

New Land Use Tiers and the Regional Plan

[Act 181](#) was enacted into law in Vermont in 2024 and creates a new program of the State's [Land Use Review Board](#) that will designate certain lands as being in 'tiers'. Three of these tiers will alter the [Act 250 process](#) that would otherwise occur at that location. Four tiers are under development – 1A, 1B, 2 and 3.

Development in Tier 1A areas will be exempt from Act 250 review. This will likely start in 2027 in the TRORC region. Development of 50 or fewer units of housing on a lot no bigger than 10 acres will be exempt from Act 250 review in Tier 1B areas. This will also likely start in 2027. Tier 2 areas will simply be all lands not in the other tiers. The Land Use Review Board will look at how the current Act 250 process might change in Tier 2 areas, with a report on that due in early 2026. Tier 3 lands will likely have additional Act 250 requirements than they have now, and the Board is just beginning to draft how it will create Tier 3 areas and what they will mean. There are two public meetings scheduled for that process on May 22, 2025 at 6 PM and July 24, 2025 at 6 PM. You can follow their Tier 3 process [here](#), including details on meetings.

Tier 1A areas will be approved by the Land Use Review Board only after a municipality requests such approval, and only when the Board finds that the area meets certain requirements. The Board is in the process of creating how they will approve such requests, but as a minimum Tier 1A areas will have to meet the requirements in [10 VSA section 6034](#). The second of these requirements ties into the Regional Plan, as it depends on TRORC showing these areas (as a Downtown Center, Village Center, or Planned Growth Area) in its updated Future Land Use Map. That drafting is going on through 2025 with the new map expected to be adopted in late 2026. You can find out more about that process [here](#).

Similarly, Tier 1B areas will be approved by the Land Use Review Board only after a municipality requests such approval, and only when the Board finds that the area meets certain requirements. The Board is in the process of creating how they will approve such requests, but as a minimum Tier 1B areas will have to meet the requirements in part (b)(12)(C) of [24 VSA section 4348a](#) and be shown on the regional Future Land Use Map.