Towns are encouraged to use this assessment form to evaluate how well the town plan addresses statutory requirements. This form provides the State of Vermont requirements specified in the Vermont Municipal and Regional Planning and Development Act, Title 24 V.S.A Chapter 117 (the Act). These include the 12 required elements of a town plan, found in § 4382 of the Act; the four state planning process goals, found in § 4302(b); the 14 specific state planning goals found in § 4302(c); and the standards of review found in § 4302(f), regarding consistency with state goals and standards for evaluating plan compatibility. It also includes § 4350 regarding regional commission review of plans and consultation regarding municipal planning efforts. During the regional commission approval and confirmation process specified in § 4350, the WRC will evaluate the town plan and the town’s planning process according to criteria specified in the Act.

Statutory citations for each element or goal are in italics, as are several other cited provisions.

REQUIRED ELEMENTS OF A TOWN PLAN

24 V.S.A. § 4382. The plan for a municipality
(a) A plan for a municipality may be consistent with the goals established in section 4302 of this title and compatible with approved plans of other municipalities in the region and with the regional plan and shall include the following:

(1) A statement of objectives, policies, and programs of the municipality to guide the future growth and development of land, public services, and facilities, and to protect the environment.

Statement(s) found on page(s): ___________________________________________________________________________ Missing: ______________

(2) A land use plan, which shall consist of a map and statement of present and prospective land uses, that:

Statement(s) found on page(s): ___________________________________________________________________________ Missing: ______________
(A) Indicates those areas proposed for forests, recreation, agriculture (using the agricultural lands identification process established in 6 V.S.A. § 8), residence, commerce, industry, public, and semi-public uses, and open spaces, areas reserved for flood plain, and areas identified by the State, the regional planning commission, or the municipality that require special consideration for aquifer protection; for wetland protection; for the maintenance of forest blocks, wildlife habitat, and habitat connectors; or for other conservation purposes.

(B) Sets forth the present and prospective location, amount, intensity, and character of such land uses and the appropriate timing or sequence of land development activities in relation to the provision of necessary community facilities and service.

(C) Identifies those areas, if any, proposed for designation under chapter 76A of this title, together with, for each area proposed for designation, an explanation of how the designation would further the plan's goals and the goals of section 4302 of this title, and how the area meets the requirements for the type of designation to be sought.

(D) Indicates those areas that are important as forest blocks and habitat connectors and plans for land development in those areas to minimize forest fragmentation and promote the health, viability, and ecological function of forests. A plan may include specific policies to encourage the active management of those areas for wildlife habitat, water quality, timber production, recreation, or other values or functions identified by the municipality.

Text of Land Use plan found on page(s): ________________  Missing: ____________

Present Land Use map included:  Yes: ___________  No: _______

Prospective Land Use map included:  Yes: ___________  No: _______

Are the text of this element and the related maps compatible? Yes: ______  No: _______

(3) A transportation plan, consisting of a map and statement of present and prospective transportation and circulation facilities showing existing and proposed highways and streets by type and character of improvement, and where pertinent, parking facilities, transit routes, terminals, bicycle paths and trails, scenic roads, airports, railroads, and port facilities, and other similar facilities or uses, with indications of priority of need.

Text of Transportation plan found on page(s): ________________  Missing: ______

Transportation plan map included:  Yes: ___________  No: _______

Are the text of this element and the related map compatible?  Yes: ______  No: _______

(4) A utility and facility plan, consisting of a map and statement of present and prospective community facilities and public utilities showing existing and proposed educational,
recreational and other public sites, buildings and facilities, including hospitals, libraries, power generating plants and transmission lines, water supply, sewage disposal, refuse disposal, storm drainage, and other similar facilities and activities, and recommendations to meet future needs for community facilities and services, with indications of priority of need, costs and method of financing.

Text of Utility and Facility plan found on page(s): ________________  Missing: _______
Utility and Facility plan map included:  Yes: ________________  No: _______
Are the text of this element and the related map compatible? Yes: ______  No: _______

(5) A statement of policies on the preservation of rare and irreplaceable natural areas, scenic and historic features and resources.

Preservation policy statement(s) found on page(s): ________________  Missing: _______

(6) An educational facilities plan consisting of a map and statement of present and projected uses and the local public school system.

Text of Educational Facilities plan found on page(s): ________________  Missing: _______
Educational Facilities plan map included:  Yes: ________________  No: _______
Are the text of this element and the related map compatible? Yes: ______  No: _______

(7) A recommended program for the implementation of the objectives of the development plan.

Implementation program found on page(s): ________________  Missing: _______

(8) A statement indicating how the plan relates to development trends and plans for adjacent municipalities, areas and the region developed under this title.

Statement found on page(s): ________________  Missing: _______

(9) An energy plan, including an analysis of energy resources, needs, scarcities, costs and problems within the municipality, a statement of policy on the conservation of energy, including programs, such as thermal integrity standards for buildings, to implement that policy, a statement of policy on the development of renewable energy resources, a statement of policy on patterns and densities of land use likely to result in conservation of energy.

Energy plan and policy found on page(s): ________________  Missing: _______
(10) A housing element that shall include a recommended program for addressing low and
moderate income persons' housing needs as identified by the regional planning commission
pursuant to subdivision 4348a(a)(9) of this title. The program should account for permitted
accessory dwelling units, as defined in subdivision 4412(1)(E) of this title, which provide
affordable housing.

Housing element and program found on page(s): ________________  Missing: ____________

(11) An economic development element that describes present economic conditions and the
location, type, and scale of desired economic development, and identifies policies, projects, and
programs necessary to foster economic growth.

Economic development element found on page(s): ________________  Missing: ____________

(12)(A) A flood resilience plan that:
(i) identifies flood hazard and fluvial erosion hazard areas, based on river
corridor maps provided by the Secretary of Natural Resources pursuant to 10
V.S.A. § 1428(a) or maps recommended by the Secretary, and designates those
areas to be protected, including floodplains, river corridors, land adjacent to
streams, wetlands, and upland forests, to reduce the risk of flood damage to
infrastructure and improved property; and

(ii) recommends policies and strategies to protect the areas identified and
designated under subdivision (12)(A)(i) of this subsection and to mitigate risks
to public safety, critical infrastructure, historic structures, and municipal
investments.

(B) A flood resilience plan may reference an existing local hazard mitigation plan
approved under 44 C.F.R. § 201.6.

Flood resilience plan found on page(s): ________________  Missing: ____________

Note the following provision of statute regarding the required maps:
24 V.S.A. § 4382(b) The maps called for by this section may be incorporated on one or more
maps, and may be referred to in each separate statement called for by this section.

PURPOSE AND GOALS
General Purposes

24 VSA § 4302

(a) General purposes. It is the intent and purpose of this chapter to encourage the appropriate development of all lands in this State by the action of its constituent municipalities and regions, with the aid and assistance of the State, in a manner which will promote the public health, safety against fire, floods, explosions, and other dangers; to promote prosperity, comfort, access to adequate light and air, convenience, efficiency, economy, and general welfare; to enable the mitigation of the burden of property taxes on agricultural, forest, and other open lands; to encourage appropriate architectural design; to encourage the development of renewable resources; to protect residential, agricultural, and other areas from undue concentrations of population and overcrowding of land and buildings, from traffic congestion, from inadequate parking and the invasion of through traffic, and from the loss of peace, quiet, and privacy; to facilitate the growth of villages, towns, and cities and of their communities and neighborhoods so as to create an optimum environment, with good civic design; to encourage development of a rich cultural environment and to foster the arts; and to provide means and methods for the municipalities and regions of this State to plan for the prevention, minimization, and future elimination of such land development problems as may presently exist or which may be foreseen and to implement those plans when and where appropriate. In implementing any regulatory power under this chapter, municipalities shall take care to protect the constitutional right of the people to acquire, possess, and protect property.

Process Goals

(b) It is also the intent of the Legislature that municipalities, regional planning commissions, and State agencies shall engage in a continuing planning process that will further the following goals:

(1) To establish a coordinated, comprehensive planning process and policy framework to guide decisions by municipalities, regional planning commissions, and State agencies.

(2) To encourage citizen participation at all levels of the planning process, and to assure that decisions shall be made at the most local level possible commensurate with their impact.

(3) To consider the use of resources and the consequences of growth and development for the region and the State, as well as the community in which it takes place.

(4) To encourage and assist municipalities to work creatively together to develop and implement plans.

Specific Goals

(c) In addition, 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 areas related to community centers, and strip development along highways should be discouraged.

(B) Economic growth should be encouraged in locally designated growth areas, employed to revitalize existing village and urban centers, or both, and should be encouraged in growth centers designated under chapter 76A of this title.

(C) Public investments, including the construction or expansion of infrastructure, should reinforce the general character and 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.

Note: 24 V.S.A. § 2791(13) defines smart growth principals as follows:

(13) "Smart growth principles" means growth that:
(A) Maintains the historic development pattern of compact village and urban centers separated by rural countryside.
(B) Develops compact mixed-use centers at a scale appropriate for the community and the region.
(C) Enables choice in modes of transportation.
(D) Protects the State's important environmental, natural, and historic features, including natural areas, water quality, scenic resources, and historic sites and districts.
(E) Serves to strengthen agricultural and forest industries and minimizes conflicts of development with these industries.
(F) Balances growth with the availability of economic and efficient public utilities and services.
(G) Supports a diversity of viable businesses in downtowns and villages.
(H) Provides for housing that meets the needs of a diversity of social and income groups in each community.
(I) Reflects a settlement pattern that, at full build-out, is not characterized by:
   (i) scattered development located outside compact urban and village centers that is excessively land consumptive;
   (ii) development that limits transportation options, especially for pedestrians;
   (iii) the fragmentation of farmland and forestland;
   (iv) development that is not serviced by municipal infrastructure or that requires the extension of municipal infrastructure across undeveloped lands in a manner that would extend service to lands located outside compact village and urban centers;
   (v) linear development along well-traveled roads and highways that lacks depth, as measured from the highway.

How has the Town Plan addressed this goal and on what page(s) can this be found? _________
____________________________________________________________________________
____________________________________________________________________________
Not relevant or attainable (see Standards of Review, 24 V.S.A. § 4302(f)(1), below) _________
(If not relevant or attainable, explain why)

______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________

(2) To provide a strong and diverse economy that provides satisfying and rewarding job opportunities and that maintains high environmental standards, and to expand economic opportunities in areas with high unemployment or low per capita incomes.

How has the Town Plan addressed this goal and on what page(s) can this be found? __________
______________________________________________________________________________
______________________________________________________________________________

Not relevant or attainable (see Standards of Review, 24 V.S.A. § 4302(f)(1), below) __________

(If not relevant or attainable, explain why)
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(3) To broaden access to educational and vocational training opportunities sufficient to ensure the full realization of the abilities of all Vermonters.

How has the Town Plan addressed this goal and on what page(s) can this be found? __________
______________________________________________________________________________
______________________________________________________________________________

Not relevant or attainable (see Standards of Review, 24 V.S.A. § 4302(f)(1), below) __________

(If not relevant or attainable, explain why)
______________________________________________________________________________
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(4) To provide for safe, convenient, economic and energy efficient transportation systems that respect the integrity of the natural environment, including public transit options and paths for pedestrians and bicyclers.

(A) Highways, air, rail, and other means of transportation should be mutually supportive, balanced, and integrated.

How has the Town Plan addressed this goal and on what page(s) can this be found? __________
______________________________________________________________________________
______________________________________________________________________________

Not relevant or attainable (see Standards of Review, 24 V.S.A. § 4302(f)(1), below) __________
(5) To identify, protect, and preserve important natural and historic features of the Vermont landscape, including:

(A) significant natural and fragile areas;

(B) outstanding water resources, including lakes, rivers, aquifers, shorelands, and wetlands;

(C) significant scenic roads, waterways, and views;

(D) important historic structures, sites, or districts, archaeological sites, and archaeologically sensitive areas.

How has the Town Plan addressed this goal and on what page(s) can this be found? 

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(6) To maintain and improve the quality of air, water, wildlife, forests, and other land resources.

(A) Vermont's air, water, wildlife, mineral, and land resources should be planned for use and development according to the principles set forth in 10 V.S.A. § 6086(a).

(B) Vermont's water quality should be maintained and improved according to the policies and actions developed in the basin plans established by the Secretary of Natural Resources under 10 V.S.A. § 1253.

(C) Vermont's forestlands should be managed so as to maintain and improve forest blocks and habitat connectors.

How has the Town Plan addressed this goal and on what page(s) can this be found? 

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______________________________________________________________________________
(7) To make efficient use of energy, provide for the development of renewable energy resources, and reduce emissions of greenhouse gases.

(A) General strategies for achieving these goals include increasing the energy efficiency of new and existing buildings; identifying areas suitable for renewable energy generation; encouraging the use and development of renewable or lower emission energy sources for electricity, heat, and transportation; and reducing transportation energy demand and single occupancy vehicle use.

(B) Specific strategies and recommendations for achieving these goals are identified in the State energy plans prepared under 30 V.S.A. §§ 202 and 202b.

How has the Town Plan addressed this goal and on what page(s) can this be found? _________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________

Not relevant or attainable (see Standards of Review, 24 V.S.A. § 4302(f)(1), below) __________

(If not relevant or attainable, explain why)

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______________________________________________________________________________

(8) To maintain and enhance recreational opportunities for Vermont residents and visitors.

(A) Growth should not significantly diminish the value and availability of outdoor recreational activities.

(B) Public access to noncommercial outdoor recreational opportunities, such as lakes and hiking trails, should be identified, provided, and protected wherever appropriate.

How has the Town Plan addressed this goal and on what page(s) can this be found? _________

______________________________________________________________________________

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______________________________________________________________________________

Not relevant or attainable (see Standards of Review, 24 V.S.A. § 4302(f)(1), below) __________
(9) To encourage and strengthen agricultural and forest industries.

(A) Strategies to protect long-term viability of agricultural and forestlands should be encouraged and should include maintaining low overall density.

(B) The manufacture and marketing of value-added agricultural and forest products should be encouraged.

(C) The use of locally-grown food products should be encouraged.

(D) Sound forest and agricultural management practices should be encouraged.

(E) Public investment should be planned so as to minimize development pressure on agricultural and forest land.

How has the Town Plan addressed this goal and on what page(s) can this be found? __________
______________________________________________________________________________
______________________________________________________________________________

Not relevant or attainable (see Standards of Review, 24 V.S.A. § 4302(f)(1), below) __________
(If not relevant or attainable, explain why)
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(10) To provide for the wise and efficient use of Vermont's natural resources and to facilitate the appropriate extraction of earth resources and the proper restoration and preservation of the aesthetic qualities of the area.

How has the Town Plan addressed this goal and on what page(s) can this be found? __________
______________________________________________________________________________
______________________________________________________________________________

Not relevant or attainable (see Standards of Review, 24 V.S.A. § 4302(f)(1), below) __________
(If not relevant or attainable, explain why)
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
(11) To ensure the availability of safe and affordable housing for all Vermonters.

(A) Housing should be encouraged to meet the needs of a diversity of social and income groups in each Vermont community, particularly for those citizens of low and moderate income.

(B) New and rehabilitated housing should be safe, sanitary, located conveniently to employment and commercial centers, and coordinated with the provision of necessary public facilities and utilities.

(C) Sites for multi-family and manufactured housing should be readily available in locations similar to those generally used for single-family conventional dwellings.

(D) Accessory apartments within or attached to single-family residences which provide affordable housing in close proximity to cost-effective care and supervision for relatives, elders, or persons who have a disability should be allowed.

How has the Town Plan addressed this goal and on what page(s) can this be found? __________

______________________________________________________________________________

______________________________________________________________________________

Not relevant or attainable (see Standards of Review, 24 V.S.A. § 4302(f)(1), below) __________

(If not relevant or attainable, explain why)

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(12) To plan for, finance and provide an efficient system of public facilities and services to meet future needs.

(A) Public facilities and services should include fire and police protection, emergency medical services, schools, water supply, and sewage and solid waste disposal.

(B) The rate of growth should not exceed the ability of the community and the area to provide facilities and services.

How has the Town Plan addressed this goal and on what page(s) can this be found? __________

______________________________________________________________________________

______________________________________________________________________________

Not relevant or attainable (see Standards of Review, 24 V.S.A. § 4302(f)(1), below) __________

(If not relevant or attainable, explain why)

______________________________________________________________________________
(13) To ensure the availability of safe and affordable child care and to integrate child care issues into the planning process, including child care financing, infrastructure, business assistance for child care providers, and child care work force development.

How has the Town Plan addressed this goal and on what page(s) can this be found?  
______________________________________________________________________________
______________________________________________________________________________

Not relevant or attainable (see Standards of Review, 24 V.S.A. § 4302(f)(1), below)  
______________________________________________________________________________
______________________________________________________________________________

(If not relevant or attainable, explain why)
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(14) To encourage flood resilient communities.

(A) New development in identified flood hazard, fluvial erosion, and river corridor protection areas should be avoided. If new development is to be built in such areas, it should not exacerbate flooding and fluvial erosion.

(B) The protection and restoration of floodplains and upland forested areas that attenuate and moderate flooding and fluvial erosion should be encouraged.

(C) Flood emergency preparedness and response planning should be encouraged.

How has the Town Plan addressed this goal and on what page(s) can this be found?  
______________________________________________________________________________
______________________________________________________________________________

Not relevant or attainable (see Standards of Review, 24 V.S.A. § 4302(f)(1), below)  
______________________________________________________________________________
______________________________________________________________________________

(If not relevant or attainable, explain why)
______________________________________________________________________________
______________________________________________________________________________
______________________________________________________________________________
STANDARDS OF REVIEW

Consistency

24 V.S.A. § 4302(f)
(1) As used in this chapter, "consistent with the goals" requires substantial progress toward attainment of the goals established in this section, unless the planning body determines that a particular goal is not relevant or attainable. If such a determination is made, the planning body shall identify the goal in the plan and describe the situation, explain why the goal is not relevant or attainable, and indicate what measures should be taken to mitigate any adverse effects of not making substantial progress toward that goal. The determination of relevance or attainability shall be subject to review as part of a consistency determination under this chapter.

Compatibility

(2) As used in this chapter, for one plan to be "compatible with" another, the plan in question, as implemented, will not significantly reduce the desired effect of the implementation of the other plan. If a plan, as implemented, will significantly reduce the desired effect of the other plan, the plan may be considered compatible if it includes the following:

(A) a statement that identifies the ways that it will significantly reduce the desired effect of the other plan;

(B) an explanation of why any incompatible portion of the plan in question is essential to the desired effect of the plan as a whole;

(C) an explanation of why, with respect to any incompatible portion of the plan in question, there is no reasonable alternative way to achieve the desired effect of the plan; and

(D) an explanation of how any incompatible portion of the plan in question has been structured to mitigate its detrimental effects on the implementation of the other plan.

REVIEW AND CONSULTATION

24 V.S.A. § 4350. Review and consultation regarding municipal planning effort

(a) A regional planning commission shall consult with its municipalities with respect to the municipalities’ planning efforts, ascertaining the municipalities' needs as individual municipalities and as neighbors in a region, and identifying the assistance that ought to be provided by the regional planning commission. As a part of this consultation, the regional
planning commission, after public notice, shall review the planning process of its member municipalities at least twice during an eight-year period, or more frequently on request of the municipality, and shall so confirm when a municipality:

(1) is engaged in a continuing planning process that, within a reasonable time, will result in a plan that is consistent with the goals contained in section 4302 of this title;

(2) is engaged in a process to implement its municipal plan, consistent with the program for implementation required under section 4382 of this title; and

(3) is maintaining its efforts to provide local funds for municipal and regional planning purposes.

(b)(1) As part of the consultation process, the commission shall consider whether a municipality has adopted a plan. In order to obtain or retain confirmation of the planning process, a municipality must have an approved plan. A regional planning commission shall review and approve plans of its member municipalities, when approval is requested and warranted. Each review shall include a public hearing which is noticed at least 15 days in advance by posting in the office of the municipal clerk and at least one public place within the municipality and by publication in a newspaper or newspapers of general publication in the region affected. The commission shall approve a plan if it finds that the plan:

(A) is consistent with the goals established in section 4302 of this title;

(B) is compatible with its regional plan;

(C) is compatible with approved plans of other municipalities in the region; and

(D) contains all the elements included in subdivisions 4382(a)(1)-(12) of this title.