

House Environment and Energy Committee
S. 100, H. 68 and H. 110
Testimony
April 13, 2023

Thank you for the opportunity to testify on the housing crisis and what the legislature can do to alleviate the catastrophic lack of housing. You have heard the testimony from Maura Collins regarding the lack of and acute need for, housing in Vermont, both today and in the future. You have heard the anecdotal stories from all income levels, young and old people, your neighbors on Frontporch Forum, new comers, and those who have lived in the state for generations.

Almost all of you campaigned with the promise to address the housing crisis.

The Senate Economic Development, Housing and General Affairs Committee took the charge from their constituents seriously and voted out S. 100. That was a bill we were able to support. We also supported and worked closely on developing H. 111, a bill relating to workforce housing that is in the House General and Housing Committee and has 50 co-sponsors.

We do not support the Senate passed version of S. 100 that your committee is considering. That bill grants no flexibility to local governments in tailoring new requirements for housing density to the unique circumstances of their communities and makes no meaningful changes to Act 250, our statewide zoning law.

Local officials are eager to update their zoning bylaws to promote more housing and incorporate updates to the Municipal and Regional Planning statute. They have applied for and used bylaw modernization grants and their constituents have voted to affirm zoning changes at town meetings. Those efforts are futile without reform of state permitting laws.

Land use planning and permitting are core responsibilities that voters in 253 cities, towns, and villages have assigned their municipal governments. Today, 253 municipalities have adopted municipal plans. 207 municipalities have adopted zoning or subdivision bylaws. Ninety-eight municipalities have received municipal planning grants or bylaw modernization grants in the last two years to update their bylaws to facilitate the development of housing. Towns and cities are doing the hard work to make their communities hospitable to housing that serves all.

We urge you to hear the voices of your fellow legislators. We strongly endorse the amendment proposed in House General and Housing yesterday by Representative Elder, which would lay the groundwork for expanded housing choices for Vermonters.

We urge you to include language in any bill you vote out that is related to housing:

- ◆ eliminate Act 250 jurisdiction for priority projects in designated areas
- ◆ increase the number of units that can be built before Act 250 is triggered to 25 in all designated areas including village centers with adopted zoning and subdivision bylaws - regardless of how far one project is from another or how many years have lapsed between projects
- ◆ establish that in municipalities with zoning and subdivision the construction of four or fewer housing units shall not count toward determining jurisdiction over any other project
- ◆ eliminate the ability of “any ten people” to appeal a zoning permit
- ◆ incorporate the amendments proposed by the Vermont Planners Association that would provide towns flexibility in implementing new local zoning mandates
- ◆ authorize municipalities to assume authority for issuing state permits for connections to wastewater or water supply facilities. (We are including with this testimony, proposed language that makes it clear that a town would take over an entire program, instead of individual permitting systems.)
- ◆ establish a reasonable process for delegating Act 250 criteria review to local governments that adopt bylaws addressing Act 250 criteria and demonstrate capacity to administer Act 250 locally – thereby eliminating duplicative and expensive permits that cost developers time and money. (We include with this testimony proposed language from the Cities of Winooski, S. Burlington and Burlington regarding delegation.)



Vermont League
of Cities & Towns