

TO: Senate Committee on Economic Development, Housing and General Affairs  
FROM: Catherine Dimitruk, Executive Director, Northwest Regional Planning Commission  
DATE: February 1, 2023  
RE: Housing Bill Draft 6.1

Northwest Regional Planning Commission, through our Housing for All project recently completed a Housing Needs Analysis. It concluded that in Franklin and Grand Isle Counties, approximately 7,600 households had inadequate housing (80 unhoused, 3,350 underhoused, 6,620 cost burdened).

### **Important Provisions to Retain**

- Duplex by right (Section 2)
- 5 unit/acre minimum residential density (Section 2)
- Inclusion of emergency shelters in public facilities (Section 3)
- Accountability/Reporting (section 5)
- Appeals and supporting local regulations (Sections 6, 9 and 10)
- Streamlined Plat approval (Section 7)
- Change to Act 250 jurisdiction for Priority Housing Projects (Section 13/14)
- Municipal Delegation for Water and Wastewater permits (Section 17)

### **Suggested Revisions**

#### Define “served by water and sewer”

This is an important foundation of the bill and a definition of ‘served by’ should be added. This definition should include an ability to set water and sewer service areas at the local level that exclude flood hazard/river corridors/shorelands or other regulated environmental concerns. Underlying permit conditions such as Act 250 conditions on service areas should stay in control. And, municipalities should be able to differentiate and potentially exclude areas served by water and sewer solely for public health or environmental reasons.

*Result:* This will help ensure that these provisions do not inadvertently promote sprawl.

#### Consolidate ADU, Duplex and Duplex ADU Proposals

- Retain the owner-occupied requirement for ADUs (Section 2)
- More clearly clarify duplex by right (Section 2) adding additional language requiring two-unit dwellings to be treated the same as single unit dwellings in dimensional standards, and
- Delete the second sentence of the proposed definition of duplex (Section 4), this is somewhat duplicative to the provision allowing 4-unit buildings

*Result:* A simpler way of accomplishing the goal. Duplexes are allowed everywhere, providing an option for ADU style units that would not be owner occupied. Four-unit dwellings would be allowed in all areas with water and sewer.

### Clarify Subdivision Plat Approval

Keep the proposed language but delete “major” and “minor.” These are not defined by statute. Administrative Officers already have the ability to approve subdivisions of any size if the bylaws allow (Section 4464(c) of the Act). Allowing the AO to approve the plat will allow the AO to grant approval through the whole process.

### Housing Navigators

RPCs can be effective in this role. Understanding the intent of the word ‘underserved’ in this context will be helpful.

### **Additions to Consider**

- Make it easier to amend bylaws (Section 4442- remove the ability to vote by Australian ballot in rural towns, and increase the percentage of voters needed to petition a vote after adoption to 10%.
- Request a report from DHCD every two years to evaluate impact of these changes.
- Consider ways to better count the number of housing units constructed.
- Evaluate opportunities to strengthen the planning section of statute to better reflect this priority to produce more housing.

These opinions are my own based on 30 years of planning experience and do not reflect the views of the Northwest RPC Board or the view of other Regional Planning Commissions.