and interests. Being a good listener will help you to determine what the public good or interest is. You'll find, being on the front line, that it helps to follow standard meeting rules to create public meetings that feel fair and civil to all involved.

Inside you will find ten questions, and their answers, that new members often have before attending their first meeting. Good luck!



How did I get here?

A few towns in Vermont elect their Planning Commissioners. If you went through that, you know how you got here. Otherwise, you were appointed by the Selectboard to fill a specified term (planning commissioners have ~~4-year~~ 3-year terms). Maybe you expressed interest or even applied and interviewed for the position. If not, take this appointment as a compliment that you have been recognized as someone who can serve the community well. If you don't get a letter from them notifying you formally on the length of your term, you may want to check on that. If you wish to continue after the term is up, you will need to request re-appointment.

What's expected of me?

- Follow the rules of procedure for your board/commission and contribute to meetings in a constructive way. If rules don't exist, meet with the chair to learn how meetings are conducted.
- Show up at meetings and arrive on time.
- Keep an open mind and treat your fellow board/commission members, staff and everyone who comes before you with respect.
- Listen.
- Display good ethical behavior by avoiding the pursuit of special privileges.
- Take advantage of training that is available (*see box "Where can I go for help?"*)
- Always seek to ascertain the public interest and how best to further the interests of the community as a whole.

What is the source of my authority?



In Vermont, all local powers are specifically granted to municipalities from the state. Local authority to plan and regulate land uses is defined in the Vermont State Statutes Title 24, Chapter 117. For example, the process for appointments is spelled out in sections 4323 for planning commissioners and 4460 for zoning board and development review board members.

Every town clerk has a set of these green books in the office for public use. When you use them, and you should, be sure to first check the pocket supplements in the back for recent revisions. You can get a reprint of just Chapter 117 from your regional planning commission or the Vermont Department of Housing &

Community Affairs. And you can find the up-to-date version of the state statutes online at www.leg.state.vt.us/statutes/sections.cfm?Title=24&Chapter=117.

Your municipal plan and bylaws, written in conformance with state statutes, further describes what local planning commission, zoning board or development review board members can and can't do.

What are my roles and responsibilities?

The responsibility for local land use decisions can be divided into two functions:

- planning (policy-making or “legislative function”) and
- regulation (development review or “quasi-judicial function”).

If the town has a Development Review Board, then the Planning Commission is only involved in planning. In towns with a Zoning Board of Adjustment or with a combined Planning Commission/Zoning Board of Adjustment, the Planning Commission may be involved in reviewing development projects (*see flow chart on page 7*).

In carrying out its planning functions, the Planning Commission should seek broad public involvement in the process and try to keep its activities open and inclusive. Members may discuss issues publicly and should seek all opportunities to inform interested parties and the public at large.

However, in carrying out the regulatory functions, the responsible board must ensure a fair and open process by following required procedures for public notice and decision-making. As the designated judges, members must scrupulously avoid taking sides on an application before the evidence is heard and must avoid discussing a pending application with an applicant, proponents or opponents outside the context of the hearing.

What are the limits to my authority?

In preparing plans and bylaws for adoption planning commissions must follow procedures for notice and public hearing established in Chapter 117. Plans and bylaws are adopted either by the citizens in an election or by the legislative body (which is the Selectboard, unless you have a city council).

As in any relationship, everything goes better if communication lines are open and active between the various municipal boards. Work together for the good of the community. At least exchange minutes. Some towns have at least one joint meeting each year with Selectboard, Planning Commission and Zoning or Development Review Board members getting to know each other and the

town's issues from others' perspectives. Eating something together helps create a good atmosphere at the meeting.

Boards reviewing development applications must follow the procedures set forth in the bylaws and decisions must be based on the standards for review established in the bylaws.

How do I make decisions?

- Work together as team with your fellow members and other town boards and officials.
- Try hard to decide what is in the public interest.
- Decisions made on amending the plan or by-laws need to be communicated broadly and open to public input.
- Read carefully, and make sure your decision is based on your town plan and bylaws.
- When acting in a regulatory capacity, follow the “rule of law”. This means that regulatory decisions must be based upon your bylaws and state statute, and not on personal feelings.

What do I need to know about Act 250 or other state permits?

Brochures providing general information about state permits are posted on town office walls, brochure racks or openly available in town clerk's office. The town Planning Commission and Selectboard are “statutory parties” to all Act 250 applications. The commission or board is considered a statutory party, not the individual members. The town can submit evidence at hearings and can appeal decisions. Try hard to work together to provide a unified voice for the town—it is difficult for the District Environmental Commission or other state decision-maker if the two town entities are not in agreement. Keep in mind that it is the Selectboard that decides whether to allocate funds to pay an attorney to represent the town's interest in such proceedings.

There is a Permit Specialist available in your District Environmental Office to answer your questions about state permits (see map with phone numbers or go to <http://www.anr.state.vt.us/dec/ead/pa/index.htm>). The applicants are responsible for obtaining all required permits—it is not your responsibility—but you can help guide them in the right direction by encouraging them to make contact with the District Environmental Office.

Are our meetings supposed to be “public?”

You are a member of a ‘public body’. Under Vermont law all meetings of a public body must be open to the public at all times. A meeting is defined as a gathering of a quorum (i.e., majority of the total membership) of the board or commission for the purpose of discussing the business of the public body or for taking action. The Secretary of State’s Office has some resources that help explain the open meeting law available on the web:

www.sec.state.vt.us/municipal/pubs/quickguide_open_meetings.doc (quick guide)

www.sec.state.vt.us/municipal/pubs/open_meetings.doc. (full brochure)

There are two exceptions to the open meeting law. The first is when a board, acting in its quasi-judicial capacity, elects to go into a deliberative session to consider evidence presented during a public hearing on a permit application. Because the law expressly excludes the taking of evidence and arguments of parties to the matter in deliberative session, the public may be excluded from this meeting. A decision may be made in deliberative session provided that a written decision by the board is subsequently issued.

The second exception to the open meeting law is when a board elects to go into executive session to discuss a specific matter, such as personnel issues. Vermont law is very explicit about which topics may be discussed in an executive session, and the courts lean very heavily in favor of conducting business in the open. Thus, before using executive session, be sure to check the statutory exemptions and seek legal advice when in doubt.



The open meeting law also applies to any subcommittees of the planning commission, zoning board and development review board. All meetings of a public body must be noticed and minutes must be kept except when the public body is in deliberative or executive session. The specific notice and minute-keeping requirements for meetings is found in 1 V.S.A. §312. Individual boards may adopt rules of procedure for the conduct of meetings and quasi-judicial proceedings. If your town has elected to conduct quasi-judicial hearings under the Municipal Administrative Rules of Procedure, your board must follow the rules provided for in 24 V.S.A. Chapter 36.

When reviewing an application for development, avoid discussing the project with the applicant or any interested party outside the public hearing. It is important to maintain impartiality until all evidence has been heard.

Who will I work with?



Hopefully you like people, because you will interact with a lot of them. The “public”, or citizens who will attend controversial or interesting meetings, the media, private developers and landowners along with their consultants. Lawyers. All kinds of characters, all of whom deserve respect. The Zoning Administrator should be of major assistance in providing information. You may be in a town lucky enough to have a town planner or other staff. Sometimes you will interact with other local officials, regional and state employees. A good source of background on who does what in town can be found in a publication by the Secretary of State’s Office titled *Who’s Who in Local Government* found at www.sec.state.vt.us/municipal/pubs/who'swho.html.

Where can I go for help?

Your regional planning commission (see attached map with phone numbers):
www.access-vermont.com/vapda/

Dept. of Housing & Community Affairs on planning issues: 800-622-4553 or
www.dhca.state.vt.us/planning

Secretary of State’s Office or civil procedures: 828-2363 or www.sec.state.vt.us

On-line Resources

Planning Commissioner’s Journal: www.plannersweb.com/

People Can Plan Website: www.peoplecanplan.org/

Vermont Planning Information Center, an on-line information clearinghouse on local planning and regulation: www.vpic.info

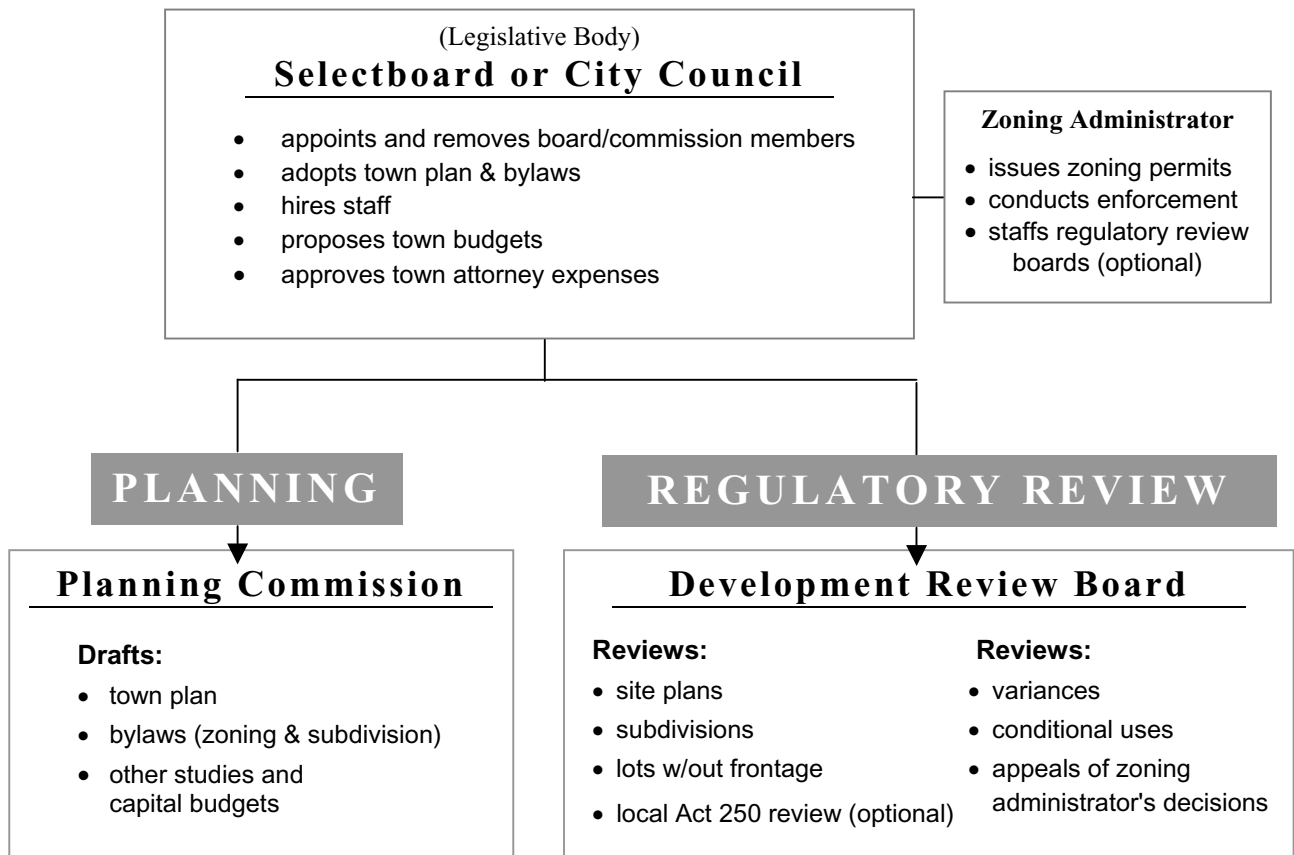
Vermont League of Cities & Towns: Municipal Assistance Center: www.vlct.org/law.htm

UVM Extension Service through the UVM Center for Rural Studies:

–data for planning and analysis: www.maps.vcgi.org/indicators/profiles.cfm

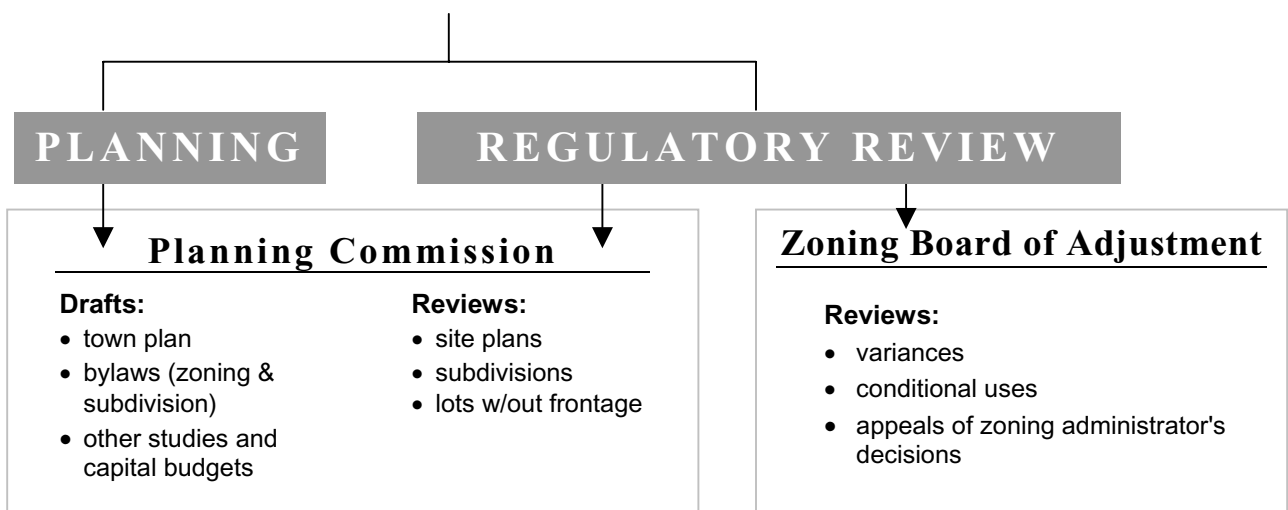
–help in preparing a town plan: www.crs.uvm.edu/cpdp/planner/index/cfm

Roles and Responsibilities of Local Land Use Officials

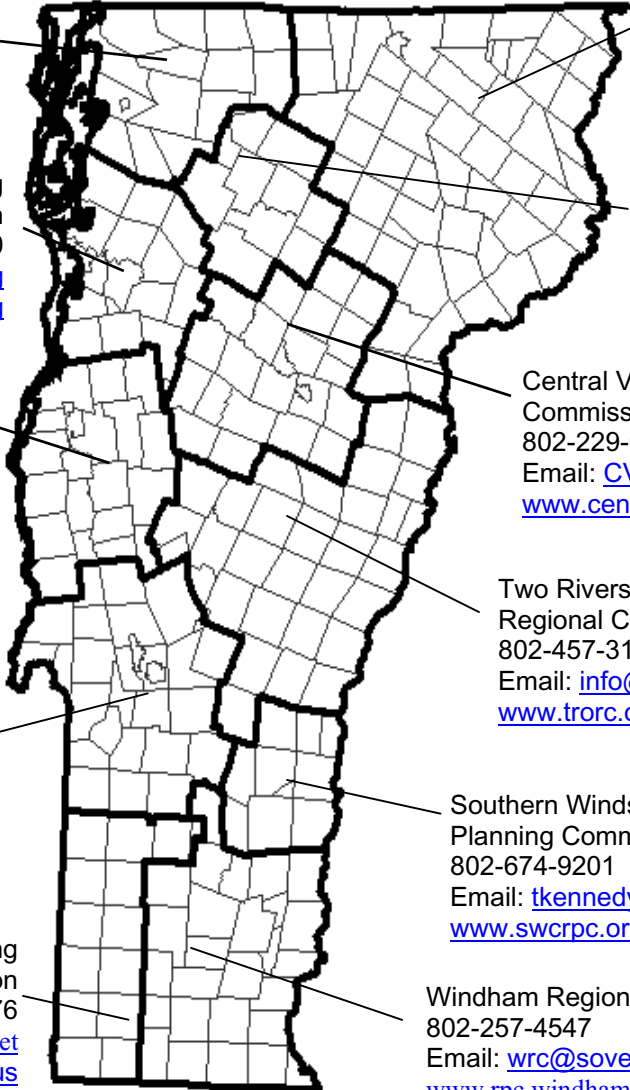


OR

In municipalities with a zoning board of adjustment instead of development review



Regional Planning Commissions



Northwest Regional Planning Commission
802-524-5958 or 800-564-5958
Email: nrpcvt@nrpcvt.com
www.nrpcvt.com/

Chittenden County Regional Planning Commission
802-846-4490
Email: administrator@ccrpcvt.org
www.ccrpcvt.org

Addison County Regional Planning Commission
802-388-3141
Email: alougee@sover.net
www.acrpc.org/

Rutland Regional Planning Commission
802-775-0871 or 800-464-7900
Email: mblucher@rutlandpc.org
www.rutlandrpc.org

Bennington County Regional Planning Commission
802-375-2576
Email: brcburk@verizon.net
www.rpc.bennington.vt.us

Northeastern Vermont Development Association
802-748-5181
Email: info@nvda.net
www.nvda.net

Lamoille County Planning Commission
802-888-4548
Email: lcpc@lcpcvt.org
www.lcpcvt.org

Central Vermont Regional Planning Commission
802-229-0389
Email: CVRPC@cvregion.com
www.central-vt.com/cvrpc

Two Rivers-Ottawaquechee Regional Commission
802-457-3188
Email: info@trorc.org
www.trorc.org

Southern Windsor County Regional Planning Commission
802-674-9201
Email: tkennedy@sover.net
www.swcrpc.org

Windham Regional Commission
802-257-4547
Email: wrc@sover.net
www.rpc.windham.vt.us/

Agency of Natural Resources (ANR) District Environmental Commissions (Act 250)

REGIONAL OFFICES

DISTRICTS 1 & 8

450 Asa Bloomer State Office Bldg.
Merchants Row
Rutland, VT 05701-5903
Permit specialist..... 786-5907
Regional Engineer 786-5900
Act 250 (Dist #1 & 8)..... 786-5920
Act 250 (Dist #9) 879-5614
River Management..... 786-5906

DISTRICTS 2 & 3

100 Mineral St., Suite #303
Springfield, VT 05156
Permit specialist..... 885-8850
Regional Engineer 885-8855
Act 250 (Dist #2, 3 & 3A) ... 885-8855
River Management..... 786-5906

Districts 4 & 6

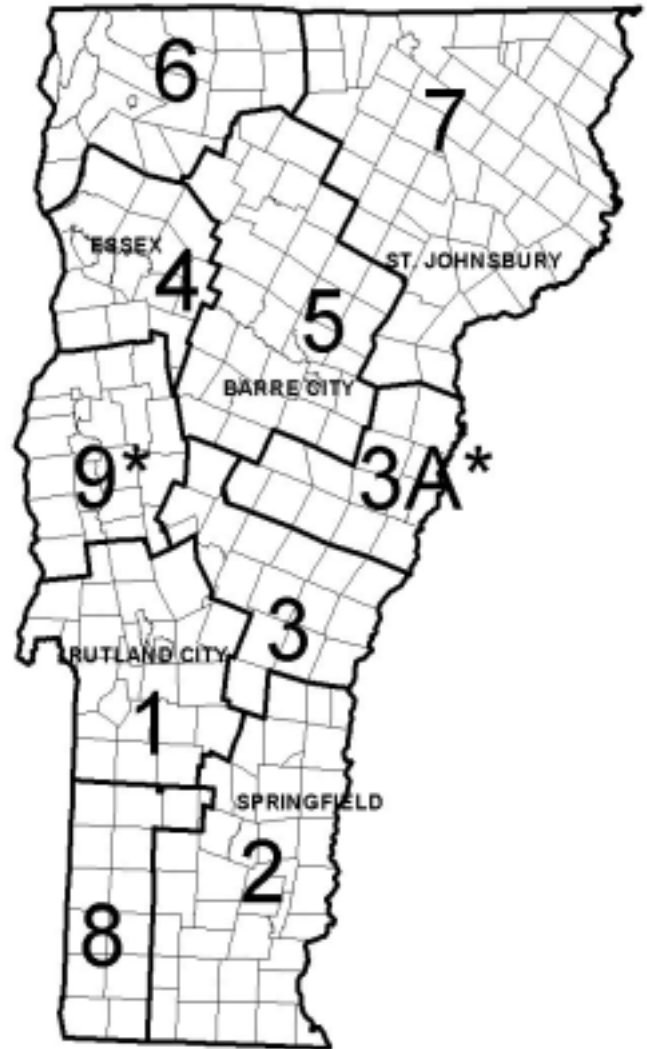
111 West St.
Essex Junction, VT 05452
Permit specialist..... 879-5676
Regional Eng (Dist #4 & 6). 879-5676
Regional Eng (Dist # 9) 786-5900
Act 250 (Dist #4, 6 & 9) 879-5614
River Management..... 879-5631

DISTRICTS 3A & 5

5 Perry Street, Suite 80
Barre, VT 05641
Permit Specialist 476-0195
Regional Engineer 476-0190
Act 250 (Dist #3A)..... 885-8855
Act 250 (Dist #5) 476-0185
River Management..... 879-5631

DISTRICT 7

1229 Portland St., Suite 201
St. Johnsbury, VT 05819
Permit specialist (Tues.) .. 751-0127
Regional Engineer 751-0130
Act 250..... 751-0120
River Management..... 751-0129



3A* Note:

Towns in District 3A must contact the Springfield office for Act 250 Permits. For Water Supply, Wastewater Disposal and Subdivision permits, District 3A must contact the Barre Office.

9* Note:

Towns in District 9 must contact the Essex Junction office for Act 250 Permits. For Water Supply, Wastewater Disposal and Subdivision permits, District 9 must contact the Rutland Office.

Produced by

**The Vermont Department of Housing & Community Affairs, as part
of the Land Use Education & Training Collaborative**

With assistance from the following:

VTrans

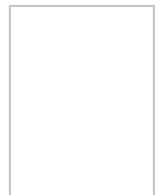
Vermont League of Cities & Towns

UVM Center for Rural Studies

Northwest Regional Planning Commission

Vermont Secretary of State

Planning Commissioners Journal



To:

PLANNING COMMISSION: LEGAL ROLES AND RESPONSIBILITIES

KAIL ROMANOFF, STAFF ATTORNEY
MUNICIPAL ASSISTANCE CENTER



1

AGENDA

Legal Framework of Municipal Land Use

Functions of a Municipal Land Use Program

The Municipal (Town) Plan

Regulatory Implementation of Plan

Resources

2

LEGAL FRAMEWORK: DILLON'S RULE

"We have consistently adhered to the so-called Dillon's Rule that a municipality has only those powers and functions **specifically authorized by the legislature, and such additional functions as may be incident, subordinate or necessary to** the exercise thereof."

Petition of Ball Mountain Dam Hydroelectric Project,
154 Vt. 189 (1990)

[Title 24 Chapter 117](#)

(Vermont Planning and Development Act) is the source of this authority and provides guidance for land use officials.

FUNCTIONS OF MUNICIPAL LAND USE PROGRAM:

- Municipal Plan
- Regulatory & Non-Regulatory Implementation Methods
 - Zoning Bylaws
 - Capital Budgeting
 - Official Map
 - Impact Fees
 - Advisory Committees
- [24V.S.A. § 4401](#)

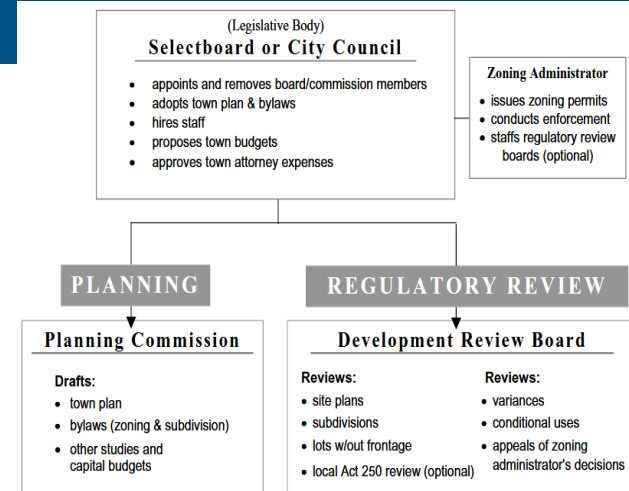
1. Executive
 - A. Administrative
 - B. Enforcement
2. Legislative
3. Quasi-Judicial



FUNCTIONS OF MUNICIPAL LAND USE PROGRAM:

FUNCTION	RESPONSIBLE PARTIES
1. Executive/ Administrative & Enforcement	Zoning Administrator/ Selectboard
2. Legislative	Planning Commission/ Selectboard
3. Quasi-Judicial	Development Review Board (input from Advisory Commissions)

FUNCTIONS OF MUNICIPAL LAND USE PROGRAM:



FUNCTIONS OF MUNICIPAL LAND USE PROGRAM: LEGISLATIVE FUNCTION

- **Legislative Function = Policy-making activity (E.g., Planning)**
 - Determines direction of community and articulates vision in Municipal Plan and Bylaws.
 - Conduct broad outreach and actively seek participation from the public.
 - Represent all interests of the community.
 - No role in regulation or enforcement.

FUNCTIONS OF MUNICIPAL LAND USE PROGRAM: LEGISLATIVE FUNCTION

- Legislative Function (PC)
 - Provides leadership on planning matters.
 - Primary function is drafting policies of general applicability
 - See [24 V.S.A. § 4325](#)
 - Broad statutory planning authority from [Title 24, Chapter 117](#).
 - See Subchapter 2.
 - Acts like a legislative body.

FUNCTIONS OF MUNICIPAL LAND USE PROGRAM: LEGISLATIVE FUNCTION

PC Authority & Money:

- No budgeting authority
- No authority to pay personnel or consultants
- No authority to expend town funds
- Authority to accept and utilize funds or assistance made available by state or federal government or any private source



FUNCTIONS OF MUNICIPAL LAND USE PROGRAM: LEGISLATIVE FUNCTION

- Legislative Function (SB)
 - Holds legislative hearings on proposed zoning bylaws, town plan, regulatory tools.
 - Adopts, amend, and repeals planning documents (unless the town votes).

FUNCTIONS OF MUNICIPAL LAND USE PROGRAM: EXECUTIVE FUNCTION

o Executive Function = Administrative activity (ZA)

- [24 V.S.A. §§ 4448 - 4449.](#)
- Assists applicants.
- Provides support to PC and DRB.
- Applies applications for development to bylaws.
 - o Responds or refers to DRB.
- Issues permits when administrative approval allowed or after DRB approval.
- Records documents with clerk, informs listers.
- All actions, inaction, and decisions are appealable to DRB.

FUNCTIONS OF MUNICIPAL LAND USE PROGRAM: EXECUTIVE FUNCTION

o Executive Function = Enforcement activity (ZA)

- Must “enforce the zoning ordinance...” *In re Letourneau*, 168 Vt. 539 (1998).
- Identify and confirm violations.
- Informal warnings – seek voluntary compliance.
- Formal Notice of Violation (NOV).
- Works with selectboard on identifying enforcement priorities and formal enforcement actions.

FUNCTIONS OF MUNICIPAL LAND USE PROGRAM: EXECUTIVE FUNCTION

o Executive Function (SB)

- Sets goals, expectations, political tone.
- Appoints and removes all zoning officers (unless elected).
- Ensures zoning program has adequate resources.
- Responsible for training, consulting, and legal assistance, as needed.
- Controls budget.
- Works with ZA on formal enforcement actions.
- Represents Town in court proceedings.

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FUNCTIONS OF MUNICIPAL LAND USE PROGRAM: QUASI-JUDICIAL FUNCTION

o Quasi-Judicial Function = Regulatory activity (DRB)

- Title 24, Subchapter 10.
- Review all applications as referred to by ZA.
- Hears all appeals of ZA actions/inactions/decisions.
- Interprets regulations and applies specific proposals to review criteria in the regulations.
- Receives recommendations from advisory committees, if created.
- Holds hearings, reviews evidence, issues written decisions.

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FUNCTIONS OF MUNICIPAL LAND USE PROGRAM: DIFFERENT GROUND RULES

- **Legislative Function = policy making**
 - Represents the **entire** community's interests
 - Prioritizes community's general welfare over personal interests
 - Actively seeks community participation and buy-in
 - Crafts and implements community's vision
- **Executive/Administrative Function = implementation and enforcement**
 - Customer service
 - Application review
 - Prioritize compliance and enforcement
- **Quasi-Judicial Function = interpret regulations and application review**
 - Base decisions exclusively on evidence presented at hearings, bylaws, statutes
 - Neutral, unbiased decision-making
 - Avoid ethical dilemmas such as ex-parte communication or properly manage if unavoidable

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FUNCTIONS OF MUNICIPAL LAND USE PROGRAM: KNOW YOUR ROLE

- The DRB is not a check on the PC/SB.
- The PC is not a check on the DRB.
 - The PC is not an appropriate municipal panel; let the DRB do its job.
- The ZA must “administer the bylaws literally” and issue permits consistent with DRB decisions.
 - [24 V.S.A. § 4448\(a\)](#)
- The SB has broad appointment and ultimate budgetary authority.

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RELATIONSHIP BETWEEN STATE AND MUNICIPAL AUTHORITY OVER LAND USE

State Regulation	Application	Relationship to Municipal Authority
Required Agricultural Practices (RAPs)	Farm operations over certain size, number animals, or income	Takes place of municipal authority
Public Utility Commission (formerly "PSB")	Energy facilities producing certain amount of energy	Takes place of municipal authority; some deference
Act 250	Large developments	Parallel to municipal authority
State Water/Wastewater Permit	Construction of a water or wastewater supply in a building	Parallel to municipal authority

LEGAL FRAMEWORK: ORGANIZATION OF THE PLANNING COMMISSION

■ **Selectboard:**

- Appoints members, fills vacancies, and decides terms (unless town meeting vote to elect)
- May remove PC members by unanimous vote

■ **Planning Commission:**

- Elects chair and clerk (may elect other officers)
- Keeps record of resolutions and transactions
- Adopts rules of procedure

[24 V.S.A. § 4323](#)

THE MUNICIPAL PLAN

A municipal plan is legally required before a municipality may adopt:

- Zoning regulations
- Subdivision regulations
- Flood-hazard regulations
- Capital budget and program
- Impact fees



A municipal plan is:

- the only way to influence state regulatory proceedings;
- the only way to qualify and/or receive priority for state and federal programs; and
- a valuable source of information and direction for the community.



Document	Purpose	Regulatory effect within the Town?	Regulatory effect in State process?
Town Plan	A guide and the basis for regulations: The town's broad vision for the future and identifying major problems and/or opportunities, then laying the foundations for reaching the plan's goals.	No	Yes
Land Use Regulations (Zoning, subdivision, etc)	Legal requirements for development: Regulations implement the plan by setting specific standards for development that others must follow.	Yes	Generally, No

THE MUNICIPAL PLAN: CONTENTS

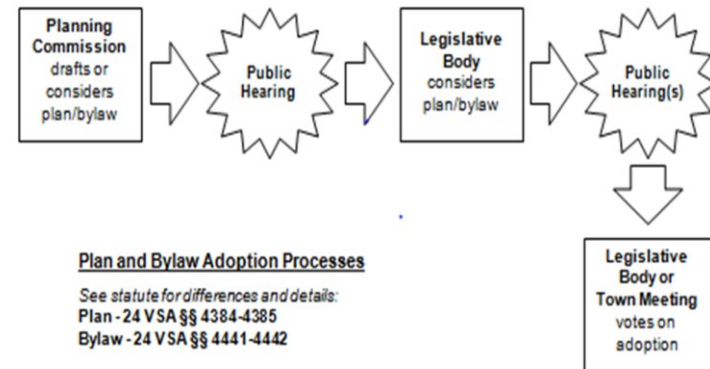
12 Legally-required
elements:

[24 V.S.A. §4382](#)

Additional (discretionary) elements
such as:

25

THE MUNICIPAL PLAN ADOPTION AND AMENDMENT



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WHO?

- Amendment or readoption may be initiated by PC, or any other person or entity - but all proposed amendments flow through the PC

WHEN?

- PC has discretion whether to act on proposed amendment.
 - Exception: voter-backed petition => mandatory process (but not mandatory adoption)

HOW?

- PC prepares a written report and distributes
- PC holds at least one public hearing
- PC may make changes
 - Exceptions: voter-backed petition or SB request
- PC forwards proposed amendment, PC report, and recommendation to SB

WHEN?

- With every proposed amendment received from PC

HOW?

- Hold at least 2 public hearings
- May make changes
- Changes trigger need for PC to update its report (and may trigger need for additional hearing)
- Discretion whether to adopt (regardless of voter-backed petition)
- Adoption by vote at SB meeting (unless municipality has voted to adopt plans by Australian ballot)

AFTER Adoption:

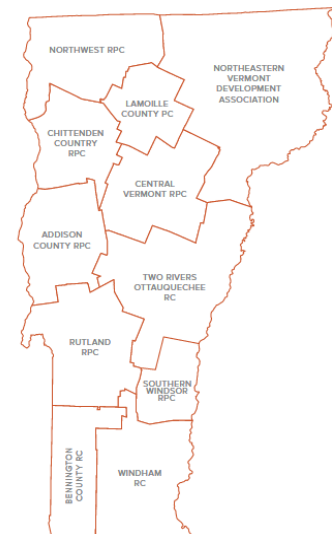
- Amendment is effective upon adoption.
- No opportunity for voter override.
- Plan expires every 8 years unless updated and readopted.
- If expiration:
 - Bylaws still in effect, but may not amend.
 - Plan is not considered in Act 250 and PUC proceedings.
 - Not eligible for state grants and designation programs.

**THE MUNICIPAL PLAN
CONTEXT****Regional Planning Commissions**

- Technical assistance and education
- Coordinate regional planning process
- Confirm municipal plans

Regional Plan:

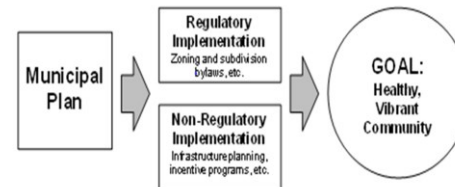
- Similar required elements.
- One of RPC's functions is to harmonize local plans with regional plans



THE MUNICIPAL PLAN MAINTENANCE, AMENDMENTS AND RE-ADOPTION

- PC is responsible for maintenance and amendment of the plan.
 - Before the plan expires (8 years), PC must:
 - Review and update foundational information; and
 - Decide whether major change is needed; or
 - Decide whether plan is still applicable and relevant.
- Town may readopt BUT must incorporate updated data and report on any changes in the status of implementation strategies. Must add any new required elements.

MUNICIPAL PLAN IN ACTION



REGULATORY IMPLEMENTATION OF THE MUNICIPAL PLAN

PERMIT NOTICE

Address: _____
 Applicant: _____
 Project Description: _____

☐ **Permit / Approval**
 Type: _____
 Date Issued: _____
 Appeal by: _____

☐ **Public Hearing**
 Date / Time: _____
 Place: _____
 Purpose: _____

For more information contact: _____

Applicant: This notice shall be displayed on the subject premises and be clearly visible from the public way. Notice shall be displayed at the time of application and shall not be removed until after the separate expiration date.

PLANNING COMMISSION
 Planning & Zoning Collaborative

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REGULATORY REVIEW: TYPES AND LEVELS

- Zoning Regulations
 - Permitted Uses
 - Conditional Uses
 - Variances
 - Waivers
- Site Plan Review
- Subdivision Review
- Flood Hazard Regulations



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PERMITTED USES

- Permitted Uses per Bylaws
- Permitted or Denied by ZA
 - E.g., Single Family Dwelling
- Provides Basic Review of Project
- Allows for Paper Trail

“Yes,
Provided...”



ZA

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CONDITIONAL USE REVIEW

- Uses can be permitted “conditionally”
- Must meet certain standards
- More intense review than permitted uses
- Typically looks at external impacts
- May impose reasonable conditions

“Maybe, but
only...”



DRB

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SITE PLAN REVIEW

- Conducted by DRB
- Prerequisite to development approval (for other than 1 and 2 family dwellings)
- Evaluates properties of site for:
 - Exterior lighting
 - Landscaping
 - Parking
 - Traffic access/flow
 - Signs
- DRB may impose conditions (as per bylaws)



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VARIANCES

- Must have a bylaw provision on variances; must duplicate state law
- Allows applicant to ask DRB to modify local bylaw
- Requests can be frequent but Applicant approvals should NOT be frequent (very high threshold – unusual to meet all criteria)

“Yeah, but...”



Applicant

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WAIVERS

- Allows DRB to permit development that doesn't comply strictly with bylaw – but only as to dimensional requirements
[24 VSA § 4414\(8\)](#)
- Need to specifically provide for in bylaw before granting.
 - Common Examples: handicapped access, fire safety, setback waiver
- Less-restrictive requirements for bylaw modification than variances

“Yeah, but...”



Applicant

SUBDIVISION REVIEW

- Ensures safe, useable division of parcels
- Review criteria:
 - Minimum lot size
 - Appropriate lot size for district
 - Adequate vehicular access
 - Adequate infrastructure – fire protection, roads, sidewalks, access to water/sewer
- Three Common Levels of review in subdivision process:
 1. Sketch plan review
 2. Preliminary subdivision review
 3. Final subdivision review

FINAL CONSIDERATIONS **YOU** ARE THE GOVERNMENT!

State Statutes

- Land Use and Planning Statutes
 - [24 V.S.A. Chapter 117](#)
- Joint Authority Statute
 - [1 V.S.A. § 172](#)
- Open Meeting Law
 - [1 V.S.A. § 310 et seq](#)
 - See also our [OML FAQs](#)



FINAL CONSIDERATIONS CONFLICTS OF INTEREST

[24 V.S.A. § 1984](#) requires municipalities to adopt a conflict of interest prohibition: follow your policy!

- A conflict of interest prohibition for its elected and appointed officials, shall contain:
 - A. A definition of "conflict of interest."
 - B. A list of the elected and appointed officials covered by such prohibition.
 - C. A method to determine whether a conflict of interest exists.
 - D. Actions that must be taken if a conflict of interest is determined to exist.
 - E. A method of enforcement against individuals violating such prohibition.

RESOURCES

- [VLCT Municipal Assistance Center](#) – [Login help \(MAP FAQs\)](#)
- Vermont Agency of Commerce and Community Development
[Municipal Planning Manual](#)
- Vermont Planning Information Center ([VPIC](#))
 - [Planning and Zoning Resources:](#)
 - PC [welcome packet](#)
 - Town Plan and Bylaw [Adoption Toolkit](#)
- Vermont Natural Resources Council (VNRC)
 - [Community Planning Toolbox](#)
- [PlannersWeb](#) (articles):
- Vermont Statutes Online ([Title 24, Chapter 117](#)):



[VLCT MUNICIPAL
ACCESS PORTAL
\(MAP\):](#)

MAC MEMBER
INQUIRY SERVICE: [Ask
a Legal Question?](#)

INFO@VLCT.ORG

(802) 229-9111

ESSENTIALS OF LAND USE PLANNING AND REGULATION

1. Roles and Responsibilities
2. Planning for a Vibrant Sustainable Community
3. Implementing the Plan
4. Meetings, Hearings and Due Process

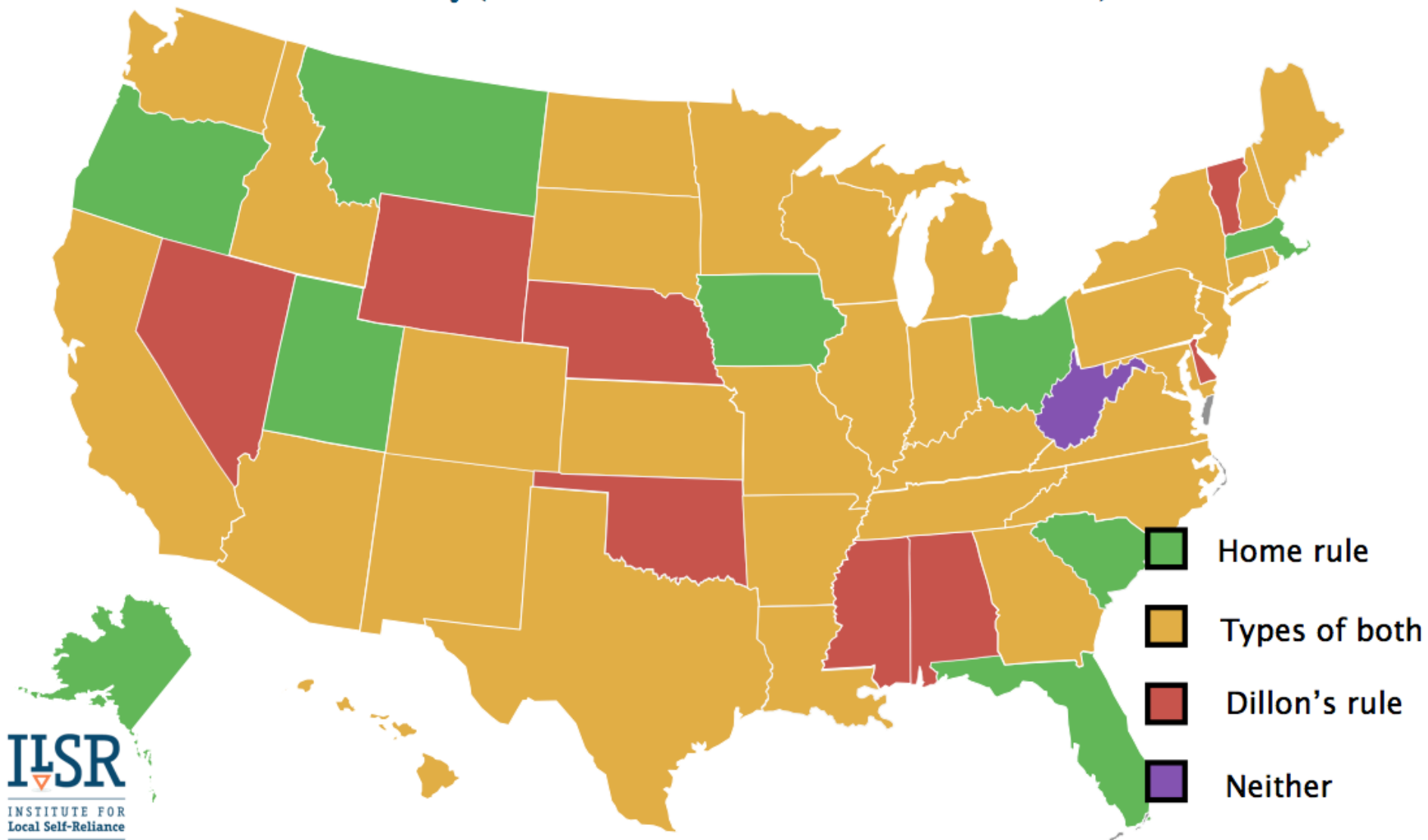
ROLES AND RESPONSIBILITIES

Section 1

Planning Starts with the State

- Vermont is a Dillon's Rule state. This means that a municipality's abilities to govern are strictly authorized by the Vermont Legislature.
- A municipality must obtain permission from the Legislature if it wants to exercise authorities beyond those granted by the State.
- In contrast, Home Rule states allow municipalities to govern themselves, provided they obey state and federal laws.

The Limits of Local Authority (Based on “Home Rule” and “Dillon’s Rule”)



Planning Starts with the State

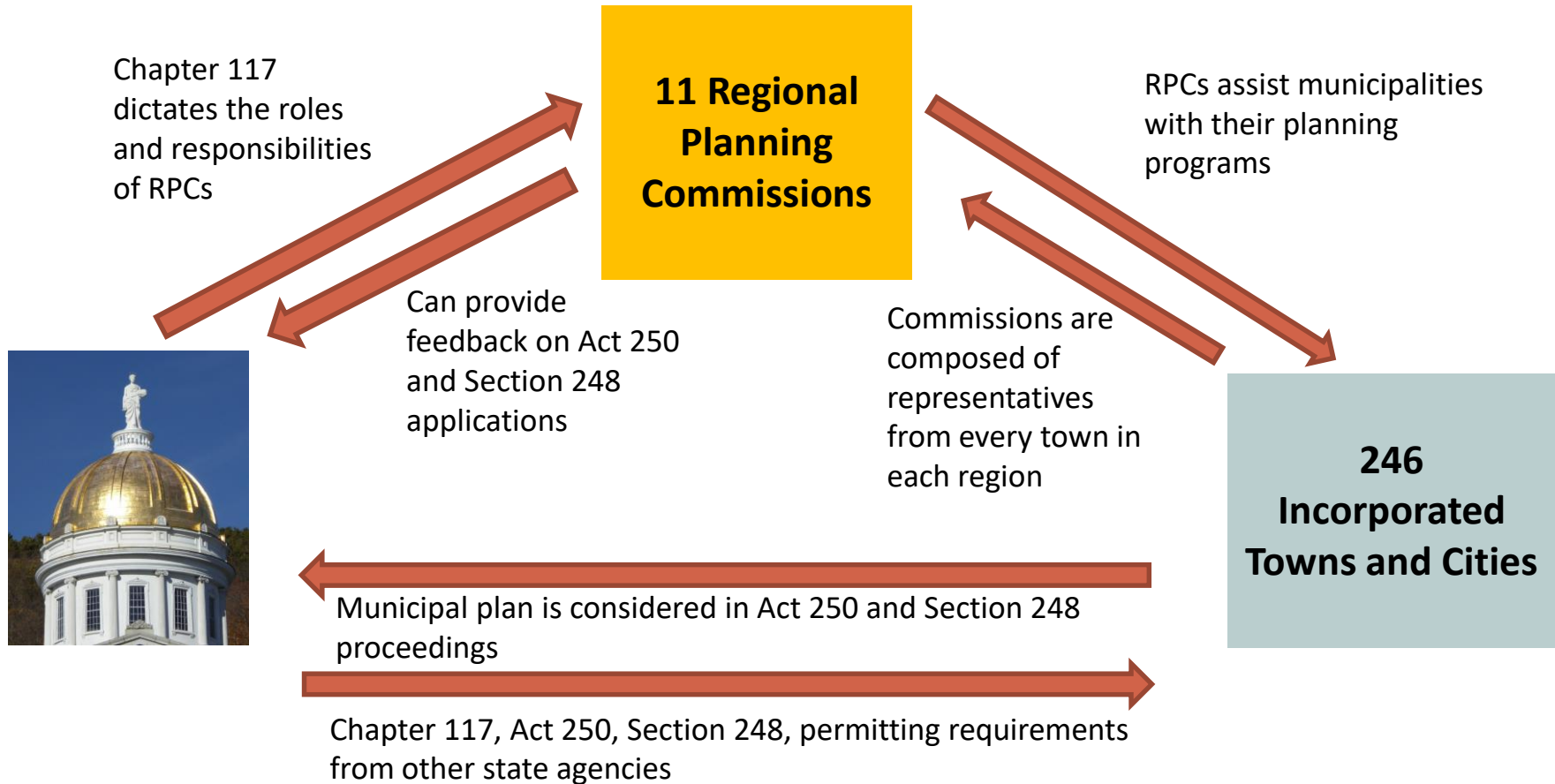
- Since Vermont is a Dillon's rule state, a municipality's ability to implement land use planning mechanisms expressly granted by the state.
- This is codified in 24 V.S.A. Chapter 117, other known as The Vermont Planning and Development Act (<https://legislature.vermont.gov/statutes/chapter/24/117>)
- Chapter 117 provides a framework for the development of municipal plans, zoning bylaws, the formation of planning commissions and appropriate municipal panels (i.e. DRB), and other topics relating to land use.

Planning Starts with the State

The State affects local land use in other ways...

- **Act 250** – Requires that certain categories of development obtain a state land use permit.
- **Section 248** – A form of state review and approval for work on electric transmission or generation facilities, telecommunication facilities, certain gas pipelines, and other utilities.
- **Air, Fish & Wildlife, Indirect Discharge / Underground Injection Control, Lakes and Ponds, Rivers, Salvage Yards, Solid Waste Management, Stormwater Management, Underground Tanks, Wastewater and Potable Water Systems, and Wetlands, and others.**

The Flow of Planning in Vermont



How Municipalities Can Regulate Land Use?

Creating a Municipal Plan allows a municipality to enact zoning, subdivision, and flood hazard bylaws. A municipality cannot adopt these bylaws without first having a Municipal Plan.

Select Board / City Council can also adopt ordinances that impact local land use. *“A municipality may adopt, amend, repeal, and enforce ordinances or rules for any purposes authorized by law”*

24 V.S.A. § 2291 specifies 29 different kinds of ordinances a municipality can enact (i.e. snow removal from sidewalks, licensing of itinerant vendors, regulations for dogs, solid waste regulation, public nuisances, alcohol in public places...)

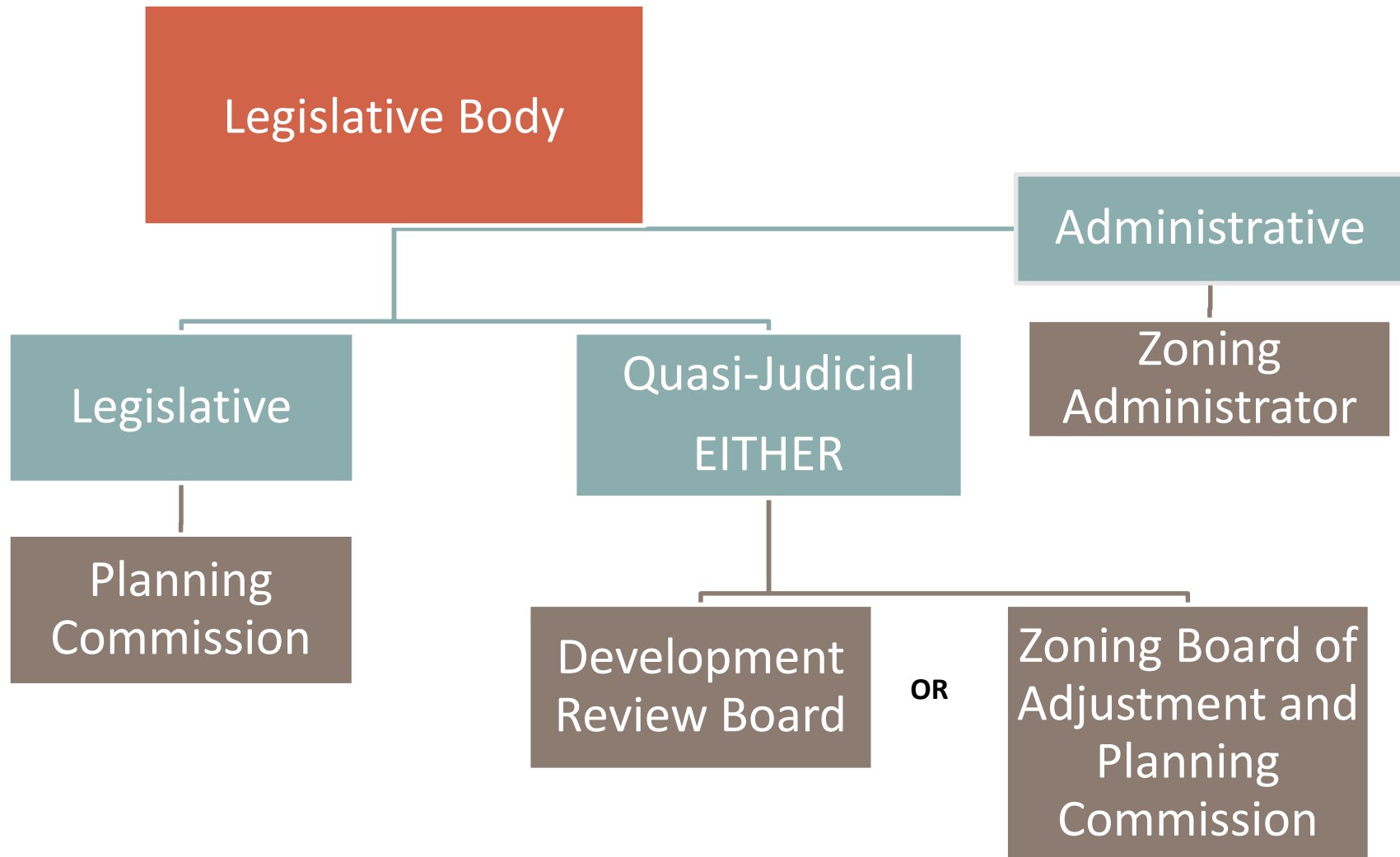
Municipal Land Use: Roles and Responsibilities

- Legislative Body – Select Board, City Council
- Planning Commission
- Zoning Administrator
- Appropriate Municipal Panel (AMP)- DRB or PC/Board of Adjustment
- Staff Planner

Other roles in municipal land use

- RPCs
- Consultants
- Citizens

Municipal Land Use: Roles and Responsibilities



Planning Commission

Structure

- A 3 to 9 member board with fixed terms typically appointed by the Select Board or City Council

Roles

- Prepares the Municipal Plan
- Prepares Zoning/Development Regulations
- Can prepare or edit Capital Budget and Program
- Prepares other studies and make recommendations on matters of land development, urban renewal, transportation, economic and social development
- Participates in a regional planning program
- Retains staff and consultant assistance

Summary

- PC functions in a legislative capacity in that it can solicit public input, weigh options and make policy decisions.
- However, this work does not have force and effect of law until approval by Select Board or City Council.

Select Board or City Council

Roles

- Reviews and may edit Municipal Plan and either adopts or sends to voters
- Reviews and may edit Zoning Bylaws/Development Regulations and either adopts or sends to voters
- Prepares or edits and adopts Capital Budget and Program
- Creates and passes ordinances
- Appoints members of the PC and DRB, approves the hiring of a ZA
- Approves budget for committees and salaries for staff
- Makes many important land use decisions, including the location of infrastructure such as water supply and wastewater disposal
- Approves town attorney expenses

Zoning Administrator

- Required by State law to administer the bylaws literally and prohibited from permitting any land development that does not conform with the bylaws.
- Reviews applications that do not require action by the appropriate municipal panel and issues zoning permits.
- Conducts enforcement
- May staff the PC or AMP
- Fills a vital customer service role by providing the public with the necessary forms and applications, assisting applicants through review processes and answering general questions about land use.

Appropriate Municipal Panel

AMPs act in a *quasi-judicial* capacity, meaning they function like a court in applying the bylaws to development applications

Development Review Board

- Site plans
- Subdivisions
- Conditional uses
- Lots without frontage
- Variances
- Appeals of ZA decisions

OR

Planning Commission

- Site plans
- Subdivisions
- Lots without frontage

Zoning Board of Adjustment

- Conditional Uses
- Variances
- Appeals of ZA decisions

Staff Planner

- Supports and expands the capacity of the Planning Commission.
- Assists the Planning Commission by performing research, conducting analyses, initiating public engagement and drafting language for Town Plans and Zoning Bylaws.
- Performs grant writing and management
- Provide in-depth analysis of development applications, ensuring a consistent and efficient review process.

Other Roles

Regional Planning Commissions

- If requested, review and approve municipal plans
- Can assist with municipal plan and bylaw development

Consultants

- Often hired by Planning Commissions to draft municipal plans and zoning bylaws, or deal with unique planning issues.

Citizens

- Anyone can submit proposed revisions to bylaws to the Planning Commission for consideration.
- If 5% of or more of a municipality's voters sign a petition in support of proposed revisions drafted by citizens, the Planning Commission must hold a public hearing on the revisions.

QUESTIONS?



PLANNING FOR A VIBRANT SUSTAINABLE COMMUNITY

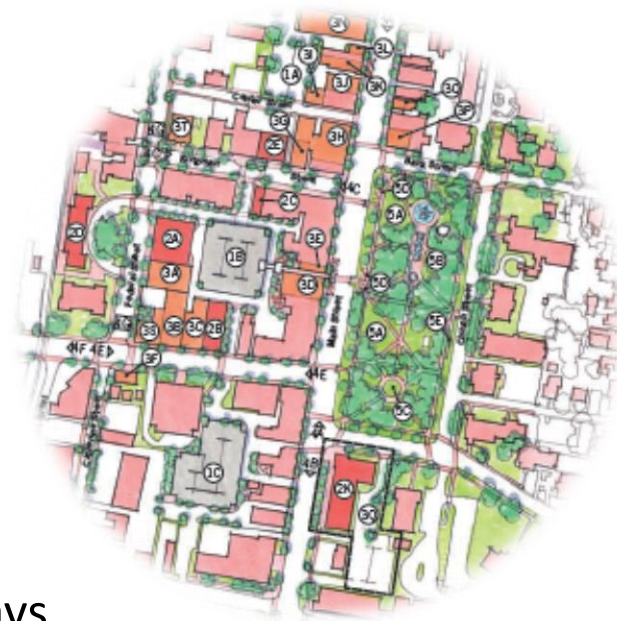
Section 2

What is a Municipal Plan? Why have one?

What: A guide for accomplishing community aspirations and intentions through public investments, land use regulations and actions the town can take to achieve its vision.

Why:

- Inclusive process develops community-wide vision
- Empowers communities to respond to change in ways that reflect their own goals, needs, priorities and values.
- Allows communities to designate areas to maintain as is, evolve over time or to transform more quickly into a better place.



With a current plan you can...

- Adopt Zoning, Subdivision and Flood Hazard Regulations
- Act 250 Applications must conform to your Town Plan
- Your Municipal Plan will be considered in Section 248 Certificate of Public Good Applications
- More competitive grant applications



How is a Plan Structured?

Remember Dillon's rule! The State has laid out guidelines on how to create a plan:

1. Four Planning Process Goals
2. Fourteen Planning Goals
3. Twelve Required Elements

How is a Plan Structured?

Planning Process Goals (§4302, §4381-§4387)

1. Coordinated comprehensive process to guide decision
2. Citizen participation at all levels
3. Consider use of resources and consequences of growth and development locally and beyond
4. Work with neighboring municipalities and region to implement plans

The process is often more important than the product!

How is a Plan Structured?

Planning Goals (§ 4 3 0 2)

1. Compact Centers
2. Strong Diverse Economy
3. Education and Vocational Training
4. Available Child Care
5. Efficient Public Facilities and Services
6. Recreational Opportunities
7. Quality Housing Available
8. Efficient Energy Use and Renewable Resources
9. Agricultural and Forest Industries
10. Flood Resiliency
11. Use Natural Resources Efficiently
12. Preserve Natural Resources
13. Air, Water and Wildlife Quality
14. Safe Convenient Transportation

How is a Plan Structured?

Required Elements (§4382)

1. Objectives, Policies and Programs
2. Land Use (Map and Statement), including any state designation
3. Transportation (Map and Statement)
4. Utilities and Facilities (Map and Statement)
5. Education (Map and Statement)
6. Energy (Option for Enhanced Energy Plan)
7. Economic Development
8. Housing
9. Flood Resilience
10. Policies on Preserving Rare Natural Areas
11. Compatibility with Adjacent Municipalities and Region
12. Implementation Program

Municipal Plan Adoption Process

➤ **Plans expire every 8 years**

- Revise or rewrite the plan before expiration – at a minimum, make necessary edits to data and implementation program

➤ **Adoption process can take several months**

- Planning Commission hearing with notice to adjacent communities
- Selectboard hearing (1 in rural municipalities and 2 in urban)
- Decision on adoption shall be made by Legislative Body, unless the Legislative Body or voters have elected to decide by Australian Ballot
- Plans go into effect upon adoption

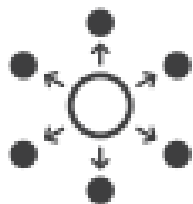
Creating or Amending a Municipal Plan

“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



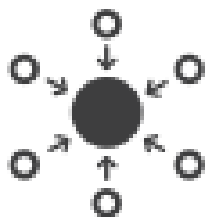
Types of Citizen Participation



INFORM

Commit to keeping citizens informed about planning. Help the public understand problems and solutions.

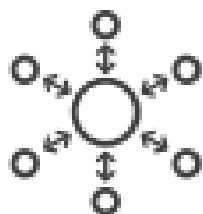
- ★ Fact Sheets
- ★ Newsletters
- ★ Websites



CONSULT

Provide opportunities for input on existing ideas – listen, acknowledge concerns and answer questions.

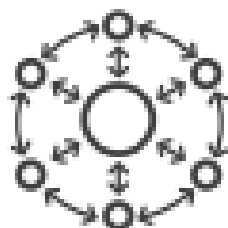
- ★ Surveys
- ★ Public Meetings



INVOLVE

Provide opportunities for dialogue and interaction. Obtain advice from the public and generate new ideas.

- ★ Workshops
- ★ Focus Groups



COLLABORATE

Partner with the public in decision-making, including the development of alternatives and identification of the preferred solution.

- ★ Citizen Advisory Committees
- ★ Participatory Decision Making (Charrettes)

Engaging People in Planning

Talk to people



**Food, fun and
celebration**



**Meet people
where they are**



**A culture of
communication**

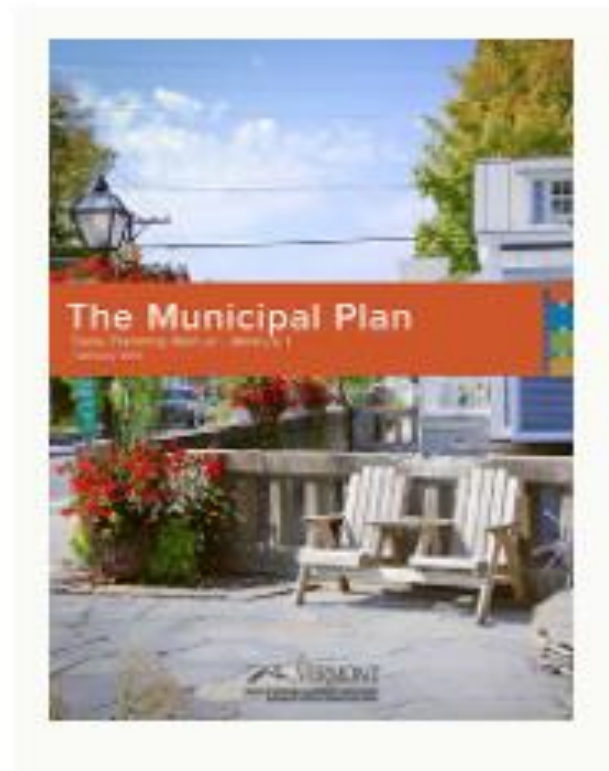


Regional Plan Approval & Confirmation

- **Municipalities may request Regional Planning Commission approval of the municipal plan.**
- **The RPC will first approve the municipal plan**
- **The RPC will then confirm the municipal planning process**
- **RPC confirmation allows municipalities to:**
 - Apply for state designation of downtowns, village centers, new town centers, neighborhood development areas and growth centers.
 - Apply for Municipal Planning Grants
 - Levy impact fees
 - Have plan considered by state agencies in their planning

Vermont Planning Manual –

<https://accd.vermont.gov/community-development/town-future/municipal-planning-manual>



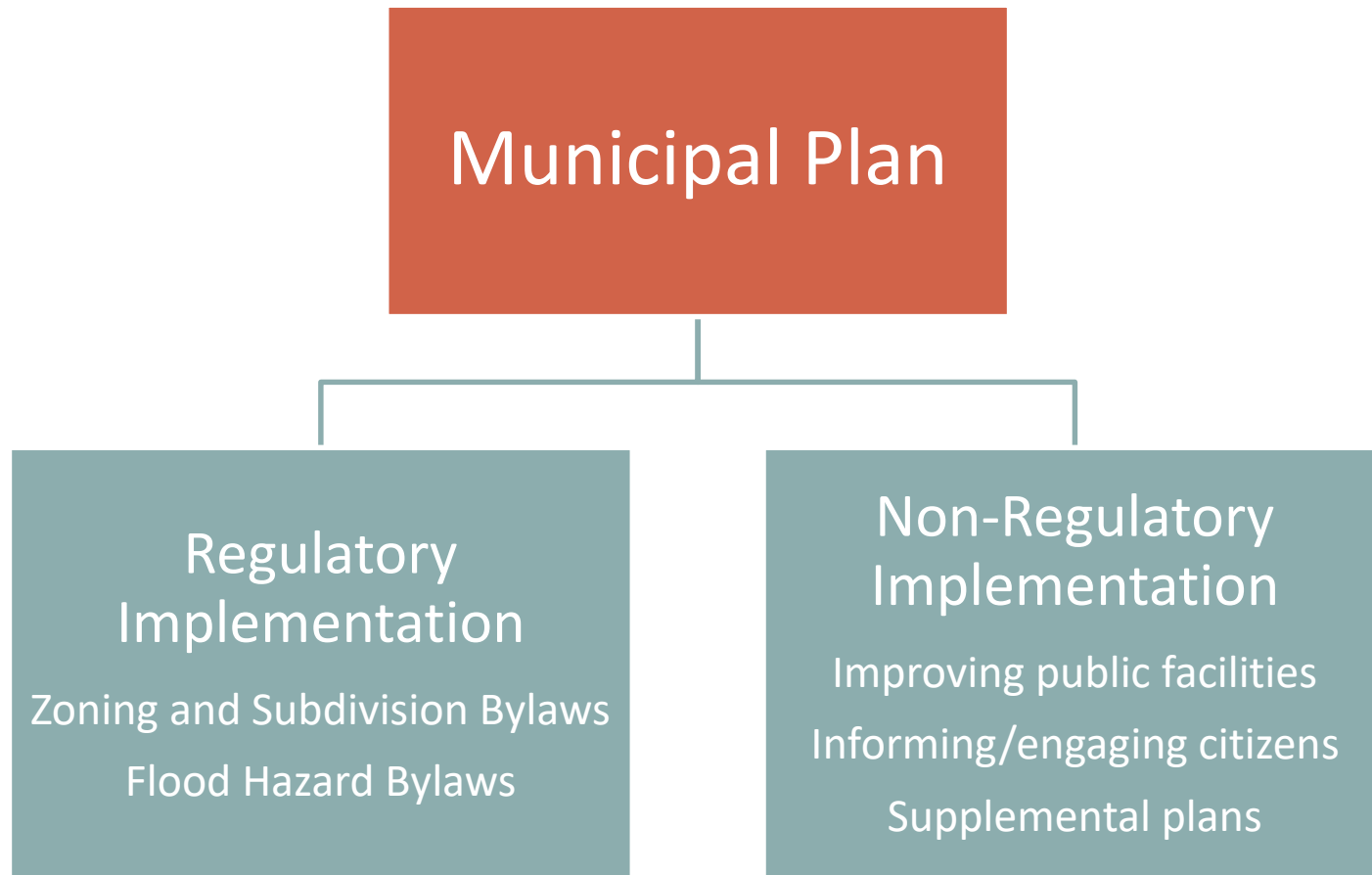
QUESTIONS?



IMPLEMENTING THE MUNICIPAL PLAN

Section 3

Implementing the Plan



Zoning and Subdivision Bylaws

- **§ 4411. Zoning bylaws**

(a) A municipality may regulate land development in conformance with its adopted municipal plan and [...] to govern the use of land and the placement, spacing, and size of structures and other factors specified in the bylaws related to ***public health, safety, or welfare***. Zoning bylaws may permit, prohibit, restrict, regulate, and determine land development...

Why Have Local Land Use Regulations?

Implement the vision and goals in your municipal plan, such as:



Promote compact, walkable development



Protect important natural resources



Minimize fragmentation of farmland



Incentivize affordable housing



Encourage efficient use of infrastructure



Ensure compatibility with historic character



Establish safe vehicular and pedestrian circulation



Make communities more flood resilient

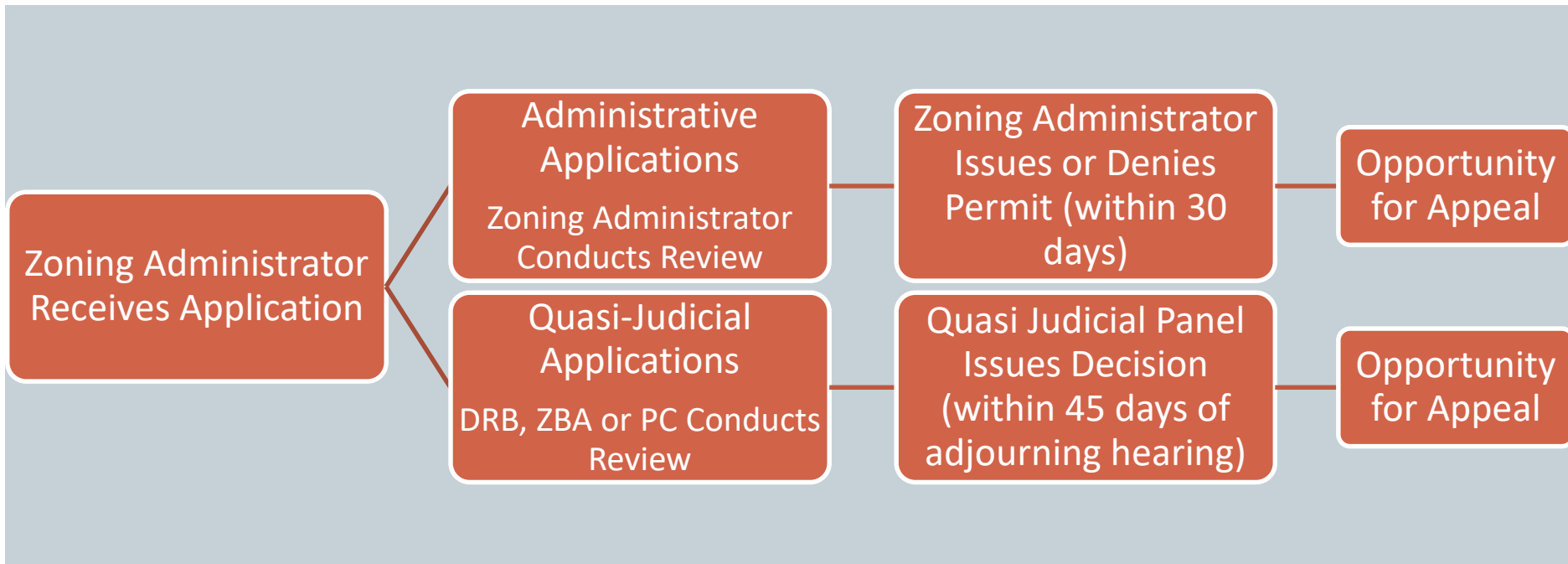
Why have flood hazard bylaws?

- The Federal Emergency Management Agency (FEMA) requires a town to have municipal flood hazard regulations before insuring properties located in flood hazard areas (flood insurance is needed for a mortgage).
- Nearly ninety percent of communities in Vermont participate in the NFIP.
- Participation in the NFIP and having a Local Hazard Mitigation Plan allows the community to apply for FEMA Hazard Mitigation Grants to address community flood problems including elevating or removing buildings in dangerous locations.
- Participation in the NFIP is one of the basic mitigation steps that qualify communities for extra financial support after a disaster.

Limits of Local Regulation

- Land use regulations tell people what they can and cannot do with their land, but they cannot deprive landowners of all reasonable use of their property (5th and 14th Amendments)
- Land use regulations can only regulate what is enabled in Vermont Statute (Dillon's Rule)
- Required Provision and Prohibited Effects (§4412 and §4413):

Zoning Permit Application



Local Regulation: Types of Review

Land Development:

- *Division of a parcel into 2 or more parcels*
- *Construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure*
- *Or of any mining, excavation, or landfill*
- *Any change in the use of any building or other structure, or land, or extension of use of land*

Type of Review	Function of Review
Zoning	
Permitted Use	Handled administratively, established by right
Conditional Use	Considers impacts and compatibility
Site Plan Review	Ensures good site design
Variances	Relaxation of standards in very specific cases
Waivers	Relaxation of standards via defined process
Planned Unit Developments	Allows for flexible design
Subdivision	Controls the pattern of future development

AMP Decisions

Decisions are established by majority, and must:

- Be in writing and contain:
 - ✓ Findings of fact on which each decision is based, and
 - ✓ Conclusions of law on how the bylaw applies
- Be based on review standards in bylaw
- Minutes may suffice for decisions issue in public deliberations

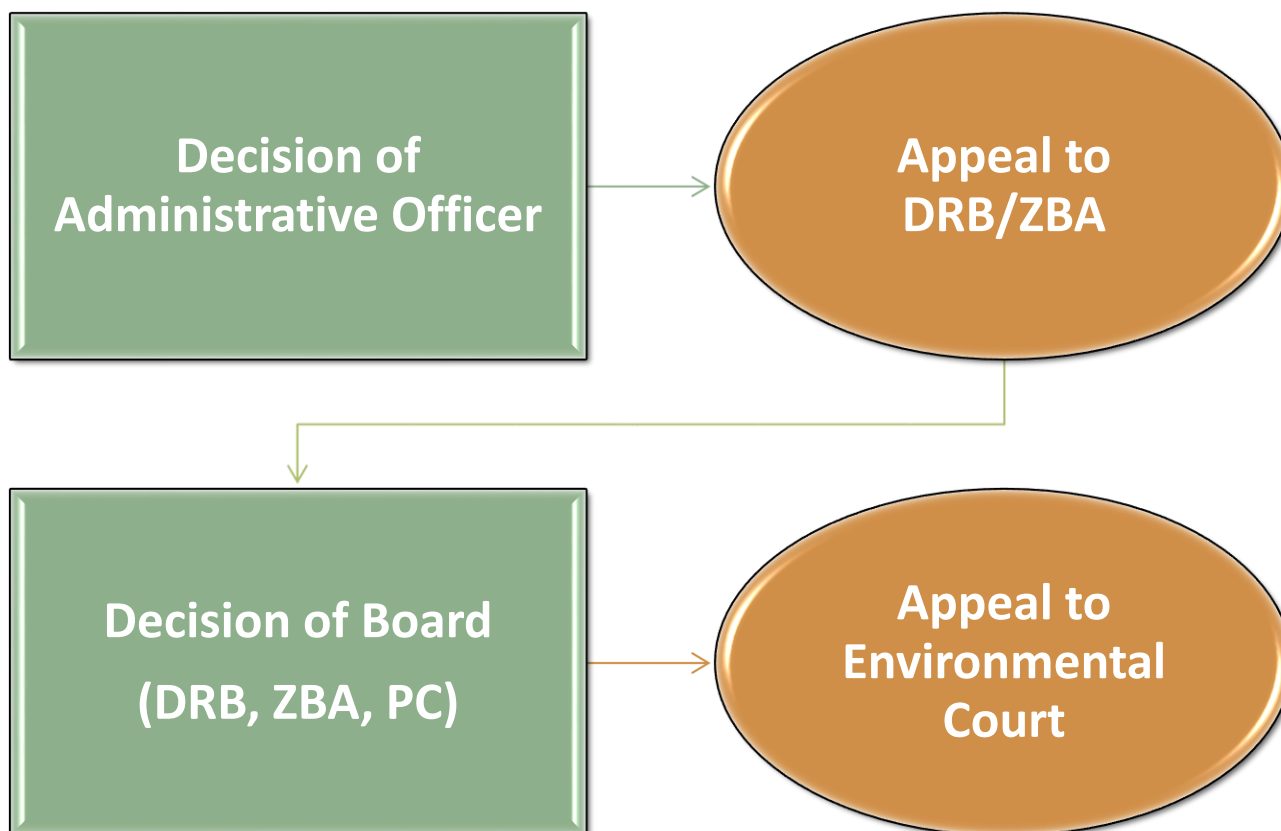
Timeline:

The quasi-judicial panel must issue written decision within 45 days of close of final public hearing. **DOES NOT NEED TO BE THE SAME NIGHT OF HEARING!**

It is a great **responsibility to prepare** written decisions, especially if done by volunteer board members. It is ideal when there is staff to prepare written decisions for review by the board. Sometimes, the ZA can play this role.

Appeals

Appeals may be at either local or state levels.



Interested Persons in AMP decisions may Appeal

Pursuant to 24 V.S.A. § 4465(b)

- The applicant
- The municipality and any adjoining municipality
- Property owners in the immediate neighborhood of the subject proposal
- Any petition of ten persons (combination of voters or property owners)
- Any department or administrative subdivision of the state owning property or any interest
- ACCD

Only interested persons who have participated may appeal!

Board can choose not to make interested person determinations and leave it to the Environmental Court!

Non-Regulatory Implementation

Complements regulatory implementation

Chapter 117 authorizes:

- Capital Budget and Program
- Tax Stabilization Contracts
- Purchase/Acceptance of Development Rights
- Supporting Plans
- Advisory Commissions
- Other projects and studies (whatever your plan recommends)

QUESTIONS?



MEETINGS, HEARINGS AND DUE PROCESS

Section 4

Meetings vs. Hearings

What happens...

Meetings

- Discuss business or take action
- Generally legislative

Legislative Hearings

- Receive public comment on a course of action (e.g. a plan or bylaw update)

Quasi-judicial Hearings

- Hear from parties seeking board approval

Who does it...

- All Public Bodies

- The Planning Commission
- Selectboard

- The Appropriate Municipal Panel (DRB / PC & ZBA)

Vermont's Open Meeting Law

(1 V.S.A. §§310-314)

- Post advance notice
- **Make the agenda available before the meeting**
 - At the municipal office
 - 2 other designated places
 - A Web site, if your town has one
- Let the public participate
- **Make the minutes available within five days**
- Address complaints of violations

www.vlct.org/vermont-local-government/vermont-open-meeting-law/

Public Notice

Meetings

- For regular meetings: 1 VSA §§310-314
- At least 48 hours*
- At town and 2 other places

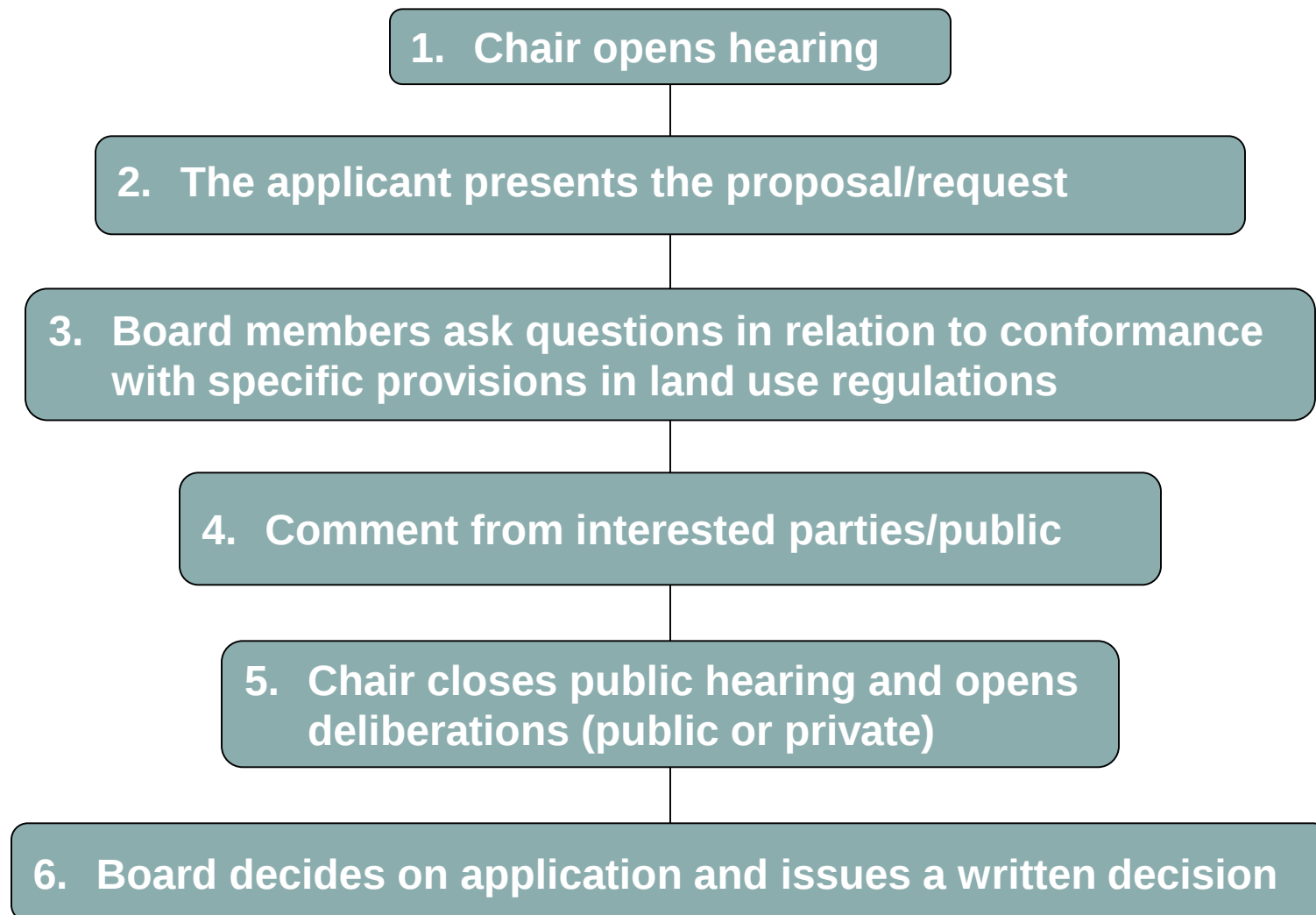
Legislative Hearings

- For plans and bylaw amendments
- 15 days
- Newspaper of record
- Certified Mailings

Quasi-Judicial Hearings

- For development review
- 7/15 days notice**
- Newspaper of record
- 3 or more public places
- Mailed to applicants and adjoiners
- Posting within view of nearest public ROW

Quasi-Judicial Public Hearing: Flow



Quasi-Judicial Public Hearing: Roles & Responsibilities

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

The entire Board:

- Listens to testimony and evidence;
- Asks questions;
- Refers to regulations;
- Avoids conflicts of interest;
- Bases decision on evidence presented
- Must not prejudge a matter or publicly express opinions on a pending case.

Quasi-Judicial Public Hearing: Opening

1. Review order of events
2. Remind of the importance of order
3. Make copies of the **rules of procedure and ethics policies** available.
4. Review definition of **interested persons** and ensure documentation of participants. Administer oath.
5. Request disclosure of **conflicts of interests or ex parte communications**

Quasi-Judicial Public Hearing: Deliberative Session

- Exempt from Open Meeting Law
- No requirement for notice or minutes
- Public or private
- Don't have to reveal how board members voted
- 45 days to issue a decision or deemed approved



Quasi-Judicial Public Hearing: Conflicts of Interest

- Financial interest (direct or indirect)
- Personal interest (direct or indirect)
- Known bias or prejudice
- Ex parte communication

It takes years to build trust with the public, but just one misstep to destroy it.



Quasi-Judicial Public Hearing: Managing Conflicts of Interest

- Adopt Rules of Procedure and Ethics – know them and follow them!
- Ex parte communication is very difficult to avoid, so ALWAYS disclose
- Recuse oneself when necessary
- Use alternates

In Summary: 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

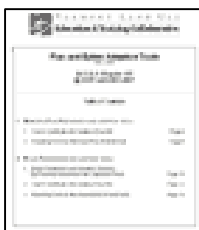
Tools and Resources Available:

- Title 24, Chapter 117, V.S.A, current and up to date: www.leg.state.vt.us/statutes
- Your local Regional Planning Commission: www.vapda.org
- www.vlct.org – Vermont League of Cities and Towns (VLCT)
- <http://accd.vermont.gov/community-development> – Department of Housing and Community Development

Learn more: www.vpic.info



Essentials of Local Land Use Planning and Regulation



Plan and Bylaw Adoption Tools



Rules of Procedure and Ethics Manual

And more resources at www.vpic.info

QUESTIONS?



Evaluation Link: <https://www.surveymonkey.com/r/2VT7CBV>



Rules of Procedure
City of Barre
Planning Commission
May 16, 1997; September 26, 2019; May 14, 2026

Article I. Establishment of Rules of Procedure

- (a) **Authority.** The Planning Commission of the City of Barre shall be governed by the provisions of all applicable state statutes, the City Charter, and these Rules of Procedure, as adopted by the Planning Commission.
- (b) **Adoption of these Rules.** The Planning Commission Rules of Procedure shall be those adopted by the Commission in accordance with 24 VSA §4462. Upon adoption of the rules, a copy of these rules and all amendments shall be filed with the City Clerk as a public record and be made available to the public upon request.
- (c) **Amendments.** These rules may be amended at any regular meeting by an affirmative vote of a majority of the Commission provided that such amendment has been presented in writing to each member of the Commission at least 48 hours preceding the meeting at which the vote is taken.

Article II. Officers and Duties

- (a) **Members.** The Planning Commission of the City of Barre shall have not less than three nor more than nine voting members appointed by the legislative body, and said legislative body may change the number of members that may be appointed to the Commission. At least a majority of the members shall be residents of the City of Barre; pursuant to Title 24 VSA §4322. The appointed Commission shall serve a three-year term. The Planning Commission shall perform such planning functions and duties as may be required by the City Council, Charter, Ordinances, or applicable state laws.
- (b) **Chairperson.** The Commission shall elect a Chairperson from among its members by a majority vote annually in the month of May, or soon thereafter. The Chairperson shall perform the duties prescribed by state law, the City of Barre's Charter, and these rules.
- (c) **Duties of the Chairperson.** The Chairperson shall call the meeting together, preside over all meetings of the Commission, put all questions, maintain order, decide all questions of order and procedure, subject to these rules, and shall appoint any committees found necessary to carry out the business of the Commission, subject to the order of a majority of the members of the Commission.
- (d) **Vice Chairperson.** The Commission shall elect a Vice Chairperson from among its members by a majority vote annually in the month of May, or soon thereafter. The Vice Chairperson shall perform all of the duties of the Chairperson in the Chairperson's absence, or when the Chair is not presiding.

- (e) Signature. The Chairperson's signature shall be the official signature of the Commission and shall appear on all applicable documents pertaining to actions of the Commission which were made at meetings of the Commission when the Chairperson was present and presiding. The Vice Chairperson's signature shall appear on all documents pertaining to actions of the Commission which were made with the Chairperson was not present or not presiding.
- (f) Secretary. A Secretary, who may or may not be a member of the Commission, or the Department of Planning, Permitting & Assessing staff, shall be appointed by a majority of the Commission. The Secretary shall perform the following duties:
 - 1. Keep the minutes of all Commission actions and proceedings, showing the vote of each member upon every question, or if absent, disqualified, or failing to vote, shall so indicate; and shall include in the minutes the names and addresses of all witnesses, and a summary of the facts on which the decision is based and the decision rendered.
 - 2. Preserve and keep the records of the Commission's examinations and other official actions.
 - 3. Cause to be filed all minutes and records of examination and other official actions with the City Clerk & Treasurer as a public record.
- (g) Vacancies. The Secretary shall give immediate notice of any vacancy of the Commission to the municipal legislative body. Any vacancy among the officers of the Commission shall be filled by election, for the unexpired term, at the regular meeting of the Commission. If the office of Chairperson becomes vacant, the Commission shall fill that office by election for the unexpired term at the next regular meeting of the Commission.
- (h) Attendance. Less than 75% attendance in any fiscal year or two unexplained absences by a Commissioner in a row is grounds for recommendation of dismissal to the City Council.
- (i) Vacancies. Vacancies shall be filled by the City Council upon the expiration of such term or an unexpired portion of any term.
- (j) Removal. Upon majority vote, the Commission may request that the City Council remove a Commissioner from the Planning Commission. Planning Commissioners may be removed at any time by unanimous vote of the legislative body per 24 VSA §4323(h).

Article III. Meetings and Hearings

- (a) Regular Meetings. Regular meetings of the Planning Commission shall be held on the second Thursday in each calendar month, unless there is no business to transact, in which case the meeting may be canceled. A backup meeting date is set for the fourth Thursday in a calendar month should the Commission require one.
- (b) Special Meetings. Special meetings of the Commission may be called by the Chairperson or by a majority of the members of the Commission, provided that at least 24 hours written notice of the time, place, and business of such meeting shall be given to each member of

the Commission. Action items requiring public hearing notice shall conform to the notice requirements in 24 VSA §4447 and will not be scheduled for a special meeting.

- (c) Site Visits. The Commission may convene at a site if the Commission feels a site visit will aid in their understanding of a proposed project, activity, or study. Members may visit a site individually or as a Commission. If a quorum of the Commission is present, it is an open meeting and its date and time must be announced and/or posted in accordance with state law.
- (d) Recess of Meeting or Hearing. The Commission may recess a meeting or hearing if all business cannot be disposed of on the day set. No further public notice shall be necessary provided that the date, time and place of the recessed meeting or hearing shall be announced prior to the adjournment.
- (e) Open Meetings. All meetings of the Commission and any subcommittees shall be open to the public, and held in a location that is handicapped accessible. No longer a quasi-judicial body, the Commission cannot enter into deliberative sessions which are not open to the public to discuss the issues. The Commission and any subcommittees can enter into executive sessions only in accordance with the Open Meeting Law.

Article IV. Conflict of Interest

All members of the Planning Commission shall abide by the City of Barre's Conflict of Interest Policy as most recently adopted by the Barre City Council. No disqualified member shall preside at a hearing or be counted by the Commission in establishing the required quorum. The applicant or any interested party may petition the Commission to disqualify any member because of a conflict of interest. If the Chairperson is disqualified, the Vice Chairperson shall preside. In the event the Vice Chairperson is unable to preside, a majority of the remaining Commission shall appoint an Acting Vice Chairperson for the proceeding.

Article V. Conduct of Public Hearings

- (a) Public hearings shall be conducted in accordance with the applicable rules as set forth in 24 VSA §4384, 24 VSA §4403, and other rules as are applicable.
- (b) Record of Proceedings. Proceedings at public hearings shall be recorded either electronically or by the Secretary.
- (c) Recess of public hearing. The Commission may recess a public hearing if all the matters pertaining to it cannot be disposed of on the day set. No further public notice shall be necessary provide that the date, time, and place of the recessed hearing shall be announced before adjournment.

Article VI. Voting

(a) Quorum. For the conduct of a meeting or hearing, and the taking of any action, a quorum of the Commission must be present, consisting of a majority of the Planning Commission.

(b) Majority Vote Required. Decisions on any matter before the Commission, except the amendment or adoption of procedural rules, shall require the concurrence of a majority of the members of the entire Commission, regardless of vacancies or disqualifications.

(c) Motions in the affirmative. All motions made for any decision shall be made in the affirmative. This does not imply that the person making or seconding the motion support that motion. A failure to obtain four (4) affirmative votes shall be considered a denial. An abstention equals a negative vote.

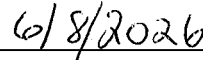
(d) Tie Vote. A tie vote shall constitute no action of the Planning Commission.

(e) Conflict of Interest. No Commission member shall participate in any hearing or vote on any matter in which he or she has a personal or direct or indirect financial interest in the matter under consideration.

These rules of procedure were adopted by the Planning Commission:



Chairperson David Sichel



Date

Barre City Future Land Use Map and Tier 1 Update

Over the last year, CVRPC visited each of our member municipalities to explain the Future Land Use Area (FLUA) mapping process and the new FLUA categories as part of Act 181. This was done as part of updating our Regional Plan, the guiding document for guiding future growth and regional decision-making. Part of the Regional Plan review process requires us to give each municipality the information included in this packet.

Attached are the following documents:

1. Memo outlining FLUA Map changes from 2024 to 2026,
- 2a. Barre City Tier 1 eligibility and State Designation information
- 2b. Information on the difference between Tier 1a and 1b,
- 2c. A draft City Council resolution,
3. Regional and Municipal Housing Targets

Commenting on the Regional Plan

We are collecting feedback and comments on the Regional Plan through August 28th.

CVRPC submitted a preliminary, “pre-application” draft of the Regional Plan to the Land Use Review Board (LURB) in June. The draft documents are available on the Regional Plan webpage at <https://bit.ly/CVRPC2026PLAN>

Commenting on the Future Land Use Map

We are collecting comments on the Future Land Use Map through August 28th.

The interactive map is online at <https://bit.ly/CVRPCFLUMAP>

- Left click on parcel to review its properties in a pop-up box. Use the scroll arrows on the side and the bottom of the pop up to see all the information for the parcel
- To leave a comment, click the blue feedback button at the bottom of the left-hand navigation pane and enter the address.

To find out more about the criteria for the different FLUA classifications, follow this link: <https://bit.ly/VAPDAFLUA>

Information on Housing Targets

For information about Regional and Municipal Housing targets, including a downloadable copy of the document on page 9, follow this link:

<https://bit.ly/CVRPC2026HOUSINGTARGETS>



To: Barre City Planning Commission

From: Central Vermont Regional Planning Commission

Date: July 2, 2026

Re: Summary of Proposed Regional Future Land Use Map Changes

CVRPC has maintained a Regional Plan, including Future Land Use (FLU) Maps, for more than 50 years. Act 181 established a new set of Future Land Use Areas (FLUAs), defined in 24 V.S.A. § 4348a, that are now used consistently by all Regional Planning Commissions. These categories are very similar to those used in the Central Vermont Regional Plan for more than a decade, including in the most recent 2024 Future Land Use Map. (See the table on page 2.)

Under Act 181, the Regional Future Land Use (FLU) Map now identifies areas eligible for Act 250 exemptions (Tier 1) and Vermont's state designation programs, which provide incentives for development. More information about the state designation programs is available at

<https://accd.vermont.gov/community-development/designation-programs>.

Local planning decisions remain in local hands. The Regional Future Land Use Map does not change municipal zoning, and neither the Regional Plan nor Act 181 requires towns to amend their zoning bylaws. Local regulations, decisions and community priorities will remain the primary guides for development decisions.

As part of Act 181, CVRPC will be meeting with municipalities throughout June and July to review the draft map, discuss Tier 1A and 1B options and the planning process, and get feedback and answer any questions about the Regional Plan.

This memo is intended to satisfy those statutory requirements and to provide an overview of the proposed changes affecting Barre City. Changes to the Future Land Use Map are described in the Summary of Regional Map Changes on page 3, and shown in the maps on pages 4 and 5.

If you have questions about this memo, the draft Regional Plan, the Future Land Use Map, or Act 181 implementation, please contact Lorraine Banbury at bunbury@cvregion.com.

Changes to Future Land Use Area Categories

Parcels were given Future Land Use Area classifications using a standard, statewide mapping methodology described at <https://bit.ly/VAPDAFLUA>.

A few notes:

- A parcel might have more than one FLUA within it.
- Not all communities will have all the FLUA types listed below.
- The previous “Rural” category has been separated into three distinct types of rural land: “Rural General,” “Rural Agriculture and Forestry” and “Rural Conservation.”
- Land previously designated as Resource was largely mapped as Rural Conservation in the 2026 map.

Future Land Use Areas Comparison 2024 and 2026

2024 Future Land Use Areas	2026 Future Land Use Areas
- Regional Centers - Town Centers - Villages - Mixed-Use Commercial - Industrial - Resort Centers - Resource - Hamlets - Rural	- Downtown Centers - Village Centers - Planned Growth Areas - Village Areas - Enterprise - Transition/Infill - Resource-based Recreation Areas - Hamlets - Rural – General - Rural – Agriculture and Forestry - Rural – Conservation

Summary of Regional Map Changes

Geographic Area	2024 FLU Map	2026 FLU Map	Notes
Downtown Barre City	Regional Center	Downtown Center, Rural Conservation, and Planned Growth Area	The regional center was divided into three new land use classes. The downtown center is a slight expansion of the legacy downtown designated area, and the surrounding planned growth area represents other areas for growth in the city. The rural conservation areas throughout the city center denote the presence of known flood hazard locations or properties unlikely to ever be developed (e.g. Hope Cemetery).
Areas in purple to the northwest and to the southeast of the regional center (2024 map)	Industrial	Enterprise	Reflects new land use category names.

Figure 1 2026 Barre City Future Land Use Map

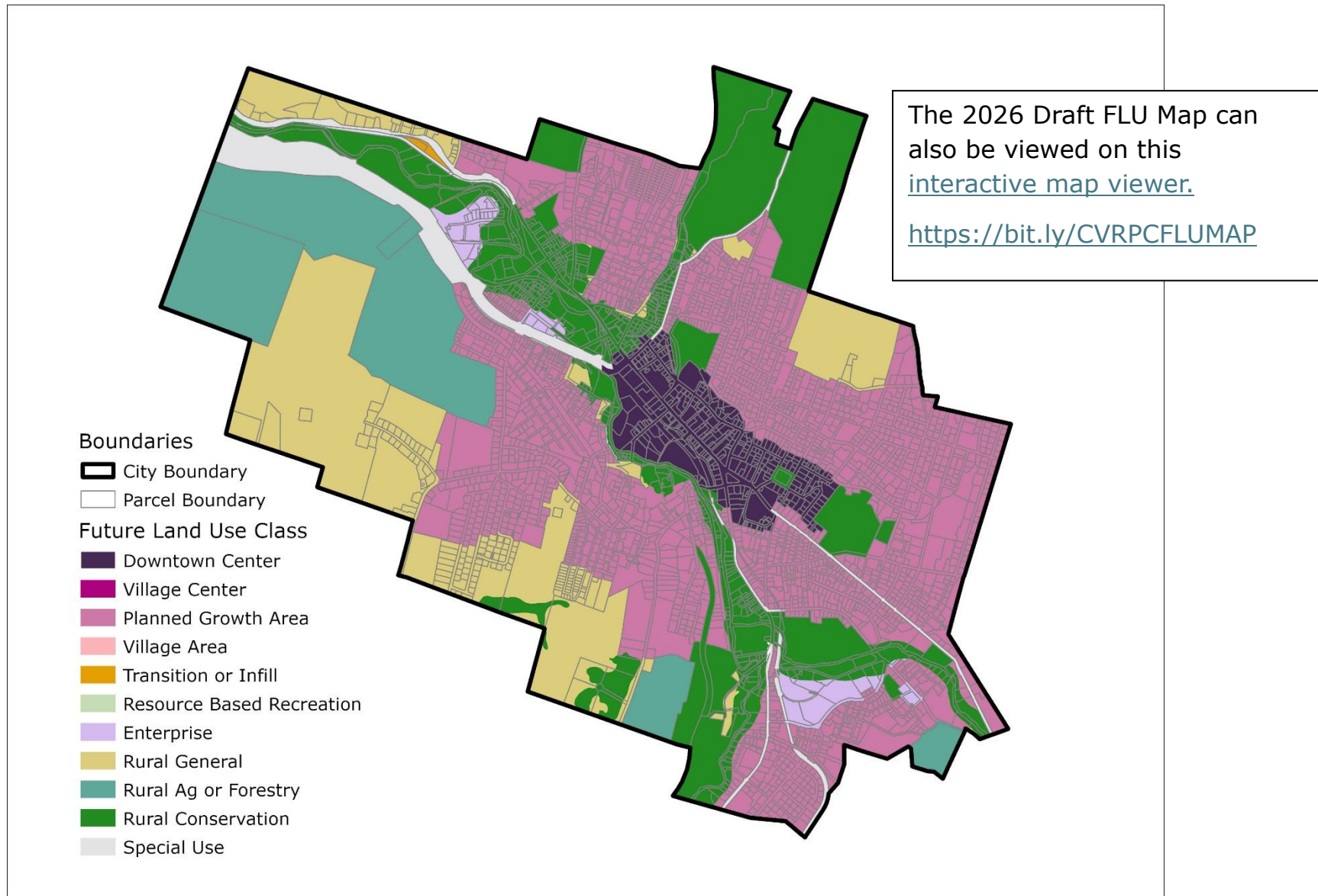
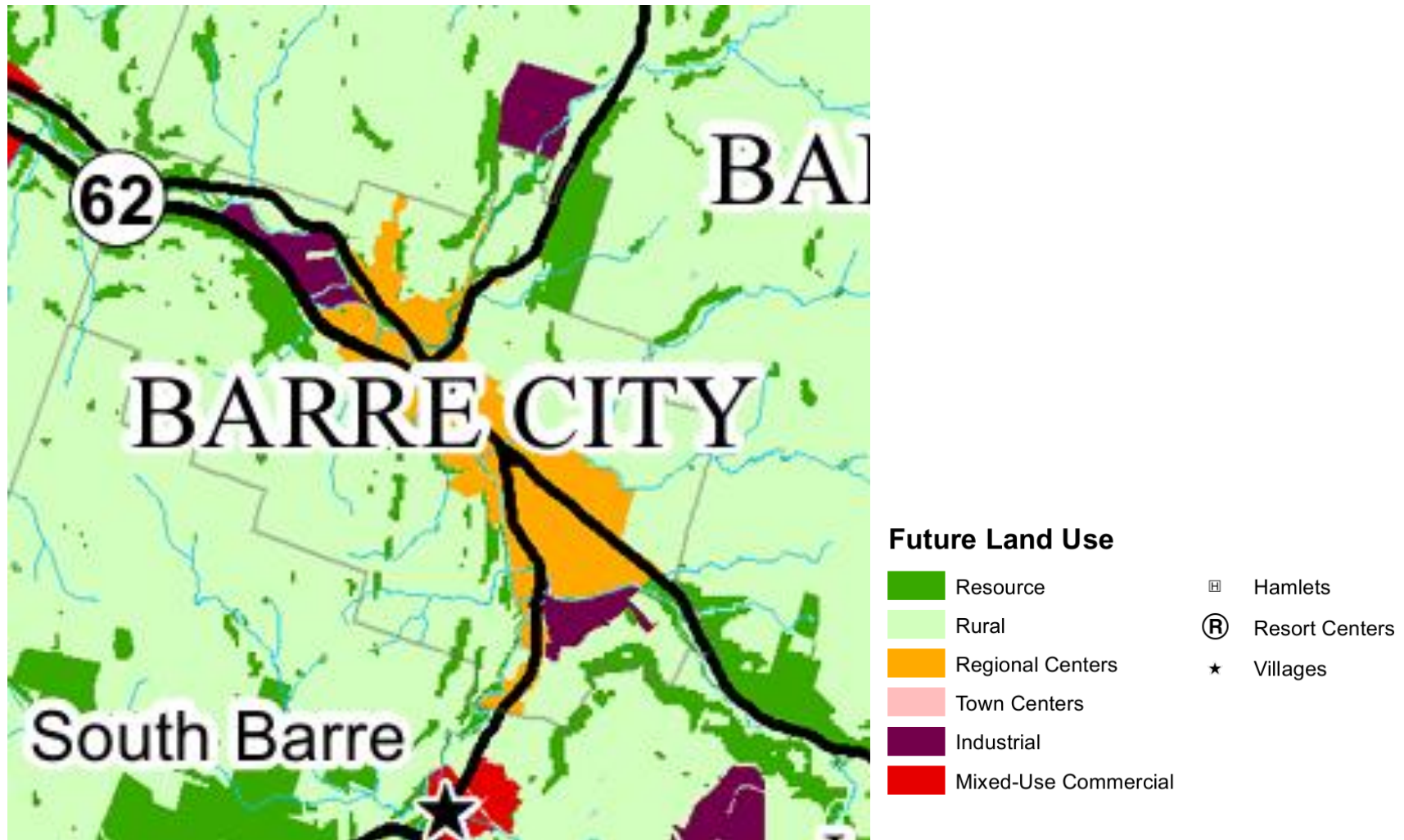


Figure 2 2024 Barre City Future Land Use Map





Barre City Tier 1 Eligibility and Changes to State Designations

Tier 1 Eligibility

Barre City has areas that meet the criteria for **Tier 1a** and **Tier 1b** eligibility. Eligibility requires certain Future Land Use Area (FLUA) categories in the Regional Future Land Use Map. **Downtown Center, Village Center, Planned Growth Area, and Village Area** FLUAS all qualify for Tier 1 exemptions. It is important to note that *Regional FLUA classifications do not override local zoning, subdivision, or river corridor regulations, and will not replace your own Future Land Use Map or goals in your Town plan. Local regulations and planning decisions will continue to guide development in Barre City.*

Pursuing Tier 1 status is entirely optional. Having eligible areas does not obligate your municipality to pursue Tier 1 status. Opting into Tier 1 is a local decision made by resolution of your Select Board or City Council. A sample resolution is included on page 9. Once approved, Tier 1 status remains in effect until modified or revoked.

Enrolling in Tier 1 affects Act 250 state oversight of development in selected areas. Tier 1a areas are fully exempt from Act 250 review. In Tier 1b areas, housing and mixed-use development of up to 50 units on 10 acres or less are exempt from Act 250 review. Development in exempt areas would instead be reviewed entirely through local permitting processes. See page 8 for more information on the differences between Tier 1a and 1b, including differences in responsibility for enforcing existing Act 250 permits and conditions in the exempt area. If you have questions about Tier 1 or how it may affect your municipality, CVRPC is here to help.

If you are applying for Tier 1b status, we ask that you submit your resolution to CVRPC by September 30th. If you are pursuing Tier 1a status, you will be able to apply directly to the Land Use Review Board (LURB) once the 2026 Regional Plan is approved, and can do so with the attached resolution. If you choose not to pursue Tier 1 status this fall, your municipality may apply in the future through a Regional Plan amendment.

Process for Updating State Designated Area Boundaries

State Designations allow municipalities to access incentives for community investment and development. Under Act 181, the five legacy state designation programs (Downtowns, Village Centers,¹

¹ It is confusing that the new FLUA categories include Downtown Centers and Village Areas, which are also close to or the same as the names of legacy state designations Downtown and Village Area, but they are from different classification systems.

New Town Centers, Growth Centers, and Neighborhood Development Areas) have been consolidated into two new designation programs: **Centers** and **Neighborhoods**.² All legacy benefits will be retained under the new designations. The Vermont Department of Housing & Community Development has an overview and explainer document here: <https://bit.ly/VTSTATEDESIGNATIONS>

Going forward, the regional FLUA map defines Centers and Neighborhoods. The 2026 map FLUA categories of Downtown Centers and Village Centers on the regional map will be automatically enrolled in the **Center** designation program. Planned Growth Areas and Village Areas will be automatically enrolled in the Neighborhood designation program. These changes will go into effect when the Land Use Review Board (LURB) approves the 2026 Regional Plan. *All legacy benefits will be retained under the new designations.*

No municipal action is required for your current state designation benefits to roll into the categories.

Making future changes to the boundaries of designated Centers and Neighborhoods will require changing the FLUA map via a regional plan amendment, and approval of the amendment by the LURB.³ CVRPC will guide municipalities who want to make changes through the process.

Sincerely,

Christian Meyer

Christian Meyer
Executive Director

² 24 V.S.A. Chapter 139

³ 24 V.S.A. 4348(j)

Act 181 – Tier 1A and Tier 1B information for municipalities

Planning Commission Agenda Packet for July 9, 2026

Page 111

Act 181 updates Vermont’s planning framework for coordinating state, regional, and municipal land use. This includes shifting Act 250’s jurisdiction from being triggered by the size of the development to being location-based. This document outlines two major elements of location-based jurisdiction that are informed by municipalities: Tier 1A areas and Tier 1B areas. Both include Act 250 exemptions.

	Tier 1A	Tier 1B
Which areas are eligible?	Part or all of the following areas as shown on the regional future land use map which meet criteria in 10 V.S.A. § 6034(b) - Centers (Downtowns & Villages) - Planned Growth Areas	Part or all of the following areas as shown on the regional future land use map which meet criteria in 10 V.S.A. 6033(c). - Centers (Downtowns & Villages) - Planned Growth Areas - Village Areas
What are the Act 250 exemptions?	Fully exempt	50 units or fewer on 10 acres or less for housing and mixed-use development
Who decides where this applies?	Municipal application to LURB	Municipal request to RPC to include in regional FLU map
Are state planning designations tied to Act 250 exemptions?	No. The new state planning designations (Centers and Neighborhoods) are only tied to the regional future land use map as approved by the LURB. Act 250 exemptions for Tier 1A and Tier 1B are now determined separately.	
When do municipalities have to decide?	Anytime after January 1, 2026.	1) Fall 2025 during drafting of initial regional Future Land Use Map. 2) During future updates to regional plan (next expected 2026).
Will our municipality have to enforce existing Act 250 conditions?	Yes. Within Tier 1A areas municipalities must carry forward conditions of prior Act 250 permits for new development permits, with a few exceptions. In approved Tier 1A areas the LURB will no longer enforce permit conditions unless the municipality fails to do so.	No. The LURB will continue to enforce existing Act 250 permits and conditions in Tier 1B areas.
What happens if we don’t pursue Act 250 exemptions?	After the interim Act 250 exemptions expire, development projects will be subject to standard Act 250 jurisdiction throughout your community, including any changes under Act 181	

TIER 1 SAMPLE MUNICIPAL RESOLUTION

Municipality:

Whereas In accordance with Vermont Statute, 10 V.S.A. Section 6033 a municipality may request Tier 1B status for the purposes of Act 250 jurisdiction.

Whereas The municipality has a duly adopted and approved plan and a planning process that is confirmed in accordance with 24 V.S.A. § 4350.

Whereas The municipality has adopted permanent zoning and subdivision bylaws in accordance with 24 V.S.A. §§ 4414, 4418, and 4442.

Whereas The area excludes identified flood hazard and fluvial erosion areas, except those areas containing preexisting development in areas suitable for infill development.

[AND/OR]

Whereas The municipality has adopted flood hazard and river corridor bylaws applicable to the entire municipality that are consistent with the necessary standards.

Whereas The municipality has water supply, wastewater infrastructure, or soils that can accommodate a community system for compact housing development in the area proposed for Tier 1B.

Whereas The municipality has municipal staff, municipal officials, or contracted capacity adequate to support development review and zoning administration in the Tier 1B area.

Now, therefore be it resolved that

The municipality hereby requests to have the [Downtown Center, Village Center, Planned Growth Area, Village Area] mapped for Tier 1B status.

Adopted at a duly noticed public meeting held on DATE

Attest:

Signature _____

Name _____

Title _____ (Secretary or Chair)

2026 Central Vermont Municipal Housing Targets

Where State Housing Targets Came From

State law 24 V.S.A. § 4348a directed the Vermont Department of Housing and Community Development (DHCD) to identify future housing needs and establish housing targets for Vermont and each planning region. This law also requires Regional Plans to assign a portion of those regional targets to each municipality.

DHCD contracted with the Vermont Housing Finance Agency (VHFA) to prepare the *2025-2029 Vermont Housing Needs Assessment*¹ which established the following targets:

	2025-2030 Housing Targets		2025-2050 Housing Targets	
	Low	High	Low	High
Central Vermont Planning Region	2,540	3,864	8,045	15,856
State of Vermont	27,867	41,185	79,018	172,044

The state targets were based on the following factors:

- The need to replace the 15% of homes that become second homes, seasonal homes, or short-term rentals.
- The need to maintain a healthy number of homes available for rent or purchase.
- The need to provide housing for the 7,000 Vermonters experiencing homelessness or housing insecurity.
- The need for more homes as the population grows.

Population growth calculations:

- The state-wide **2030 lower target** assumes the number of year-round households will grow by **1.02% per year**, based on the average growth rate from **2016–2019** (before the pandemic). The statewide **2030 higher target** assumes the number of year-round households will grow by **1.77% per year**, based on the average growth rate from **2019–2022** (during and after the pandemic).
- The state-wide **2050 lower target** looks at how many people are expected to be in different age groups and estimates how many homes they may need as they move through different stages of life. The state-wide **2050 higher target** assumes the population will grow by **1.4% per year**, which is the long-term average growth rate from **1950–2024**.

¹ <https://vhfa.org/pubs/vt-hna-2025pdf>

For regional housing targets and more information about how they were calculated, click here:

<https://vhfa.org/sites/default/files/publications/Housing-Targets-Appendix.pdf>

CVRPC Municipal Housing Target Methodology

The Regional Plan includes a Future Land Use Map that places land into 10 Future Land Use Areas (FLUAs).² State law encourages most new housing to be located in Downtown Centers, Village Centers, Planned Growth Areas, and Village Areas, where development is generally more concentrated and services are often available. You can view and comment on individual parcels using the interactive map here: <https://bit.ly/CVRPCFLUMAP>.

To reflect this state policy, CVRPC assigned 60% of the regional housing targets to these four Future Land Use Areas.

40% to Downtown Centers and Planned Growth Areas. These are higher-density areas with infrastructure, or areas planned for future growth. They are expected to accommodate a significant share of future housing growth. See the Future Land Use Acreages by Municipality table on page 6 for additional details.

Downtown Center

Planned Growth Area

20% to Village Centers and Village Areas: These are locations with existing development and services that can support additional housing growth. While generally smaller and more

Village Center

Village Area

locally focused than Downtown Centers and Planned Growth Areas, they are still identified by state law as appropriate places for new housing.

40% by population: The remaining 40% of the regional housing target was distributed based on each municipality's share of the total population of the region. This aligns with the *2025 Housing Needs Assessment* methodology used by VHFA.

Municipal housing targets are advisory, not mandatory

These housing targets are not requirements. Communities are not required to build this housing, and the targets do not require new homes to be built in town centers or villages. Instead, these are goals intended to help communities plan for the future by providing information about expected housing needs, statewide housing goals, and how growth may affect development patterns over time.

² The classifications are done according to the established Vermont Association of Planning and Development Agencies methodology, which can be found here: <https://bit.ly/VAPDAFLUA>

**Note that the "Tier 3 rulemaking" work referred to in the beginning of this document has been suspended while S325 to repeal parts of Act 181 moves through the Vermont State Legislature.

Local decisions will continue to determine housing development, including whether to develop a municipal plan, adopt or update zoning, invest in infrastructure, make town land available for housing, or take other actions to facilitate development.

As stated in the draft 2026 CVRPC Regional Plan:

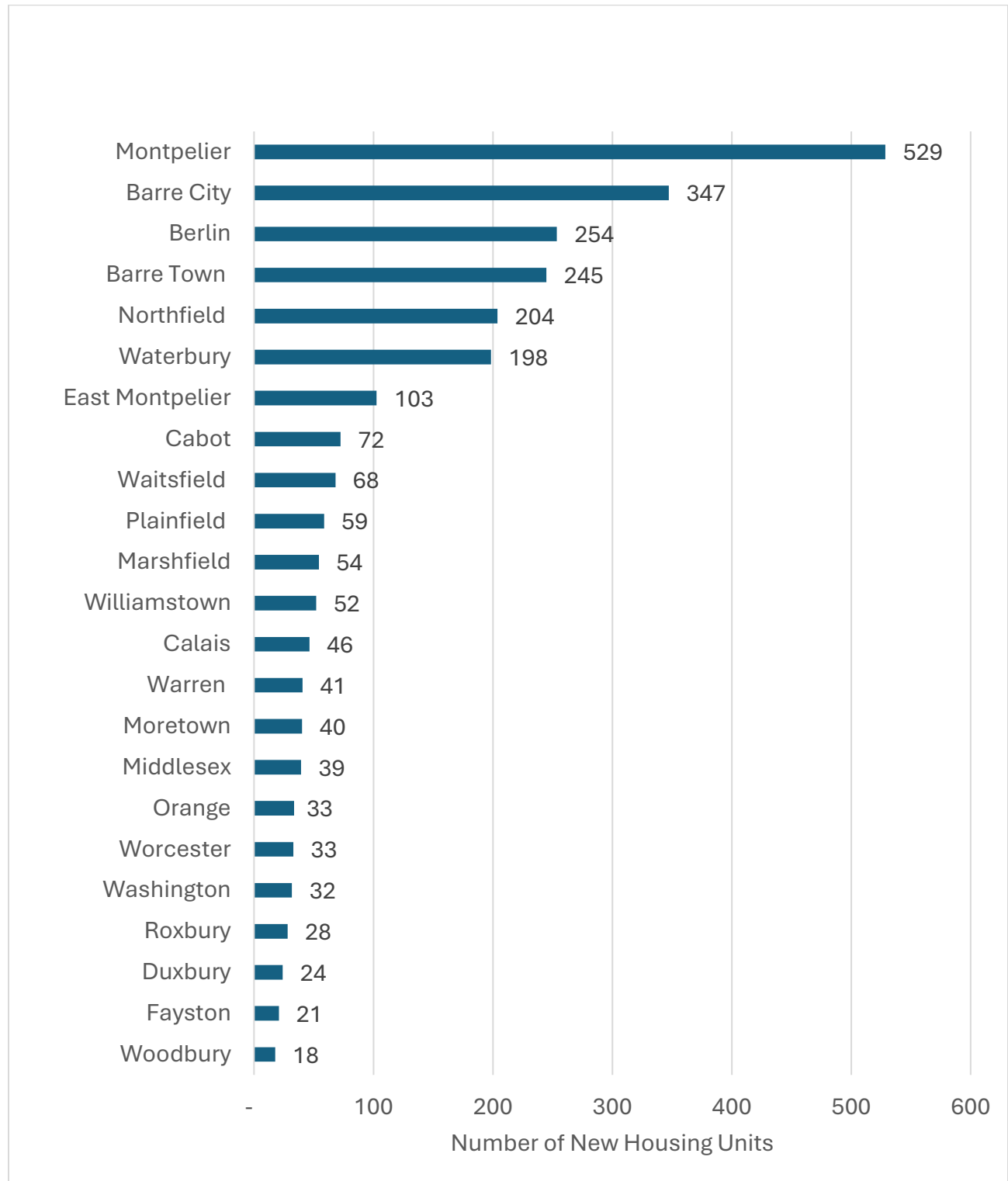
"[The] Plan establishes the objective of strategically planning population growth around dense mixed-use core areas. While CVRPC believes there are advantages for municipalities to focus new growth in their centers, there is nothing in these targets to prevent the majority of new housing from being in low-density suburban or exurban districts. Further, we recognize that many folks moving to Central Vermont mostly prefer to live in rural or very rural locations; therefore, it would be folly not to plan for continued growth in our rural municipalities. Therefore, this plan will continue to use the statutory language of *targets*, while in practice these numbers describe both targeted growth and also predicted growth."

Central Vermont Municipality Populations

Town	Total Population	% of Regional Population
Barre City	8,412	12.82%
Barre town	8,005	12.20%
Berlin	2,880	4.39%
Cabot	1,579	2.41%
Calais	1,713	2.61%
Duxbury	1,548	2.36%
East Montpelier	2,612	3.98%
Fayston	1,342	2.05%
Marshfield	1,863	2.84%
Middlesex	1,943	2.96%
Montpelier	8,014	12.21%
Moretown	1,532	2.34%
Northfield	5,920	9.02%
Orange	957	1.46%
Plainfield	1,314	2.00%
Roxbury	942	1.44%
Waitsfield	1,918	2.92%
Warren	1,585	2.42%
Washington	1,056	1.61%
Waterbury	5,405	8.24%
Williamstown	3,579	5.46%
Woodbury	659	1.00%
Worcester	831	1.27%
Total	65,609	100.00%

Source: US Census 2024 American Community Survey DP05

2030 Municipal Housing Targets (2,540 new units)



2030 and 2050 Municipal Housing Targets

2025-2030 Housing Targets

2025-2050 Housing Targets

	Lower	Upper			Lower	Upper
Barre City	347	528		Barre City	1,100	2,167
Barre Town	245	372		Barre Town	775	1,528
Berlin	254	386		Berlin	803	1,583
Cabot	68	104		Cabot	216	426
Calais	46	71		Calais	147	290
Duxbury	24	36		Duxbury	76	150
East Montpelier	103	156		East Montpelier	325	641
Fayston	21	32		Fayston	66	130
Marshfield	52	79		Marshfield	165	325
Middlesex	40	61		Middlesex	127	251
Montpelier	529	804		Montpelier	1,674	3,299
Moretown	39	60		Moretown	125	246
Northfield	198	302		Northfield	628	1,238
Orange	33	50		Orange	104	206
Plainfield	54	83		Plainfield	172	339
Roxbury	28	43		Roxbury	89	176
Waitsfield	59	89		Waitsfield	186	367
Warren	41	62		Warren	129	253
Washington	32	48		Washington	100	198
Waterbury	204	310		Waterbury	645	1,272
Williamstown	72	110		Williamstown	229	452
Woodbury	18	27		Woodbury	56	111
Worcester	33	51		Worcester	106	209
Region	2,540	3,864			8,045	15,856

Future Land Use Area Acreages By Municipality

	Downtown Center	Village Centers	Planned Growth Area	Village Areas
Barre City	132.39	-	916.27	0.01
Barre Town	-	181.99	179.77	764.73
Berlin	248.09	75.59	153.90	215.50
Cabot	-	276.16	-	-
Calais	-	50.95	-	136.98
Duxbury	-	-	-	-
East Montpelier	-	103.86	0.20	531.65
Fayston	-	-	-	0.35
Marshfield	-	42.76	-	190.84
Middlesex	-	63.82	-	-
Montpelier	188.01	-	1,961.78	-
Moretown	-	24.98	-	135.46
Northfield	99.01	38.74	204.59	97.90
Orange	-	114.38	-	-
Plainfield	-	53.52	-	297.16
Roxbury	-	85.82	-	-
Waitsfield	-	56.85	-	233.15
Warren	-	32.73	-	126.11
Washington	-	96.97	-	-
Waterbury	140.17	18.71	65.78	224.56
Williamstown	-	107.12	-	-
Woodbury	-	47.30	-	-
Worcester	-	130.02	-	-
Regional Total	808	1,602	3,482	2,954

Appendix: Housing Target Statutory Requirements

V.S.A. 24 § 4302: Encourage Compact Development

(c) ...This chapter shall be used to further the following specific goals:

(1) To plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside.

(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.

(B) Economic growth should be encouraged in locally and regionally designated growth areas, employed to revitalize existing village and urban centers, or both.

(C) Public investments, including the construction or expansion of infrastructure, should reinforce the planned growth patterns of the area.

(D) Development should be undertaken in accordance with smart growth principles as defined in subdivision 2791(13) of this title.

V.S.A 24 § 4348a: Regional Housing Element

(a) A regional plan shall be consistent with the goals established in section 4302 of this title and shall include the following:

(9) A housing element that identifies the regional and community-level need for housing that will result in an adequate supply of building code and energy code compliant homes where most households spend not more than 30 percent of their income on housing and not more than 15 percent on transportation. To establish housing needs, the Department of Housing and Community Development shall publish statewide and regional housing targets or ranges as part of the Statewide Housing Needs Assessment. The regional planning commission shall consult the Statewide Housing Needs Assessment; current and expected demographic data; the current location, quality, types, and cost of housing; other local studies related to housing needs; and data gathered pursuant to subsection 4382(c) of this title. If no such data has been gathered, the regional planning commission shall gather it. The regional planning commission's assessment shall estimate the total needed housing investments in terms of price, quality, unit size or type, and zoning district as applicable and shall disaggregate regional housing targets or ranges by municipality. The housing element shall include a set of recommended actions to satisfy the established needs.

This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Counsel without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 176 (S.278). An act relating to cannabis

Subjects: Cannabis; Cannabis Control Board; cannabis establishments; cannabis possession; cannabis event permit pilot program; cannabis cultivator cooperatives; Commercial Cannabis Compact; rental agreements; excise tax; fees; licenses

This act increases the amount of cannabis or the equivalent in cannabis products that a cannabis retailer may provide in a single transaction from one ounce to two ounces and makes corresponding increases to certain penalties applicable to cannabis possession and cultivation.

This act establishes a two-year event permit pilot program allowing the Cannabis Control Board (CCB) to issue not more than 10 permits annually to licensed cannabis retail establishments for sale-only public events. This act sets forth the eligibility requirements to apply for a permit and provides that the CCB shall adopt procedures and initiate rulemaking to govern the pilot program. The CCB shall submit a report to the General Assembly concerning the event permit pilot program, including any recommended statutory changes and whether the program should be continued.

This act reduces the annual licensing fees for outdoor cultivators and provides that employee licenses shall be effective for two years, effective July 1, 2027. This act provides that the CCB shall pay local license fees to the municipality for which the fees were collected on an annual, rather than a quarterly, basis. This act provides that the CCB may enforce a final administrative penalty by filing a civil collection action in Superior Court and eliminates references to integrated licenses. This act modifies the definition of adjusted gross income for purposes of the property tax credit to include any federal deduction or credit that a claimant would have been allowed for the cultivation, testing, processing, or sale of cannabis or cannabis products under federal law. This section takes effect retroactively to January 1, 2025, and applies to property tax credit claims filed after January 1, 2026. The Commissioner of Taxes may provide tax records to the CCB for purposes of administering the cannabis excise tax.

This act allows licensed cannabis cultivators to form cannabis cultivator cooperatives. To prepare for the possibility of regional or interstate cannabis markets, this act authorizes the Governor to form agreements with other states that have commercial cannabis markets if one of the listed contingencies occurs and a contracting state meets the listed requirements.

Finally, this act does not allow rental agreements to prohibit the possession or use of cannabis or cannabis products within a dwelling unit but does allow rental agreements to prohibit the use of lighted cannabis or cannabis products intended for inhalation within the rental premises.

Multiple effective dates, beginning on June 18, 2026

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No. 176. An act relating to cannabis.

(S.278)

It is hereby enacted by the General Assembly of the State of Vermont:

* * * Packaging Limit * * *

Sec. 1. [Deleted.]

* * * Transaction Limit * * *

Sec. 2. 7 V.S.A. § 907 is amended to read:

§ 907. RETAILER LICENSE

* * *

(b) In a single transaction, a retailer may provide ~~one ounce~~ two ounces of cannabis or the equivalent in cannabis products, or a combination thereof, to a person 21 years of age or older upon verification of a valid government-issued photograph identification card.

* * *

Sec. 3. 18 V.S.A. § 4230 is amended to read:

§ 4230. CANNABIS

(a) Possession and cultivation.

(1) No person shall knowingly and unlawfully possess more than ~~one ounce~~ two ounces of cannabis or more than ~~five~~ 10 grams of hashish or cultivate more than two mature cannabis plants or four immature cannabis plants. A person who violates this subdivision shall be assessed a civil penalty as follows:

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* * *

(2)(A) No person shall knowingly and unlawfully possess more than two ounces ~~or more~~ of cannabis or ~~ten~~ 10 grams or more of hashish or more than three mature cannabis plants or six immature cannabis plants. For a first offense under this subdivision (2), a person shall be provided the opportunity to participate in the Court Diversion Program unless the prosecutor states on the record why a referral to the Court Diversion Program would not serve the ends of justice. A person convicted of a first offense under this subdivision shall be imprisoned not more than six months or fined not more than \$500.00, or both.

* * *

Sec. 4. 18 V.S.A. § 4230a is amended to read:

§ 4230a. CANNABIS POSSESSION BY A PERSON 21 YEARS OF AGE
OR OLDER

(a)(1) Except as otherwise provided in this section, a person 21 years of age or older who possesses ~~one ounce~~ two ounces or less of cannabis or ~~five~~ 10 grams or less of hashish and two mature cannabis plants or fewer or four immature cannabis plants or fewer or who possesses paraphernalia for cannabis use shall not be penalized or sanctioned in any manner by the State or any of its political subdivisions or denied any right or privilege under State law. The ~~one-ounce~~ two-ounce limit of cannabis or ~~five~~ 10 grams of hashish that may be possessed by a person 21 years of age or older shall not include

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cannabis cultivated, harvested, and stored in accordance with section 4230e of this title.

* * *

* * * Event Permit; Pilot Program * * *

Sec. 5. 7 V.S.A. § 912 is added to read:

§ 912. EVENT PERMIT

(a) Authorization. The Board may grant event permits to licensed cannabis retail establishments in good standing. The holder of an event permit is authorized to oversee and administer a commercial event pursuant to this section and procedures adopted by the Board. No cannabis or cannabis products shall be consumed at an event authorized by this section.

(b) Eligibility. A licensed cannabis retail establishment is eligible to apply for an event permit, provided that the establishment submits a fee and application demonstrating to the Board's satisfaction:

(1) that the establishment has received written approval from the local cannabis control commission created pursuant to 7 V.S.A. § 863, or the municipal legislative body if no local cannabis control commission exists, which may include conditions and limitations appropriate to protect the public, manage traffic, and abate nuisance;

(2) a security plan to ensure that intoxicated persons or persons under 21 years of age cannot access the space subject to the permit, that the premises

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are secured from diversion or inversion, and that the premises lawfully may be used for the purpose intended;

(3) a product sale plan that describes quantities and types of cannabis and cannabis products that will be offered for sale and how the cannabis will be transported, monitored, secured, displayed, and sold in conformity with State law and Board rule;

(4) capacity to administer and enforce the required plans, and confirmation that the applicant has secured the services of a county law enforcement agency or private security provider licensed pursuant to 26 V.S.A. chapter 59, if required by the Board;

(5) proof of commercially reasonable insurance for the proposed event; and

(6) compliance with any other health and safety requirements that the Board may prescribe for the particular event or event location, including limits on attendees.

(c) Restrictions. Annually, the Board shall issue not more than ten permits for public events. An event permit shall be issued only for events being held at locations within a municipality that has voted affirmatively to permit the operation of cannabis retail establishments. An event permit shall be valid for a single event not to exceed 24 hours held at a single access-controlled location. An event permit shall not be issued for a location at which alcoholic beverages are sold or furnished for on-premises consumption. A cannabis

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retailer that holds an event permit shall not conduct sales at the licensed retail location and the permitted event contemporaneously, except for sales conducted from a permitted event location that is contiguous with the licensed retail location. The holder of an event permit shall sell only registered adult-use cannabis and cannabis products at the event.

(d) Noncompliance; penalties. Deviation from security and sales plans, product tracking and taxation requirements, or permit terms shall be a violation subject to adverse licensing action consistent with Board rules.

(e) Fee. Cannabis retail establishments shall be assessed a fee of \$500.00 to apply for an event permit, of which 50 percent shall be distributed to the host municipality and 50 percent shall be deposited in the Cannabis Regulation Fund.

(f) Procedures. The Board shall adopt procedures pursuant to 3 V.S.A. § 835 to govern the event permits issued pursuant to this section, including application procedures and associated forms, the permittee selection process, security requirements, and event site restrictions.

(1) For each procedure proposed to be adopted or amended pursuant to this section, the Board shall publish the proposed procedure on the Board's website and hold not fewer than two public hearings at which members of the public may seek additional information or submit oral or written comments concerning the proposed procedure.

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(2) The Board shall not be required to initiate rulemaking pursuant to 3 V.S.A. § 831(c) in relation to a procedure adopted pursuant to this section. A procedure adopted pursuant to this section shall have the force of law and be binding on all persons who apply for and hold an event permit pursuant to this section.

Sec. 6. [Deleted.]

Sec. 7. 32 V.S.A. § 7902 is amended to read:

§ 7902. CANNABIS EXCISE TAX

* * *

(b) The tax imposed by this section shall be paid by the purchaser to the retailer or ~~integrated licensee~~ holder of an event permit. Each retailer or ~~integrated licensee~~ permit holder shall collect from the purchaser the full amount of the tax payable on each taxable sale.

* * *

Sec. 8. 32 V.S.A. § 7904 is amended to read:

§ 7904. RETURNS; RECORDS

(a) Any retailer or ~~integrated licensee~~ holder of an event permit required to collect the tax imposed by this chapter shall, on or before the 25th day of every month, return to the Department of Taxes, under oath of a person with legal authority to bind the retailer or ~~integrated licensee~~ permit holder, a statement containing its name and place of business, the total amount of sales subject to the cannabis excise tax made in the preceding month, and any information

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required by the Department of Taxes, along with the total tax due. Retailers and ~~integrated licensees~~ permit holders shall not remit the tax collected to the Department of Taxes in cash absent the issuance of a waiver by the Commissioner of Taxes, and the Commissioner may require that returns be submitted electronically.

(b) Every retailer and ~~integrated licensee~~ permit holder shall maintain, for not less than three years, accurate records showing all transactions subject to tax liability under this chapter. The records are subject to inspection by the Department of Taxes at all reasonable times during normal business hours.

Sec. 9. 32 V.S.A. § 7906 is amended to read:

§ 7906. LICENSE

(a) Any retailer or ~~integrated licensee~~ holder of an event permit required to collect tax imposed by this chapter must apply for and receive a cannabis retail tax license from the Commissioner for each place of business within the State where ~~he or she~~ the retailer or permit holder sells cannabis or cannabis products prior to commencing business. The Commissioner shall issue without charge a license, or licenses, empowering the retailer or ~~integrated licensee~~ permit holder to collect the cannabis excise tax, provided that a retailer's or ~~integrated licensee's~~ permit holder's application is properly submitted and the retailer or ~~integrated licensee~~ permit holder is otherwise in compliance with applicable laws, rules, and provisions.

* * *

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Sec. 10. CANNABIS CONTROL BOARD; RULES AND REPORT

(a) On or before July 1, 2027, the Cannabis Control Board shall initiate rulemaking pursuant to 3 V.S.A. chapter 25 to adopt rules governing the event permit established in Sec. 5 of this act.

(b) On or before November 15, 2027, the Cannabis Control Board shall submit a written report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Economic Development, Housing and General Affairs concerning the event permit established in Sec. 5 of this act. The report shall include a concise assessment of the benefits, challenges, and administrative viability of the event permit program. The Board may recommend best practices for security, inventory tracking, tax enforcement, permit administration, local government coordination, and optimizing market access for small cultivators. The Board shall recommend updates to the statute governing event permits, including whether the statute should be repealed on the date set by this act.

* * * Outdoor Cultivator Fees * * *

Sec. 10a. 7 V.S.A. § 910 is amended to read:

§ 910. CANNABIS ESTABLISHMENT FEE SCHEDULE

The following fees shall apply to each person or product licensed by the Board:

(1) Cultivators.

(A) Outdoor cultivators.

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(i) Outdoor cultivator tier 1. Outdoor cultivators with up to 1,000 square feet of plant canopy or fewer than 125 cannabis plants in an outdoor cultivation space shall be assessed an annual licensing fee of ~~\$750.00~~ \$375.00.

(ii) Outdoor cultivator tier 2. Outdoor cultivators with up to 2,500 square feet of plant canopy in an outdoor cultivation space shall be assessed an annual licensing fee of ~~\$1,875.00~~ \$925.00.

(iii) Outdoor cultivator tier 3. Outdoor cultivators with up to 5,000 square feet of plant canopy in an outdoor cultivation space shall be assessed an annual licensing fee of ~~\$4,000.00~~ \$2,000.00.

(iv) Outdoor cultivator tier 4. Outdoor cultivators with up to 10,000 square feet of plant canopy in an outdoor cultivation space shall be assessed an annual licensing fee of ~~\$8,000.00~~ \$4,000.00.

(v) Outdoor cultivator tier 5. Outdoor cultivators with up to 20,000 square feet of plant canopy in an outdoor cultivation space shall be assessed an annual licensing fee of ~~\$18,000.00~~ \$9,000.00.

~~(vi) Outdoor cultivator tier 6. Outdoor cultivators with up to 37,500 square feet of plant canopy in an outdoor cultivation space shall be assessed an annual licensing fee of \$34,000.00.~~

* * *

* * * Municipal Authority * * *

Sec. 11. 7 V.S.A. § 863 is amended to read:

§ 863. REGULATION BY LOCAL GOVERNMENT

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(a)(1) Prior to a cannabis retailer ~~or the retail portion of an integrated licensee~~ operating within a municipality, the municipality shall affirmatively permit the operation of such cannabis establishments by majority vote of those present and voting by Australian ballot at an annual or special meeting warned for that purpose. A municipality may place retailers ~~or integrated licensees, or both,~~ on the ballot for approval.

(2) A vote to permit the operation of a licensed cannabis retailer ~~or integrated licensee~~ within the municipality shall remain in effect until rescinded by majority vote of those present and voting by Australian ballot at a subsequent annual or special meeting warned for that purpose. A rescission of the permission to operate a licensed cannabis retailer ~~or integrated licensee~~ within the municipality under this subdivision shall not apply to a licensed cannabis retailer ~~or integrated licensee~~ that is operating within the municipality at the time of the vote.

* * *

* * * Distribution of Local License Fees to Municipalities * * *

Sec. 12. 7 V.S.A. § 846 is amended to read:

§ 846. FEES; AUTHORITY

* * *

(c) Distribution to municipalities. After reduction for costs of administration and collection, the Board shall pay local license fees on a ~~quarterly~~ an annual basis to the municipality for which the fees were collected.

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Sec. 12a. 7 V.S.A. § 847 is amended to read:

§ 847. APPEALS

* * *

(e) The Board may enforce a final administrative penalty by filing a civil collection action in any Superior Court.

* * * Two-Year Employee Identification Cards * * *

Sec. 13. 7 V.S.A. § 910 is amended to read:

§ 910. CANNABIS ESTABLISHMENT FEE SCHEDULE

The following fees shall apply to each person or product licensed by the Board:

* * *

(8) Employees. Cannabis establishments licensed by the Board shall be assessed ~~an annual~~ a biennial licensing fee of ~~\$50.00~~ \$100.00 for each employee. Employee licenses shall be valid for two years.

(9) Products. Cannabis establishments licensed by the Board shall be assessed an annual product licensing fee of \$50.00 for every type of cannabis and cannabis product that is sold in accordance with this chapter. The Board may issue longer product registrations, prorated at the same cost per year, for products it deems low-risk and shelf-stable. The products may be defined and distinguished in readily accessible published guidance.

* * *

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* * * Repeal of Integrated License Provisions * * *

Sec. 14. 7 V.S.A. § 861 is amended to read:

§ 861. DEFINITIONS

As used in this chapter:

* * *

(8) “Cannabis establishment” means a cannabis cultivator, propagation cultivator, wholesaler, product manufacturer, retailer, or testing laboratory, ~~or integrated licensee~~ licensed by the Board to engage in commercial cannabis activity in accordance with this chapter.

* * *

(24) ~~“Integrated licensee” means a person licensed by the Board to engage in the activities of a cultivator, wholesaler, product manufacturer, retailer, and testing laboratory in accordance with this chapter. [Repealed.]~~

* * *

Sec. 15. 7 V.S.A. § 866 is amended to read:

§ 866. YOUTH

* * *

(c) The Board, in consultation with the Department of Health, shall adopt rules in accordance with section 881 of this title to:

* * *

(3) require that cannabis products sold by licensed retailers ~~and integrated licensees~~ are contained in child-resistant packaging; and

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(4) require that cannabis and cannabis products sold by licensed retailers ~~and integrated licensees~~ are packaged with labels that clearly indicate that the contents of the package contain cannabis and should be kept away from persons under 21 years of age.

* * *

Sec. 16. 7 V.S.A. § 881 is amended to read:

§ 881. RULEMAKING; CANNABIS ESTABLISHMENTS

(a) The Board shall adopt rules to implement and administer this chapter in accordance with subdivisions (1)–(8) of this subsection.

* * *

(2)(A) Rules concerning cultivators shall include:

* * *

(v) labeling requirements for cannabis sold to retailers ~~and integrated licensees~~, including health warnings developed in consultation with the Department of Health;

* * *

~~(7) Rules concerning integrated licensees shall include the provisions provided in subdivisions (1)–(6) of this subsection and any additional provisions the Board deems appropriate for safe regulation of integrated licensees in accordance with this chapter. [Repealed.]~~

(8) Rules concerning propagators shall include:

* * *

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(E) labeling requirements for cannabis sold to retailers ~~and integrated~~
licensees;

* * *

Sec. 17. 7 V.S.A. § 901 is amended to read:

§ 901. GENERAL PROVISIONS

* * *

(d)(1) There shall be ~~seven~~ six types of licenses available:

* * *

(E) a retailer license; and

(F) a testing laboratory license; ~~and~~

~~(G) an integrated license.~~

* * *

(3)(A) Except as provided in subdivisions (B) and (C) of this subdivision (3), an applicant and its affiliates may obtain a maximum of one type of each type of license as provided in subdivisions (1)(A)–(F) of this subsection (d). Each license shall permit only one location of the establishment.

(B) ~~An applicant and its affiliates that control a dispensary registered on April 1, 2022 may obtain one integrated license provided in subdivision (1)(G) of this subsection (d) or a maximum of one of each type of license provided in subdivisions (1)(A)–(F) of this subsection (d). An integrated licensee may not hold a separate cultivator, propagator, wholesaler, product~~

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~~manufacturer, retailer, or testing laboratory license, and no applicant or its affiliates that control a dispensary shall hold more than one integrated license. An integrated license shall permit only one location for each of the types of activities permitted by the license: cultivation, propagator, wholesale operations, product manufacturing, retail sales, and testing. [Repealed.]~~

* * *

(e) A dispensary that obtains a retailer license ~~or an integrated license~~ pursuant to this chapter shall maintain the dispensary and retail operations in a manner that protects patient and caregiver privacy in accordance with rules adopted by the Board.

* * *

Sec. 18. 7 V.S.A. § 904 is amended to read:

§ 904. CULTIVATOR LICENSE

(a) A cultivator licensed under this chapter may:

(1) cultivate, process, package, label, transport, test, and sell cannabis to a licensed wholesaler, product manufacturer, retailer, ~~integrated licensee~~, and dispensary;

* * *

(3) possess and sell cannabis products to a licensed wholesaler, product manufacturer, retailer, ~~integrated licensee~~, and dispensary.

* * *

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Sec. 19. 7 V.S.A. § 904a is amended to read:

§ 904a. SMALL CULTIVATORS

* * *

(d) Upon licensing, a small cultivator may sell cannabis to a licensed dispensary at any time for sale to patients and caregivers pursuant to the dispensary license ~~or to the public pursuant to an integrated license~~, including the time period before retail sales are permitted for licensed cannabis retailers.

Sec. 20. 7 V.S.A. § 910 is amended to read:

§ 910. CANNABIS ESTABLISHMENT FEE SCHEDULE

The following fees shall apply to each person or product licensed by the Board:

* * *

(6) ~~Integrated licensees. Integrated licensees shall be assessed an annual licensing fee of \$100,000.00.~~ [Repealed.]

* * *

Sec. 21. 7 V.S.A. § 974 is amended to read:

§ 974. RULEMAKING

(a)(1) The Board shall adopt rules to implement and administer this chapter. In adoption of rules, the Board shall strive for consistency with rules adopted for cannabis establishments pursuant to chapter 33 of this title where appropriate.

(2) Rules shall include:

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* * *

(U) labeling requirements for cannabis sold to retailers ~~and integrated~~
~~licensees~~, including health warnings developed in consultation with the
Department of Health;

* * *

Sec. 22. 7 V.S.A. § 987 is amended to read:

§ 987. CANNABIS BUSINESS DEVELOPMENT FUND

(a) There is established the Cannabis Business Development Fund, which
shall be managed in accordance with 32 V.S.A. chapter 7, subchapter 5.

(b) The Fund shall comprise:

(1) ~~a one-time contribution of \$50,000.00 per integrated license to be
made on or before October 15, 2022; and~~ [Repealed.]

* * *

Sec. 23. [Deleted.]

* * * Household Income; Cannabis Business Expenses Deduction * * *

Sec. 24. 32 V.S.A. § 6061 is amended to read:

§ 6061. DEFINITIONS

As used in this chapter unless the context requires otherwise:

* * *

(5) “Modified adjusted gross income” means “federal adjusted gross
income”:

* * *

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(F) With the inclusion of any federal deduction or credit that the claimant would have been allowed for the cultivation, testing, processing, or sale of cannabis or cannabis products as authorized under 7 V.S.A. chapter 33 or 37, but for 26 U.S.C. § 280E.

* * *

* * * Outdoor Cannabis Cultivation; Use Value Appraisal Program * * *

Sec. 25. 7 V.S.A. § 869 is amended to read:

§ 869. CULTIVATION OF CANNABIS; ENVIRONMENTAL AND LAND
USE STANDARDS; REGULATION OF CULTIVATION

* * *

(f) Notwithstanding subsection (a) of this section, a cultivator licensed under this chapter who ~~initiates cultivation of~~ cultivates cannabis outdoors ~~on a parcel of land~~ as defined in rule by the Cannabis Control Board pursuant to section 881 of this chapter shall:

* * *

(3) be eligible to enroll in the Use Value Appraisal Program under 32 V.S.A. chapter 124 for the cultivation of cannabis;

(4) be exempt under 32 V.S.A. § 9741(3), (25), and (50) from the tax on retail sales imposed under 32 V.S.A. § 9771; and

* * *

Sec. 26. 32 V.S.A. § 3102 is amended to read:

§ 3102. CONFIDENTIALITY OF TAX RECORDS

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* * *

(e) The Commissioner may, in the Commissioner's discretion and subject to such conditions and requirements as the Commissioner may provide, including any confidentiality requirements of the Internal Revenue Service, disclose a return or return information:

* * *

(25) To the Cannabis Control Board for the purposes of administering the cannabis excise tax under chapter 207 of this title, the sales and use tax under chapter 233 of this title, and the exemptions to those taxes.

* * *

* * * Cannabis Cultivator Cooperatives * * *

Sec. 27. 7 V.S.A. § 904c is added to read:

§ 904c. CANNABIS CULTIVATOR COOPERATIVE CORPORATIONS

Licensed cannabis cultivators may form a cannabis cultivator cooperative corporation pursuant to 11 V.S.A. chapter 7 in the same manner as other associations or persons engaged in the production of the agricultural or handcraft products.

* * * Commercial Cannabis Compact * * *

Sec. 27a. COMMERCIAL CANNABIS COMPACT; INTENT

The General Assembly finds that the medical and commercial cannabis industry has grown significantly throughout the United States since Vermont transitioned to a recreational cannabis market in 2022. The General Assembly

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further finds that recent statements from federal officials, including provisions of Executive Order 14370, 90 F.R. 60541, “Increasing Medical Marijuana and Cannabidiol Research,” indicate a shifting federal posture on regulated cannabis markets. Accordingly, it is the intent of the General Assembly to prepare for the possibility of regional or interstate cannabis markets by authorizing the Governor to form agreements with other states that have commercial cannabis markets.

Sec. 27b. 7 V.S.A. § 834 is added to read:

§ 834. COMMERCIAL CANNABIS COMPACT

(a) As used in this section:

(1) “Agreement” means an agreement relating to commercial cannabis authorized pursuant to this section and entered into between this State and another state or states.

(2) “Contracting state” means a state of the United States, including a district, commonwealth, territory, or possession subject to the legislative authority of the United States, with which the Governor has entered into an agreement pursuant to this section.

(3) “Foreign licensee” means the holder of a cannabis license issued pursuant to the laws of another state that has entered into an agreement pursuant to this section.

(4) “Vermont license” means a cannabis license issued by the Board.

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(b) The Governor is authorized to enter into an agreement with another state or states authorizing medical or commercial cannabis activity, or both, between entities licensed under the laws of the contracting state and entities operating with a Vermont license, provided that:

(1) the commercial cannabis activities are lawful and subject to licensure under the laws of the contracting state; and

(2) with respect to the interstate transportation of cannabis or cannabis products, the agreement prohibits the following:

(A) the transportation of cannabis and cannabis products by any means other than those authorized under the laws of the contracting state and the regulations of the Board; and

(B) the transportation of cannabis and cannabis products through the jurisdiction of a state, district, commonwealth, territory, or possession of the United States that does not authorize that transportation.

(c) Notwithstanding any other law, a foreign licensee may engage in commercial cannabis activity with a Vermont licensee and a Vermont licensee may engage in commercial cannabis activity with a foreign licensee, subject to the requirements and limitations set forth in this section.

(d) A foreign licensee shall not engage in commercial cannabis activity within the boundaries of this State without a Vermont license, or engage in commercial cannabis activity within a local jurisdiction without proper authorization issued by the local jurisdiction.

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(e) An agreement shall require that the contracting state impose requirements on foreign licensees with regard to cannabis and cannabis products to be sold or otherwise transferred or distributed within this State that meet or exceed the requirements applicable to Vermont licensees, including:

(1) enforceable public health and safety standards that are equivalent to the requirements of the Board;

(2) mandatory participation in a system administered by this State to regulate and track cultivation, manufacturing, distribution, transportation, sale, and destruction of cannabis and cannabis products from seed to sale;

(3) standards for testing of cannabis or cannabis products that meet or exceed the standards applicable to testing laboratories licensed by the Board;

(4) requirements for the packaging and labeling of cannabis and cannabis products that meet or exceed the packaging and labeling requirements established pursuant to Board rules;

(5) requirements for quality assurance and inspection of cannabis or cannabis products that meet or exceed the requirements applicable to cannabis or cannabis products cultivated, manufactured, or sold by Vermont licensees;

(6) restrictions on marketing, labeling, and advertising within this State by foreign licensees that meet or exceed the restrictions of Vermont licensees pursuant to this title; and

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(7) a process for identification of adulterated or misbranded cannabis products, and the destruction of those products, using standards that meet or exceed the standards and procedures adopted by the Board.

(f) An agreement shall require that the contracting state impose restrictions upon advertising, marketing, labeling, or sale within the contracting state that meet or exceed restrictions established pursuant to this title and the rules adopted by the Board.

(g) An agreement shall provide for collection of all taxes applicable to the medical or commercial cannabis activity.

(h) An agreement shall include provisions requiring the Board and any other appropriate regulatory authorities of the contracting state to address public health and welfare emergencies concerning cannabis or cannabis products that are sold or intended for sale within this State, including for prompt recall or embargo of adulterated or misbranded cannabis products.

(i) An agreement shall include provisions requiring appropriate regulatory authorities of each state to investigate instances of alleged noncompliance with the commercial cannabis regulatory rules and regulations upon request by the other state and in accordance with mutually agreed-upon procedures. An agreement shall include provisions requiring the contracting state to reasonably cooperate with this State's investigations concerning foreign licensees and requiring the Board to reasonably cooperate with investigations by the contracting state concerning persons or entities holding Vermont licenses.

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(j) An agreement shall include appropriate provisions reflecting Board programs and efforts to promote the inclusion and support of individuals and communities in the cannabis industry who are linked to populations and neighborhoods that were negatively or disproportionately impacted by cannabis criminalization.

(k) Prior to the execution of an agreement or amendment to an agreement, the Governor shall:

(1) Submit the proposed agreement or amendments to the Board and the Joint Fiscal Committee for review and comment. The Board and Committee shall have 60 days to review the proposed agreement or amendment and to submit written recommendations to the Governor. The Governor shall consider all recommendations submitted by the Board and Committee and may revise the proposed agreement or amendment to incorporate the recommendations. If the Governor does not incorporate any recommendations, the Governor shall set forth, in writing, the reasons for not incorporating the recommendations.

(2) Post the proposed agreement or amendment on the Governor's and Board's internet websites for public comment for 30 days. The Governor shall consider any comments received.

(l) An agreement entered into pursuant to this section shall not take effect unless one of the following occurs:

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(1) federal law is amended to allow for the interstate transfer of cannabis or cannabis products between authorized commercial cannabis businesses;

(2) federal law is enacted that specifically prohibits the expenditure of federal funds to prevent the interstate transfer of cannabis or cannabis products between authorized commercial cannabis businesses;

(3) the U.S. Department of Justice issues an opinion or memorandum allowing or tolerating the interstate transfer of cannabis products between authorized commercial cannabis businesses; or

(4) the Attorney General issues a written opinion that implementation of agreements entered into under this section will not result in significant legal risk to this State based on review of federal judicial decisions and administrative action.

(m) The Board shall notify the Governor and the General Assembly upon the occurrence of an event described in subsection (l) of this section and shall post the notification on the Board's website.

(n) The Board may adopt emergency rules pursuant to 3 V.S.A. § 844 governing the procedures for admission of a foreign licensee to conduct commercial cannabis activities within the State. Notwithstanding 3 V.S.A. § 844(b), the Board's emergency rules shall be effective for one year from the date of adoption. Within 90 days after adopting the emergency rules, the Board shall report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Economic Development,

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Housing and General Affairs concerning its recommendations for necessary updates to Vermont's cannabis laws and a proposal for permanent rules governing commercial cannabis activities subject to an agreement.

Sec. 28. [Deleted.]

* * * Repeals * * *

Sec. 29. REPEALS

(a) 7 V.S.A. § 909 (integrated license) is repealed on July 1, 2026.

(b) 7 V.S.A. § 862 (cannabis establishment chapter not applicable to hemp or therapeutic use of cannabis) is repealed on July 1, 2026.

(c) 7 V.S.A. § 912 (cannabis event permit) is repealed on July 1, 2028.

* * * Residential Rental Agreements; Prohibiting Restrictions on Cannabis

Possession or Use * * *

Sec. 30. 9 V.S.A. § 4468b is added to read:

§ 4468b. RENTAL AGREEMENTS; CANNABIS RESTRICTIONS

PROHIBITED

A rental agreement shall not contain a provision that prohibits a tenant from possessing cannabis or cannabis products within the rental premises or using cannabis or cannabis products within a dwelling unit, except that a rental agreement may prohibit the use of lighted cannabis or cannabis products intended for inhalation within the rental premises. This section shall not apply to any rental agreements that are required by federal law to prohibit the possession or use of cannabis within the rental premises.

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Sec. 31. 18 V.S.A. § 4230a is amended to read:

§ 4230a. CANNABIS POSSESSION BY A PERSON 21 YEARS OF AGE
OR OLDER

* * *

(b)(1) Cannabis possessed or consumed in violation of State law is contraband pursuant to subsection 4242(d) of this title and subject to seizure and forfeiture.

(2) This section does not:

* * *

(E) prohibit a landlord from banning ~~possession or~~ use of lighted cannabis or cannabis products intended for inhalation in a lease agreement; or

* * *

* * * Effective Dates * * *

Sec. 32. EFFECTIVE DATES

(a) This section shall take effect on passage.

(b) Notwithstanding 1 V.S.A. § 214, Sec. 24 (household income; cannabis business expenses deduction) shall take effect retroactively on January 1, 2025, for household income received beginning in the 2025 calendar year and shall apply to property tax credit claims filed on and after January 1, 2026.

(c) Sec. 10a (cannabis establishment fee schedule) shall take effect on July 1, 2027.

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(d) Sec. 13 (cannabis establishment fee schedule) shall take effect on July 1, 2027.

(e) All other sections shall take effect on July 1, 2026.

Date Governor signed bill: June 18, 2026

Objective

This document summarizes current tobacco and alcohol retail saturation and impact in Barre City, reviews relevant governance and zoning context, and outlines recommended ordinance and Unified Development Ordinance (UDO) amendments to reduce clustering, protect Sensitive Use areas, support downtown revitalization, and strengthen enforcement and transparency in licensing decisions.

Current State

Tobacco and Alcohol Retail Saturation

As of March 23, 2026, according to the Department of Liquor and Lottery, there were currently 20 permitted Tobacco Retail or Second Class (non-liquor) businesses in Barre City. 14 of the 20 businesses are permitted for both types of retail.

On March 24, 2026, a new Tobacco, Tobacco Substitute Endorsement, Second-Class Alcohol, and Lottery applicant located at 200 N Main St was approved. All existing businesses with similar licenses are within .9 miles of this new location.

The table below shows all existing locations with permits and their distance per Google Maps from 200 N Main St. Per Google, most of these businesses are no more than a 3-minute car ride from the central point of 200 N. Main St.

Name	Address	Second Class	Tobacco	Distance
Beverage Baron	411 N. Main St	Yes	Yes	.4 Miles
Cumberland Farms 8025	524 N. Main St	Yes	Yes	.8 Miles
Cumberland Farms 8027	132 S. Main St	Yes	Yes	.7 Miles
Dente's	406 N. Main St	Yes	No	.3 Miles
Dollar General 11046	74 S. Main St	Yes	Yes	.5 Miles
Dollar General 30489	540 N. Main St	Yes	Yes	.8 Miles
Smoker's World	123 N. Main St	Yes	Yes	292 Feet
Jiffy	350 N. Main St	Yes	Yes	.4 Miles

ANALYSIS OF TOBACCO AND ALCOHOL RETAIL ESTABLISHMENTS AND PROPOSAL FOR FUTURE REGULATION IN BARRE CITY

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Quality Market	155 Washington St	Yes	Yes	.7 Miles
AR Market	159 N. Main St	Yes	No	135 Feet
Walgreens	355 N. Main St	Yes	Yes	.2 Miles
Champlain Farms	169 Washington St	Yes	Yes	.7 Miles
Champlain Farms	15 S. Main St	Yes	Yes	.3 Miles
North End Deli	475 N. Main St	Yes	Yes	.7 Miles
Elks	10 Jefferson St	No	Yes	.2 Miles
Arandas	377 N. Main St	Yes	Yes	.3 Miles
Campo di Vino	131 S. Main St	Yes	No	.9 Miles
Forget-me-not Flowers	214 N. Main St	Yes	No	171 Feet
Granite City Market	224 N. Main St	Yes	Yes	285 Feet
VT Strong	69 S. Main St	No	Yes	.4 Miles

Regulatory Governance

While Tobacco, Alcohol, and Cannabis sales are all regulated by State agencies, the final permit approvals come before the City Council. The burden of establishing licensing boundaries and regulations falls to the municipalities and can only really be controlled through establishing new land use classifications rooted in Act 250.

Per Section 105 of the City of Barre Charter, the authority of the city to create new ordinances is not implicitly bound by sections listed in the charter.

The current Ordinances Chapter 10 – Licenses includes special call-outs for the following types of permitted business or activities, but not for Tobacco, Alcohol, or Cannabis retailers:

- Billiard Rooms; Bowling Alleys
- Eating Establishments
- Roller Skating Rinks
- Itinerant Vendors, Peddlers, Showmen, etc
- Public Dances

There do not seem to be exceptions to the types of city ordinances that can be passed by council per Sec 107 of the Charter, while the Roles and Responsibilities section (4.400) of the Barre City Unified Development Ordinance (UDO) does not grant the Planning Commission or other roles ordinance-making abilities. The Planning Commission may prepare amendments and make recommendations to the City Council. However, the Council has no limitations on drafting and approving ordinances within its own body.

Lack of Zoning Buffers for Regulatory Retailers

In many jurisdictions across the country, there are often zoning buffers provided in state statute or regulation for retailers of regulated products, mostly tobacco and cannabis, based on the proximity to schools, youth-focused areas like parks, and places of worship. In Vermont, these zoning buffers are up to the discretion of the municipalities. The sole exception for these license types is a State regulation stating retail cannabis establishments cannot be within 500 feet walking distance from a school.

The only such language included in the UDO is in Section 3003 is related to Adult Entertainment, where:

Adult entertainment uses must not be located within 600 feet of an existing grade school, library, daycare facility, religious facility or public park. This distance will be measured from the property line of the subject lot to the nearest property line of the lot housing one of the listed uses. If a grade school, library, daycare facility, religious facility, or public park subsequently locates within 600 feet of a lawfully existing adult entertainment use, this provision will not be used to eliminate or restrict that adult entertainment use.¹

Across the US, it is common for government agencies of all sizes to establish special boundary thresholds for public-use or youth-focused locations with cities. These locations are similar to those mentioned in the Adult Use excerpt above. Typical distances range from 200 – 1000 feet.

Based on some quick research, at least 31 states have a state-level location buffer for alcohol retailers near primary or secondary schools. A national evidence summary based on state law reported that 31 states restrict alcohol outlet locations near K–12 schools.

For alcohol more broadly, a 2024 50-state legal review found that 33 states plus D.C. had some kind of state-level alcohol outlet density restriction, but that category includes more than just location buffers, such as population quotas and other density controls.

¹ Note: Smoker's World at 123 N Main St sells products that would be classified as Adult Entertainment as the Section 3003 is written. The distance from their property to the Aldrich Public Library is between 334.30 – 455.71 ft which is out of compliance with this section. Not knowing which came first, their retail inventory or the ordinance, it's possible that they are grandfathered into compliance, but this can also be reviewed by Council or the Planning Commission.

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While tobacco was much harder to find, a current 2025 state-law review clearly shows them in at least 4 states that have boundary requirements:

- **Alabama:** Specialty retail license barred within **1,000 feet** of a school, child-care facility, church, public library, playground, park, or other youth-centered facility.
- **Colorado:** No new nicotine-product retailer license within **500 feet** of a school unless authorized by local license.
- **Indiana:** Specialty e-cigarette/e-liquid store cannot be within **1,000 feet** of a school.
- **New Mexico:** Licenses may not be issued to businesses within **300 feet** of a school.

Lack of Financial Incentive for Barre

There are state-imposed taxes related to the sale of tobacco, alcohol, and cannabis that have special funding streams for the State's General Fund and special education initiatives. However, the only revenue received from the sale of these products within the community is the city's opt-in 1% Local Options Tax.

Within our small community, the increase in retail locations is unlikely to increase spending on these products. More locations will not directly increase our local tax revenue nor will it keep more dollars circulating in Barre.

In fact, overall tobacco revenue in the state is on the decline while newly issued licenses are increasing.

**TABLE 1B - STATE OF VERMONT
LEGISLATIVE JOINT FISCAL OFFICE
SOURCE HEALTHCARE REVENUE FORECAST UPDATE
Consensus JFO and Administration Forecast - January 2026**

<i>SOURCE HEALTHCARE¹</i> revenues are prior to all allocations and other out-transfers; used for analytic and comparative purposes only	FY2022 (Actual)	% Change	FY2023 (Actual)	% Change	FY2024 (Actual)	% Change	FY2025 (Preliminary)	% Change	FY2026 (Forecast)	% Change	FY2027 (Forecast)	% Change	FY2028 (Forecast)	% Change
REVENUE SOURCE														
Cigarette, Tobacco, E-Cig	\$76.0	-1.9%	\$74.8	-1.5%	\$70.0	-6.5%	\$67.4	-3.6%	\$63.9	-5.3%	\$61.9	-3.1%	\$60.1	-2.9%
Claims Assessment	\$21.7	10.3%	\$23.0	5.7%	\$27.3	18.6%	\$28.8	5.5%	\$32.6	13.2%	\$34.4	5.5%	\$36.3	5.5%
Employer Assessment	\$21.9	22.2%	\$24.9	13.9%	\$26.9	7.8%	\$31.8	18.3%	\$34.3	7.8%	\$37.0	7.8%	\$39.9	7.8%
Hospital Provider Tax	\$161.5	12.4%	\$173.9	7.6%	\$192.4	10.6%	\$212.3	10.4%	\$219.8	3.5%	\$226.4	3.0%	\$218.6	-3.4%
Nursing Home Provider Tax	\$14.7	0.7%	\$14.6	-0.6%	\$14.4	-1.5%	\$14.4	0.6%	\$14.4	-0.2%	\$14.4	0.0%	\$14.4	0.0%
Home Health Provider Tax	\$5.8	-0.3%	\$6.1	5.6%	\$0.0	-100.0%	\$0.0	NM	\$0.0	NM	\$0.0	NM	\$0.0	NM
All Other HC Revenues	\$1.8	0.9%	\$2.0	6.2%	\$2.1	7.8%	\$2.3	8.6%	\$2.3	2.1%	\$2.4	1.3%	\$2.4	1.3%
TOTAL HEALTHCARE	\$303.5	8.0%	\$319.3	5.2%	\$333.0	4.3%	\$357.1	7.2%	\$367.4	2.9%	\$376.5	2.5%	\$371.7	-1.3%

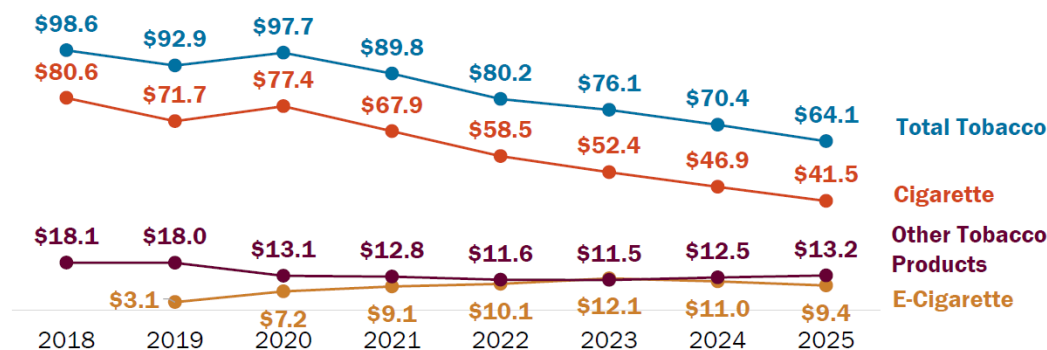
Figure 1. Past and Projected Tobacco Revenue

Figure 1 (Agency of Administration [consensus report](#)) shows that tobacco revenue has declined for years and is projected to keep falling over the next two fiscal years.

Another indicator of the decrease in tobacco sales and consumption can be seen in the Tobacco Wholesale revenue displayed in Figure 2.

From 2018 to 2025, the total tobacco tax paid decrease has been driven by a decline in cigarette tax revenue.

Annual Vermont Tobacco Tax Paid (in millions of dollars) by Total and Product Type, Inflation-Adjusted



Source: Vermont Department of Taxes form CTT-646 and CTT-642, dated 2/9/26.
 Data note: E-cigarette taxes started in Q3 of 2019. Other tobacco includes cigars, new smokeless tobacco (inc. nicotine pouches), snuff, chewing tobacco, roll-your-own tobacco pipe tobacco, paraphernalia. Revenue adjusted for inflation based on annual average 2025 Consumer Price Index (CPI) compared to annual average CPI of previous years and should not be used to estimate total sales or number of items sold
 Vermont Department of Health

Figure 2. Decline of Tobacco Wholesaler Tax Revenue

Despite the drop in consumption, the State and municipalities continue to license new retailers. By oversaturating the market, tobacco retailers offer financial incentives to their buyers like heavy discounts or Buy One Get _____ sales. Overall, the retailer's income has decreased as the local market is too competitive. For retailers who rely on these sales versus having multiple revenue streams, it is harder to maintain profits, which could lead to pre-mature shop closures.

In relation to alcohol, the Washington County Prevention Coalition provided the following points:

Alcohol retail outlet density is a well-established environmental driver of alcohol-related harm.

- Higher outlet density is associated with:
 - Increased excessive drinking and binge drinking
 - Alcohol Use Disorder
 - Violence and injury
 - Motor vehicle crashes (including DUI)
 - Domestic violence and child maltreatment
- Community-level impacts include:
 - Disorderly conduct, noise, and public nuisance
 - Property damage and neighborhood disruption
 - Increased law enforcement and EMS utilization

The final two bullets were discussed during the [PSET presentation](#) given to City Council on April 21. Statistically, it's estimated that Vermont pays >\$2 per drink in public expenditures related to alcohol use and its consequences.

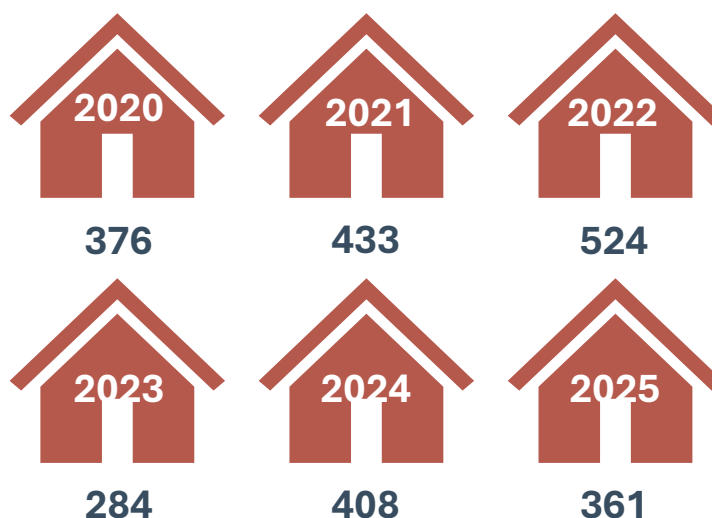
For Barre’s overall economic image, concentrations of tobacco and alcohol retailers signify a disadvantaged community. This perception is discussed in the [2022 study](#) “Associations of Alcohol and Tobacco Retail Outlet Rates with Neighborhood Disadvantage” from the *International Journal of Environmental Research and Public Health*. Disadvantaged communities are perceived as riskier investments for new businesses and less desirable by new residents. As a community working toward revitalization, this is not a perception Barre City can afford.

Barre Demographics

Barre’s demographic profile is complicated. While a substantial portion of residents are classified as vulnerable either through age, disability status, economic burdens, or rental reliance, Barre has seen some substantial changes to its residents since 2020.

Housing

Barre has attracted new residents and remote workers as one of the state’s last affordable housing markets. According to the State’s [property tax transfer](#) records, 2,386 residential properties have been sold in Barre City between 2020 and 2025. Per the US Census in 2000, there were 4,477 residential units in Barre City. Assuming these are unique addresses, 53% of Barre’s housing inventory changed ownership in recent years.



Household Income

Coinciding with the housing ownership changes, Barre City’s median household income has increased by 25-30% according to US Census data. The current estimate is between \$65,000 - \$66,000, placing Barre closer to the state-wide, non-Chittenden, average of \$77,000. While the current economy reduces the buying power of the increase, this figure demonstrates that a substantial portion of Barre City residents are earning more, and those funds could be eligible to spend within the community if opportunities existed.

Poverty Rates

Barre's poverty level has also fluctuated over time, but recent years show the first drop in the last 30 years. While some of this drop can be attributed to the loss of livable property in the North End, it can also be attributed to the variety of new residents in Barre since the Pandemic.

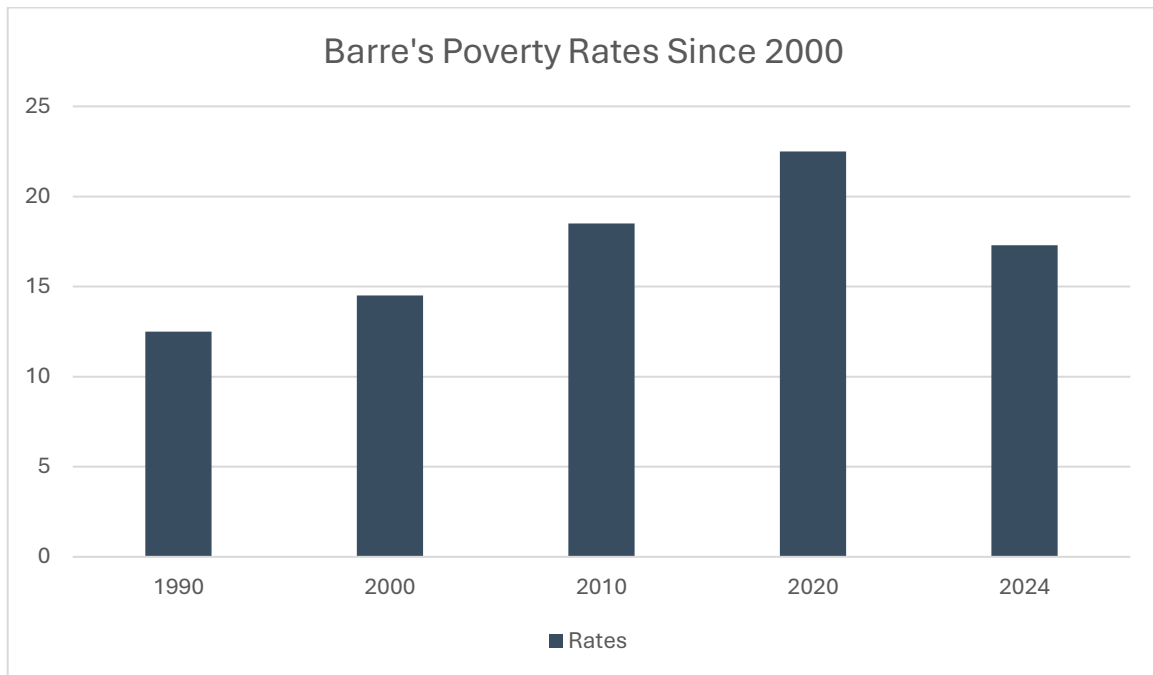


Figure 3. Barre's Changing Poverty Rates

Alcohol and Tobacco Use

Alcohol

According to the National Survey on Drug Use and Health (NSDUH), Vermont ranks as the 3rd highest in overall alcohol use (ages 12+). The Washington County Prevention Coalition provided the following statistics about Barre's Youth population, which makes up 13.5% of total residents:

- 38% of Spaulding High School students report living with a caregiver with a substance use problem (well above the state average of 27%)
- 63% of the same students report that alcohol would be easy to obtain
- Among Barre Middle School students:
 - 24% report having ridden with a driver who had been drinking
 - 20% report having ever used alcohol

The typical alcohol retail density is 1.9 to 1000 adults. Barre has 6,900 adults, which means the community should have fewer than 13 tobacco retailers. There are currently 19 permitted businesses. There is strong scientific evidence that regulating alcohol retail

density is one of the more effective strategies for reducing excessive alcohol consumption and related harms.²

Tobacco

The Barre division of the Department of Health was enthusiastic about providing data for this analysis. They provided the following statistics:

- In Vermont, adults who use one or more packs of cigarettes a day spend a minimum of \$4,555 per year.³
- 18% of deaths in Vermont among adults over 35 are attributable to cigarette smoking.⁴
- The following points were collected by the Youth Risk Behavior Surveillance (YRBS) System, a division of the Centers for Disease Control and Prevention (CDC), when they surveyed Barre high school students in 2023:
 - 18% has tried cigarettes
 - 32% had tried a vape or e-nicotine delivery device
 - 16% consistently used a vape or e-nicotine delivery device⁵

The typical tobacco retail density is 1.4 to 1000 adults.⁶ Barre has 6,900 adults, which means the community should have fewer than 10 tobacco retailers. There are currently 17 permitted businesses.

Higher tobacco retailer density per 1,000 adults at the census tract level was significantly associated with higher levels of both overall social vulnerability and socioeconomic vulnerability, meaning that in areas with lower socioeconomic status populations, there was a higher density of tobacco retailers. It is well documented that the tobacco industry targets vulnerable populations for both new and continued use.

Current City Goals

With the current City governance and planning documents, it's clear that the community wants economic development. However, in addition to filling locations with businesses, other goals stand out:

1. Foster a greater sense of **civic pride** among Barre City residents

² [“Alcohol Excessive Consumption: Regulation of Alcohol Outlet Density.”](#) The Community Guide. Accessed 2 May 2026.

³ Campaign for Tobacco Free Kids. (2025) [State Excise and Sales Taxes per Pack of Cigarettes Total Amounts and State Ranking](#). Accessed January 9, 2026.

⁴ **Vermont Department of Health.** [State Tobacco Control Plan 2023–2027: Vermont’s Plan to Eliminate Tobacco Use and Vaping: A Framework for Action and Sustainability through 2027](#). 12 Apr. 2023, ccessed 2 May 2026.

⁵ Note that S.198 made great headway in adding tighter restrictions around the shape of vape products being sold in the State.

⁶ **Vermont Department of Health.** [Vermont Tobacco and Alcohol Retail Audit](#). Apr. 2025. Accessed 21 March 2026

2. Implement the city's land use strategies as set forth in [the Municipal Plan], which identify and **establish policies for the downtown business district**, commercial zones, neighborhood commercial zones, industrial zones, and mixed-use zones.
3. Link economic development goals and strategies to building a sustainable community so that today's decisions and actions will not diminish the opportunities for **future generations to live healthy** and successful lives in the city.

Future-State Recommendations

The 2016 [document](#), *Vermont Municipal Regulation of Alcohol and Tobacco and Alcohol and Tobacco Advertising*, prepared for the Chittenden County Regional Planning Commission, states,

"Although municipalities are limited because Vermont is a Dillon's rule state, the Legislature has delegated to them authority to regulate alcohol and tobacco that is fairly expansive. Municipalities can enact local ordinances, create or amend governance charters, and utilize land use controls to regulate the sale, possession, and consumption of alcohol and tobacco... Municipalities in Vermont tend to "do what they have always done," only looking at past successful practices.

Given the multiple options potentially available to regulate alcohol and tobacco, municipalities could be more creative and aggressive in their approach moving forward."

Looking ahead to Barre City's future, we have an opportunity to create thoughtful mechanisms that encourage complementary businesses to grow and thrive within our community. At the same time, we can reaffirm the commitment made in our Designated Downtown application to strengthen and enhance our downtown through intentional planning, zoning, and investment. By following through on that vision, we can restore our downtown as a vibrant, welcoming heart of the community.

Regulate Tobacco, Alcohol, and Cannabis Retail Permits Through Ordinance and Zoning

We can build on existing tools within our own community framework to support a more balanced mix of businesses. The UDO's approach to Adult Entertainment provides a clear precedent for applying similar strategies to other sectors.

Add Additional Municipal Classifications to Support Economic Diversity

Consider creating municipal classifications for tobacco- and alcohol-focused retailers versus those that have a wider variety of products. These classifications should be permissible because they regulate land use characteristics and business types. An example of classifications could include:

"Tobacco Specialty Retailer"

A retail establishment authorized to sell tobacco products through a State-issued Tobacco license, with a focus on small-scale or specialty production.

- No more than 30% of the floor area or display shall be devoted to the sale of tobacco products, and such establishments are characterized by the sale of cigars, pipe tobacco, and roll-your-own products.
- Cigarettes, vapes, and e-nicotine delivery devices shall be allocated no more than 10% of the floor area or display.
- No drive-through sales
- No self-service displays are accessible to customers
- An establishment shall not qualify as a Tobacco Specialty Retailer if it also meets the definition of a General Alcohol Retailer.

“General Tobacco Retailer”

Any establishment licensed to sell tobacco products through a State-issued Tobacco license offering tobacco or nicotine products and does not meet the definition of a Tobacco Specialty Retailer, Convenience, or Grocer.

Includes, but is not limited to:

- Convenience stores
- Vape shops
- Business with more than 10% of floor area or display dedicated to the sale of tobacco products

“Limited Alcohol Retailer (Beer and Wine – Specialty)”

A retail establishment authorized to sell beer and wine only through a State-issued Second-Class license, with a focus on small-scale or specialty production.

- No more than 30% of the floor area or display shall be devoted to the sale of alcoholic beverages, and such establishments are characterized by the sale of wine, cider, and specialty or craft beer products.
- Malt beverages shall be allocated no more than 10% of the floor area or display.
- Mass-market (macro) beer brands shall be allocated no more than 10% of the floor area or display.
- No sale of distilled spirits.
- An establishment shall not qualify as a Limited Alcohol Retailer if it also meets the definition of a General Tobacco Retailer.

“General Alcohol Retailer”

Any establishment licensed to sell alcoholic beverages through a State-issued Second-Class license not meeting the definition of a Limited Alcohol Retailer, Convenience, or Grocer.

Includes, but is not limited to:

- Package/liquor stores
- High-volume alcohol outlets
- Business with more than 25% of floor area or display dedicated to the sale of alcohol

“Cannabis Retailer”

Any establishment licensed to sell recreational use cannabis products.

“High-Impact Use Retailer”

Any establishment that

- Meets the definitions of both a General Alcohol Retailer and a General Tobacco Retailer
- Does not meet the definition of a Convenience Store or Grocer

“Grocer”

- Any establishment with the primary purpose of selling fresh, prepared, and packaged food for off-site consumption and household goods. It may offer retail sales of tobacco or alcoholic products for off-site consumption, if licensed by the State of Vermont, as an accessory use.

To meet this classification, no less than 70% of the floor area or display shall be devoted to the sale of alcoholic beverages, and such establishments are characterized by the sale of wine, cider, and specialty or craft beer products.

- Fresh produce
- Dairy, including milk and cheese
- Raw Meat
- Household goods

Includes, but is not limited to:

- Grocery stores
- Markets
- Bodegas
- Business with a minimum of 70% of floor area dedicated to the sale of food products, as defined above.

“Food or Beverage Store”

- **Update:** *An establishment that sells food or **non-alcoholic beverage** items primarily not for immediate consumption to the general public. It may offer prepared foods or drinks for immediate consumption either on-site or for take-out as an accessory use.*

“Convenience Store”

- **Update:** *An establishment that sells a limited line of staple food, packaged food, and convenience items primarily for off-site consumption. It may offer*

*prepared foods or drinks for immediate consumption either on-site or for take-out as an accessory use. **It may offer retail sales of tobacco or alcoholic products for off-site consumption, if licensed by the State of Vermont, as an accessory use.***

To meet this classification, no more than 40% of the floor area or display shall be devoted to the sale of alcoholic beverages and/or tobacco products.

“Brewery”

- A facility where beer is brewed on-site for distribution and/or on-site consumption, and which may include an accessory tasting room, taproom, or retail sales area.

Discourage General Retailers Clustering through Zoning

The goal is not to eliminate these regulated products from the community or Downtown District, but to reduce clustering and allow the area to function more closely to the goals identified in our Municipal Plan. This can be achieved by applying targeted restrictions, such as enforcing Conditional Use Permits (CUPs), which are already required for Retail Sales in the UC-1 district under the UDO.

Cities in Vermont currently using CUPs include:

- Killington
- Westfield
- Waitsfield

New guidelines for CUPs may include:

- General Tobacco Retailers shall not be located within 750 feet of another business with an active Tobacco Retailer license. Distance shall be measured in a straight line from the nearest point of the structure containing the proposed use to the nearest point of the structure of any existing such use.
- General Alcohol Retailers shall not be located within 750 feet of another business with an active Second-Class Alcohol license. Distance shall be measured in a straight line from the nearest point of the structure containing the proposed use to the nearest point of the structure of any existing such use.
- High-Impact Use Retailers shall not be located within 1,000 feet of another business with a Tobacco Retail or Second-Class Alcohol license. Distance shall be measured in a straight line from the nearest point of the structure containing the proposed use to the nearest point of the structure of any existing such use.
- Cannabis Retailers shall not be located within 1,500 feet of another such use. Distance shall be measured in a straight line from the nearest point of the structure containing the proposed use to the nearest point of the structure of any existing such use.

- Cannabis Retailers shall not be located within 750 feet of a General Tobacco Retailer or High-Impact Use Retailer. Distance shall be measured in a straight line from the nearest point of the structure containing the proposed use to the nearest point of the structure of any existing such use.
- Tobacco Specialty Retailers and Limited Alcohol Retailers shall be exempt from minimum separation requirements, provided they do not meet the definition of a General Tobacco Retailer or a General Alcohol Retailer.
- Properties with combined Convenience Store and Fueling Station uses, Grocers, and Breweries shall be exempt from minimum separation requirements.

These standards shall be applied as part of the Conditional Use Permit review for any business in the Design Review Overlay District (DROD), and applications that do not meet these requirements shall not be approved, except where specifically authorized under the provisions for nonconforming uses. This ensures that products are readily available to consumers and helps prevent clustering.

Tobacco Specialty Retailers and Limited Alcohol Retailers are intended to function as lower-impact and accessory uses. Therefore, they are subject to fewer locational restrictions than General and High-Impact Retailers.

Create Location Buffers for Sensitive Use Spaces

Also, in our Zoning or Charter, we should define “Sensitive Use” spaces that are within the Downtown Review Overlay District or classified as a Civic location, which include any public or quasi-public facility or facility supporting a vulnerable population, including, but not limited to:

- Community Facilities, as defined in 1104, except municipal parks with an area less than 10,000 square feet
- Public libraries as recognized by the State’s Department of Libraries
- Rehabilitation services or residential treatment facilities, as defined in 3228
- Senior Housing
- Assisted Living
- Group Home

Once defined, consider establishing a buffer around Sensitive Use spaces.

- Tobacco Specialty Retailers, Limited Alcohol Retailers, and Breweries shall not be located within 500 feet of designated Sensitive Use spaces. Distance shall be measured in a straight line from the nearest point of the structure containing the proposed use to the nearest point of the property boundary of the Sensitive Use.
- General Alcohol Retailers, General Tobacco Retailers, and Cannabis Retailers, not also identified as a High-Impact Use Retailer, shall not be located within 750 feet of designated Sensitive Use spaces. Distance shall be measured in a straight line from the nearest point of the structure containing the proposed use to the nearest point of the property boundary of the Sensitive Use.

- High-Impact Use Retailers shall not be located within 1,000 feet of designated Sensitive Use spaces. Distance shall be measured in a straight line from the nearest point of the structure containing the proposed use to the nearest point of the property boundary of the Sensitive Use.
- Convenience Stores and Grocers with regulatory substance licenses, including tobacco, tobacco enhancement, and second-class licenses, shall not be located within 500 feet of designated Sensitive Use spaces. Distance shall be measured in a straight line from the nearest point of the structure containing the proposed use to the nearest point of the property boundary of the Sensitive Use.

Signage

To support and ***promote the long-term economic and social vitality of Barre City's central business district,⁷ encourage investment that increases the value of downtown buildings and property⁸, and promote a quality, urban streetscape and pedestrian-friendly environment⁹***, consider the following revisions to the UDO:

3107 Signs section:

- Update 3107.D:
 - **Remove** 3107.D(9) for the restriction of Neon signs. All neon signs should go through the Development Review Board (DRB) to ensure they conform to the purposes stated in 3107.A.
 - **Add** (16) *Signs mounted on rigid foam board, including but not limited to:*
 - Gatorboard
 - Foam board
 - Rigid foam board
 - High-density foam board
 - Rigid display board
 - **Add** (17) *Handwritten signs advertising products*
- Update 3107.I:
 - **Add** (5) *Temporary signs cannot promote tobacco or cannabis use. Only locations with an on-premises consumption tobacco license may display event signs promoting alcohol.*
- Update 3107.L(2):

*Applicants may seek conditional use approval for distinctive, building-mounted signs that do not conform to the standards of this section within the **Design Review Overlay District**, Urban Center 1 and 2, and Mixed Use 1 districts.*
- Update Figure 3-11 Window Sign Miscellaneous language:
 - **Remove:** Applied plastic or vinyl cut letters are strongly discouraged and are prohibited in the DRO district.

⁷ Section 2101.A(1) of the UDO

⁸ Section 2101.A(5) of the UDO

⁹ Section 2101.A(7) of the UDO

- **Update:** Each window sign consisting of applied plastic or vinyl cut letters is limited to one graphic per window and must be approved by the Design Review Board.
- **Add:** Window signs in the DRO district may not include references to regulated substances such as tobacco, alcohol, or cannabis, including but not limited to terms such as “Smoke Shop” or “Vape Shop”.
- **Add:** Window signs may not be constructed of paper products.
- Update Figure 3-15 Projecting Sign language:
 - **Add Location:** *An establishment with multiple ground-floor accessible businesses with distinct entrances may have 1 projecting sign per business.*
 - **Add Miscellaneous:** *Projecting signs imagery is limited to the name of the business and, if desired, its logo. Logos may not use imagery of tobacco, alcohol, or cannabis products or use.*
- Update Figure 3-20 Sandwich Board Sign
 - **Add Location:** *An establishment with multiple ground-floor accessible businesses with distinct entrances may have 1 sandwich board sign per 100 ft of building frontage, with no more than 1 sandwich board per business.*
 - **Add Miscellaneous:** Sandwich board signs in the DRO district may not include references to regulated substances such as tobacco, alcohol, or cannabis, including but not limited to terms such as “Smoke Shop” or “Vape Shop”.

Enforcement

Enforcement is the strongest mechanism for enforcement, especially outside of a licenses renewal period.

“Coverage Statements”

Any use lawfully existing prior to the adoption of these changes shall be considered a nonconforming use and may continue, but shall not be expanded, enlarged, or intensified.

Any signage approved prior to the adoption of these changes shall be considered grandfathered and may continue, but shall not be changed, expanded, enlarged, or intensified.

No tobacco retail, tobacco enhancement, or second-class license shall be approved or renewed unless the establishment complies with all applicable zoning, land use, and permitting requirements.

Continuous zoning violations may result in the suspension or recommendation for revocation of the permit for ongoing zoning violations.

Violations and Penalties

The current language in this section applies to building owners versus business owners. Consider the following edits:

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*Imposing fines and penalties to the maximum extent allowed under state law until the property owner **and/or business owner** remedies the violation.*

*Upon failure of the property owner or other responsible party to cure a violation of this ordinance, **Barre City may suspend or recommend revocation of city-approved licenses or institute appropriate court action.***

Summary

These standards are intended to:

- Prevent the new high-impact retailers in the DROD based on the current market saturation
- Support the character and economic vitality of the Downtown District by encouraging businesses where the Tobacco and Alcohol offerings are either specialized or incidental and subordinate to their primary retail offerings.
- Promote public health and safety by establishing Sensitive Use areas, and
- Maintain a balanced mix of commercial activity to promote Vermonters and tourists to spend time in our Designated Downtown.

Under the proposed spacing requirements, some existing general tobacco and alcohol retailers in Barre, Vermont's Design Review Overlay district would become nonconforming but may continue operating. Others would become non-conforming due to the relative distance to a Sensitive Use space.

Name	Address	In DROD?	Location Buffer Compliant?	Sensitive Use Buffer Compliant?
Beverage Baron (HI)	411 N. Main St	No	Yes	No – Brook St School
Cumberland Farms 8025 (CN)	524 N. Main St	No	Yes	Yes
Cumberland Farms 8027 (CN)	132 S. Main St	No	Yes	No – Spaulding Civic Boundary
Dente's (GR)	406 N. Main St	No	Yes	No – Brooks St School
Dollar General 11046 (HI)	74 S. Main St	Yes	No – VT Strong	No – Post Office

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Dollar General 30489 (HI)	540 N. Main St	No	Yes	No – Wobby Park, Public Safety Building
Smoker's World (HI)	123 N. Main St	Yes	No	No – Library, City Hall, City Hall Park, Mathewson Playground, Church Cluster
Jiffy (CN)	350 N. Main St	Yes	Yes	Yes
Quality Market (G)	155 Washington St	No	Yes	Yes
AR Market (G)	159 N. Main St	Yes	Yes	Yes
Walgreens (HI)	355 N. Main St	Yes	No – Jiffy Mart	No – Auditorium
Champlain Farms (CN)	169 Washington St	No	Yes	Yes
Champlain Farms (CN)	15 S. Main St	Yes	Yes	No – City Hall Park, City Hall, Post Office, Church Cluster
North End Deli (GR)	475 N. Main St	No	Yes	Yes
Elks (GR)	10 Jefferson St	Yes	No – 445 ft to Smoker's World	Library, City Hall Park, Church Cluster, City Hall
Arandas (FS)	377 N. Main St	Yes	Yes	Yes
Campo di Vino (SR)	131 S. Main St	No	Yes	Yes
Forget-me-not Flowers (SR)	214 N. Main St	Yes	Yes	Yes
Granite City Market (G)	224 N. Main St	Yes	Yes	Yes
VT Strong (GR, C)	69 S. Main St	Yes	No – 270 ft to Dollar General	Yes
Barre Beer and Tobacco Shop (HI)	200 N. Main St.	Yes	No – 235 ft to Granite City Market	No – Library, City Hall Park, Mathewson Park, City Hall

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Abbreviations include:

- GR – General Tobacco or Alcohol Retailer
- SR – Specialty Retailer
- HI – High Impact
- G – Grocer
- CN – Convenience Store
- C – Cannabis Retailer

No current conforming permit holders would be affected beyond the nonconformity provisions outlined in the Enforcement section. Others who may be out of compliance may need to become compliant. Over time, these standards will guide new businesses toward specialty classifications, allowing the corridor to gradually diversify over a 5–10 year period.

DRAFT AMENDMENTS TO THE BARRE CITY UNIFIED DEVELOPMENT ORDINANCE

ARTICLE 1 — GENERAL PROVISIONS

Section 101. Purpose and Intent

These regulations are adopted to:

1. Support a balanced, diverse, and resilient mix of commercial activity within the City and Downtown District;
2. Foster a greater sense of civic pride among Barre City residents by encouraging compatible, pedestrian-oriented, and community-supportive development patterns;
3. Implement the City's land use strategies as established in the Municipal Plan, including policies governing downtown business districts, commercial districts, neighborhood commercial districts, industrial districts, mixed-use districts, and overlay districts;
4. Promote economic development strategies that contribute to a sustainable community and support opportunities for current and future generations to live healthy and successful lives within the City;
5. Prevent the overconcentration and clustering of certain regulated retail uses where such concentration may undermine neighborhood character, pedestrian activity, economic diversity, or long-term revitalization objectives;
6. Encourage land use patterns that support a broad range of retail, service, civic, residential, cultural, and employment opportunities within the Downtown District and surrounding neighborhoods;
7. Reinforce compatible development patterns and minimize cumulative land use impacts associated with concentrated regulated retail uses, including impacts related to traffic, signage intensity, late-night activity, and commercial compatibility; and
8. Advance the goals of the City's Downtown Designation Program and related revitalization initiatives.

These regulations are intended to regulate land use characteristics, locational impacts, and compatibility between uses. Nothing herein shall be construed to prohibit the lawful sale of products otherwise authorized by the State of Vermont.

ARTICLE 11 — DEFINITIONS

Section 1104. Definitions

Alcohol Retailer, General

A retail establishment licensed by the State of Vermont to sell alcoholic beverages for off-site consumption through a Second-Class license and which does not qualify as a Limited Alcohol Retailer, Convenience Store, or Grocer.

Characteristics may include:

- Package or liquor stores;
- High-volume alcohol sales; or
- More than twenty-five percent (25%) of the floor area or display area is devoted to alcoholic beverages.

Alcohol Retailer, Limited

A retail establishment licensed by the State of Vermont to sell beer and wine for off-site consumption through a Second-Class license and characterized by specialty, small-scale, or craft beverage offerings.

To qualify as a Limited Alcohol Retailer:

1. No more than thirty percent (30%) of floor area or display area shall be devoted to alcoholic beverages;
2. Malt beverages shall occupy no more than ten percent (10%) of floor area or display area;
3. Mass-market beer brands shall occupy no more than ten percent (10%) of floor area or display area;
4. Distilled spirits shall not be sold; and
5. The establishment shall not meet the definition of a General Tobacco Retailer.

Brewery

A facility where beer is brewed on-site for distribution and/or on-site consumption, and which may include accessory tasting rooms, taprooms, or retail sales areas.

Cannabis Retailer

An establishment licensed by the State of Vermont to sell recreational cannabis products.

Convenience Store

An establishment engaged in the retail sale of a limited line of staple foods, packaged foods, and convenience items primarily for off-site consumption. Prepared foods or beverages may be offered as an accessory use.

Alcoholic beverage or tobacco sales may be permitted as accessory uses when licensed by the State of Vermont.

To qualify as a Convenience Store:

- No more than forty percent (40%) of floor area or display area shall be devoted to alcoholic beverages and/or tobacco products.
-

Food or Beverage Store

An establishment engaged primarily in the retail sale of food and/or non-alcoholic beverage items not intended for immediate consumption.

Prepared food or beverage service for on-site or take-out consumption may be permitted as an accessory use.

Grocer

An establishment engaged primarily in the retail sale of fresh, prepared, and packaged foods and household goods for off-site consumption.

Alcoholic beverage or tobacco sales may be permitted as accessory uses when licensed by the State of Vermont.

To qualify as a Grocer:

1. At least seventy percent (70%) of floor area or display area shall be devoted to food products and household goods; and

2. Food products shall include fresh produce, dairy products, raw meat products, and packaged food products.

Grocers may include:

- Grocery stores;
- Markets;
- Bodegas; or
- Similar food-oriented establishments.

High-Impact Retail Use

A retail establishment that:

1. Meets the definitions of both a General Alcohol Retailer and a General Tobacco Retailer; and
2. Does not qualify as a Convenience Store or Grocer.

High-Impact Retail Uses are characterized by intensified retail concentration, increased signage and advertising intensity, greater compatibility concerns within pedestrian-oriented districts, and cumulative land use impacts associated with clustering.

Sensitive Use

A public, quasi-public, civic, institutional, residential care, or vulnerable-population-serving use located within the Design Review Overlay District (DROD) or Civic District.

Sensitive Uses include:

- Community Facilities, except municipal parks less than ten thousand (10,000) square feet;
 - Public libraries recognized by the Vermont Department of Libraries;
 - Rehabilitation or residential treatment facilities;
 - Senior housing facilities;
 - Assisted living facilities; and
 - Group homes.
-

Tobacco Retailer, General

An establishment licensed by the State of Vermont to sell tobacco or nicotine products and which does not qualify as a Tobacco Specialty Retailer, Convenience Store, or Grocer.

Characteristics may include:

- Vape shops;
- Tobacco-focused retail establishments; or
- More than ten percent (10%) of the floor area or display area is devoted to tobacco or nicotine products and accessories.

Tobacco Retailer, Specialty

A retail establishment licensed by the State of Vermont to sell tobacco products and characterized primarily by specialty or small-scale tobacco offerings.

To qualify as a Tobacco Specialty Retailer:

1. No more than thirty percent (30%) of floor area or display area shall be devoted to tobacco products and accessories;
2. Cigarettes, vape products, and electronic nicotine delivery systems shall occupy no more than ten percent (10%) of the floor area or display area;
3. Drive-through sales shall be prohibited.
4. Customer-accessible self-service tobacco displays shall be prohibited; and
5. The establishment shall not meet the definition of a General Alcohol Retailer.

ARTICLE 3 — USE REGULATIONS

Section 310. Regulated Retail Uses

A. Applicability

The standards of this Section shall apply to regulated retail uses located within:

1. The Design Review Overlay District (DROD); and
2. Any zoning district where Retail Sales require Conditional Use approval.

Regulated retail uses shall comply with the separation, buffering, and Conditional Use Permit requirements established in Table 310-1 in addition to all other applicable provisions of this Ordinance.

B. Interpretation

Where multiple standards apply, the more restrictive standard shall govern.

No regulated retail use shall be approved that fails to satisfy the requirements of Table 310-1 unless expressly authorized under Article 8 governing lawful nonconforming uses.

C. Table 310-1. Regulated Retail Use Standards

Use Classification	Minimum Separation Between Like Regulatory License Types	Sensitive Use Buffer	Conditional Use Permit Required in DROD
General Tobacco Retailer	750 ft from: - General Tobacco Retailers; or - Convenience Store with a Tobacco Retailer License; or - Grocer with a Tobacco Retailer License	750 ft	Yes
General Alcohol Retailer	750 ft from: - General Alcohol Retailers; or - Convenience Store with a Second-Class License; or - Grocer with a Second-Class License	750 ft	Yes
High-Impact Retail Use	1,000 ft from: - General Alcohol Retailers; or - General Tobacco Retailer; or - Convenience Store with a Tobacco	1,000 ft	Yes

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	Retailer or Second-Class License; or Grocer with a Tobacco Retailer or Second-Class License		
Cannabis Retailer	1,500 ft from Cannabis Retailers; 750 ft from High-Impact Retail Uses or General Tobacco Retailers	750 ft	Yes
Tobacco Specialty Retailer	Exempt	500 ft	Yes
Limited Alcohol Retailer	Exempt	500 ft	Yes
Brewery	Exempt	500 ft	Yes
Convenience Store with Tobacco Retail or Second-Class Licenses	Exempt	500 ft	Yes
Grocer with Tobacco Retail or Second-Class Licenses	Exempt	500 ft	Yes

Section 312. Conditional Use Approval Standards

In addition to the standards of Article 5, the Development Review Board shall evaluate:

1. Whether the proposed use would contribute to excessive concentration of regulated retail uses;
2. Compatibility with surrounding land uses and pedestrian-oriented development patterns;
3. Consistency with the Barre City Municipal Plan;
4. Potential cumulative impacts associated with clustering of regulated retail uses;
5. Effects on neighborhood character, economic diversity, and downtown revitalization objectives.

Applications failing to meet the standards of Section 310 shall not be approved except as otherwise authorized for lawful nonconforming uses under Article 8.

Section 313. Exemptions

The following uses shall be exempt from minimum separation requirements between regulated retail uses:

1. Tobacco Specialty Retailers;
2. Limited Alcohol Retailers;
3. Breweries;
4. Grocers; and
5. Combined Convenience Store and Fueling Station uses;

provided such uses do not otherwise qualify as High-Impact Retail Uses.

Section 314. Measurement Standards

Distances required under Sections 310 through 313 shall be measured in a straight line:

1. From the nearest point of the structure containing the proposed use;
2. To the nearest point of the structure containing the existing regulated use; or
3. To the nearest property boundary of a Sensitive Use, where applicable.

ARTICLE 8 — NONCONFORMITIES

Section 8105. Existing Regulated Retail Uses

Any regulated retail use lawfully existing prior to the effective date of this Ordinance and rendered nonconforming by these amendments may continue subject to the requirements of Article 8.

Expansion, relocation, intensification, or change in use classification of a nonconforming regulated retail use shall require compliance with Article 3 unless otherwise approved by the Development Review Board consistent with the standards for nonconforming uses.

Analysis of Tobacco and Alcohol Retail Establishments and Proposal for Future Regulation in Barre City

Comments from David Sichel

I have spent a lot of time reviewing this proposal and offer some thoughts and comments.

1. The paper lists 20 establishments in the downtown and surrounding area. There are now 21 such establishments. 9 of these are in the downtown zoning district.
2. Of these 21 businesses:
 - 4 are gas stations/convenience stores
 - 1 is a gas station/food/convenience store
 - 1 is a convenience store
 - 3 sell food and alcohol
 - 5 are grocery stores (includes two Dollar General stores)
 - 3 sell primarily alcohol and tobacco (Beverage Baron is also a gas station, convenience store, and bottle and can redemption center)
 - 1 sells prepared food/ gas and alcohol (Aranda's)
 - 1 is a drug store/pharmacy
 - 1 sells cannabis
 - 1 is a social club (Elks)
3. Of the 9 in the Downtown Zoning District
 - 2 sell primarily alcohol and tobacco (Barre Tobacco and Beer Shop, Smoker's World)
 - 1 is a gas station/convenience store (Jiffy Mart)
 - 1 sells prepared food/ gas and alcohol (Aranda's)
 - 1 sells prepared food (Kitty Café)
 - 2 are grocery stores (AR Market, Granite City Groceries)
 - 1 is a drug store/pharmacy (Walgreens)
 - 1 is a social club (Elks)
4. The only businesses that I see as "overly concentrated" are gas stations/convenience stores.
5. Zoning Buffers.
 - Have there been problems?
 - Why are there different categories? The groupings don't make sense.
 - If yes, there should conditional use requirements or other zoning restrictions. If the requirements are not discretionary, then a conditional use permit is not

the way to go. This can be accomplished at the administrative level.

Alternatively, the City Council should issue less class II licenses.

- If no, what criteria should there be other than distance?
 - Distance requirements should be the same for all these establishments, say 500 or 1000 feet. Should the distance requirements also apply to Class I licenses?
6. If an increase in retailers will not increase spending on alcohol and tobacco products then some of these businesses won't survive or they will change their product mix. The same argument might be made for restaurants, grocery stores or gas stations.
 7. Health issues. A high density of tobacco and alcohol retail establishments is associated with problems. Is this correlation or causation. Doesn't this also apply to Class I establishments? How does this relate to number 6? They seem to be contradictory
 8. How does Barre compare to other similar Vermont municipalities?
 9. The downtown area serves a larger population than just Barre City.
 10. A legal review of any proposed language should be done.
 11. Does the city have the administrative and enforcement capacity to take on these rules?
 12. The sign ordinance changes require a separate review. The issues are different. Many of these were discussed in depth with the last zoning rewrite.

Staff Updates for July 9, 2026 Packet

- To note, the DRB has two vacant seats, of which 1 interested citizen is coming before the July 14th Council Meeting for appointment, and there is a second interested person for the remaining seat and the Manager is working on firming up this individual for appointment now.
- The DRB will have a Special hearing on July 13th to hear a request for waiver from the bulk storage rules in apartment buildings, and change in trash containment area materials for the proposed Stevens Branch Apartments at 11 Seminary Street (currently a closed city parking lot), as well as a request by the Barre Evangelical Free Church for a fence that exceeds the permissible height.
- Our Appraisal Company, New England Municipal Consultants, Ltd. completed their two-year work on revaluing all of Barre City's properties last week. This came as a result of two things: The City had already contracted with them to complete a reappraisal, but then Barre City received an order from The Department of Property Value and Review to complete a reappraisal due to our required factors of value versus sale be completed (COD efficient dropped below 90%). Now, the Assessors have published the Abstract Grand List (a draft) which obviously resulted in every property owner receiving a change of appraisal notice that showed the current and proposed values of their house and land. Grievance hearings begin Thursday, July 9, and anyone choosing to grieve their proposed assessed value have the opportunity to discuss further with the Assessors by submitting in writing a request to grieve and be heard, no later than Wednesday July 8 at close of business. Once all grievances are heard, the Assessors will then determine a final values and issue a Final Grand List, with the Result of Grievance notices being sent out. From that Final Grand List, the City Council will then determine the new tax rates so that tax bills can be completed and sent out. Finally, as the BUUSD school budget has not been set yet, likely the first tax bill will be like last year's in that it will be tentative, then once the budget is passed, and all formulas redone, a final tax bill will get sent out.
- FEMA buyout status: 15 Scampini Square and 12 Harrington Avenue were purchased on April 27, 2026, bringing our total buyout purchases to 16. We are hoping to close on 12 Scampini Square at the end of July, and 572 N Main Street in early August. That will remain just a few properties left that have grant agreements to get to the finish line. There are 3 properties that still do not have grant agreements from FEMA, and we are hoping that they are working toward these and we will hear soon.
- Turning Point Center at 18 S. Main Street continues to move along nicely; their consultant and I continue to move to grant agreement from grant award, getting final pieces of documentation in the grants management system. I am working now with the City attorney to get required legal documentation done and recorded so that the grant can be issued and I can complete a reimbursement. Vacations and time constraints at the state level are making this progress very slowly at this point.
- As you know the City was awarded 3 CDBG-DR grants, and we continue to complete the next step of special conditions necessary to get us having a grant agreement offered for each; Prospect Heights Development for \$5,434,242; the Harrington Avenue Debris

Rack redevelopment for \$856,428; and the Stormwater upgrades for study and design for \$250,000.

- Round 2 CDBG-DR funding applications for those we were not awarded under Round 1 were denied; the City Council will discuss at their July 14th meeting to see if they want City Staff to apply for Round 3 funding for these projects (elevation and buyout funding).
- The 3 elevations in the city (we were awarded \$900,000 in 2025) are moving along. We have hired a consultant to be the Project Manager and see this through, as I have limited bandwidth at this point. Communications for this grant will revert back to me once the City Manager vacates next week.
- The City was notified that we were recipients of a grant award from CDS (Congressionally Directed Spending) funding for the Harrington Avenue Debris Rack and Floodplain project. We currently have all the funding needed (on paper) to complete this project, but will apply for some of the \$591,000 awarded so that any cost overruns get covered in their entirety.
- The collection of Rental registrations for FY27 that were due by July 1. Robin will be sending out the first notice of delinquencies to those that have not paid their required fees.
- The owner of the land off of Quarry Street has a draft site plan for a 9-12 unit development. With the requirement of Act 250 for 9 units or more, he has submitted his draft plan to see if the zoning ordinance will allow for 12 units, as he would like to get as much as he can on this property. We are reviewing now so that he is informed of his options.
- Prospect Heights is still moving along well. We have all our funding, and right now are still in the middle of completing the NEPA (National Environmental Policy Act) that requires us to complete an extensive environmental review of the property. We needed to amend our contract with a consultant as we were notified a full "bat study" with auditory work was needed, and hope to wrap this all up by mid- to late summer. Once the NEPA is done, we can move forward with getting the grants issued from the CDBG-DR funding, and a full notice to proceed from the NBRC (Northern Borders Regional Commission). The final funding will be a state grant called a 3-B grant, that will pay for the purchase of the property and other things.
- The Mayor held a special meeting in the North End on June 22, to see about creating a North End Committee, of which the discussion is on the July 14th Council agenda.