



**House Natural Resources and Energy Committee**  
**February 6, 2014**  
**H. 809 Growth Centers**  
***Vermont League of Cities and Towns***

Thank you for the opportunity to testify.

H. 809 is the administration's bill to act upon designation program recommendations in the Act 59 report. That report summarized meetings around the state last summer to revamp the state's designation programs so as to encourage compact development, alignment of designation requests with adopted municipal plans and efficient use of resources. I attended a number of those meetings through the summer and fall.

We support most of the provisions of H. 809. There are six growth centers today. There are 24 designated downtowns. We expect that there may be a few but not many more applications. For those applicants the process will be clarified and more consistent. Even with the amendments in H. 809, the process of developing and applying for a growth center will continue to be intensive and onerous. We ask the committee to recognize that far more of the state is outside a growth center than is inside one. That will continue to be the case.

The bill would require that municipal applicants for growth center designation:

- include the growth center in an adopted municipal plan, locate it in or adjoining a designated downtown, village center or new town center, and base the application and growth center boundaries on a 20-year plan for growth;
- have in place bylaws to promote residential densities of greater than or equal to four single family detached units per acre or equal to the surrounding neighborhood;
- ensure all investments contribute to built environments that support pedestrian use, minimize lot sizes, setbacks, parking and street widths (we presume this means all investments within the growth center but it would be helpful to clarify that);

➤ have adopted a capital budget that includes built infrastructure and policies for extension of water and wastewater that include a defined service area and support the growth center; as well as public spaces; and

➤ adopted “complete streets” principles that accommodate all modes of travel – pedestrian, bicycle, public transit etc.

An applicant would need to minimize conversion and fragmentation of farmland, forestland or significant areas of habitat connectivity and provide protection for those resources outside of the proposed growth center. The growth center designation, once made would extend for 20 years, with reviews at least every five years. Such reviews could be adjusted to coincide with reviews of associated designated downtowns, village centers or new town centers.

We urge you to delete the amendments to the economic development goal in Title 24 Chapter 117, the municipal and regional planning statute. The statute now says at section 4302 (c) (1) (B) “economic growth should be encouraged in *locally designated growth areas* or employed to revitalize existing village and urban centers or both”. This language, strongly supported by local governments at the time of its passage and since, provides for a municipality to establish growth areas in its plan, without having to apply for a designation and needing to be approved by the State Downtown Board for a designated new town center, growth center, village center, Vermont neighborhood or designated downtown.

The proposed language reads, “economic growth should be encouraged in *centers designated under chapter 76A of this title*, or employed to revitalize existing village and urban centers or both and should be undertaken in accordance with smart growth principles.”

The effect of the revised language would be to encourage economic development only in areas designated by the State Downtown Board or existing village and urban centers and not in those that might be locally adopted in the planning process but not submitted for approval from the state. This stands the concept of locally based planning on its head. Nor was this new language discussed in any stakeholder meeting that I attended.

We have discussed the types of development left out of the state’s designation programs for years. Neither the law, the description of smart growth principles, nor H. 809 makes reference to development such as industrial parks or commercial parks or enterprise zones. This is a significant omission. While such designations do not need to be in H. 809, they do need to be addressed. A proposal is being discussed in Senate Economic Development, Housing and General Affairs. We testified that we heartily endorse that long overdue initiative. S. 220 would recognize enterprise zones and include lands for business or industrial use.

Frequently, industrial or heavy commercial uses are not welcome in downtowns or immediately adjacent to residential areas. Many of those uses are necessary to our way of life and many of those enterprises contribute well-paying jobs to Vermont's economy. Recycling processing facilities, aerospace and aviation industries, public transit bus garages or businesses that rely on large truck transportation at odd hours of the day or night are only a few examples of such uses. Vermont municipalities seek to balance their sense of place and the conservation of natural resources with the need for growth and development that supports the economic vitality of the state's downtowns and village centers as well as value added industry that provide jobs for Vermonters.

We hope you will support the concept of enterprise zones as well should it come to your committee.

Thank you,

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