

**S.214, An Act Relating to Integrating Planning for Land Use and Designated Centers**  
Overview, Senate Committee on Natural Resources and Energy  
Aaron Adler, Legislative Counsel February 11, 2014

**Three areas relating to designated centers under 24 V.S.A. chapter 76A**

- Integrating planning for designated centers with local and regional land use planning.
- Reducing the cost of obtaining growth center designation.
- Regulatory benefits for growth center designation.

**Planning integration**

- Amends 24 V.S.A. chapter 117 to encourage growth that is in designated centers and is in accordance with “smart growth principles” as defined in current statute.
- Regional plans to indicate those areas within the regional that are likely candidates for designation under 24 V.S.A. chapter 76A.
- Local land use plans to be in accordance with smart growth principles and indicate those areas proposed for designation under chapter 76A.

**Costs of obtaining growth center designation**

- Directs Vermont Downtown Development Board to adopt rules to provide alternatives to using build-out analyses to show the application meets the “appropriate size” requirements of current statute.
- Rules to identify options broadly, with more detailed guidance issued by the Department of Housing and Community Development.

**Regulatory benefits**

- Under current law, after a municipality obtains a growth center designation, the municipality may apply to the Natural Resources Board for findings of fact and conclusions of law that the growth center meets Act 250 criteria, so that when individual projects are proposed for the growth center, those criteria are considered already to be met.
- The bill proposes to convert this two-step process into a one-step process before the Downtown Board, giving a municipality the option of concurrent review of the growth center designation proposal and requested determinations under Act 250.
- Consistent with current Downtown Board practice, the hearing would be less formal than a “contested case.”
- If this option is chosen, the Downtown Board decision would be appealable, as with the Natural Resources Board’s decision under current law. The bill would establish a deferential standard of review on appeal.