

H.809 – An Act Relating to Designation of New Town Centers and Growth Centers
 Hannah Smith, Legislative Counsel, April 3, 2014

Sec. No.	Bill as Passed the House of Representatives
	<i>Changes to Title 24, Chapter 76A</i>
1	This section would amend the definition of “growth center,” striking the existing definition and replacing it with a definition by reference to “growth center” as defined in section 2793c (“Designation of growth centers”) of title 24.
2	<p>This section would amend the process for designating new town center development districts, to make that process more consistent with the designation process for downtown and village centers. The bill would:</p> <ul style="list-style-type: none"> • Require that a municipality state in its town plan its intention to apply for new town center designation, and explain in the town plan how the designation would further the plan’s goals • Require a preapplication meeting with Department of Housing and Community Development staff, to review program requirements and identify possible designation boundaries, before an application may be filed • Clarify the required elements of an application for designation, which would include a map delineating the boundaries of the proposed district, a demonstration that the proposed district meets the definition of a new town center and meets the standards for designation, and verification that the regional planning commission and development corporation have been notified that the municipality intends to apply for designation • Require a municipality to have in place regulations that adequately control the physical form and scale of development in conformance with form-based code • Allow the State Board to schedule review of new town center designation to coincide with review of related growth center designation
3	<p>This section would amend and clarify the requirements that must be met to designate a growth center, and clarify the designation process. The bill would:</p> <ul style="list-style-type: none"> • Provide a consolidated definition of “growth center” that clarifies where growth centers shall be located, and explicitly states that development within a growth center shall support Vermont’s traditional land use patterns, and shall meet the requirements laid out in this section • List requirements that must be met before a growth center shall be designated. These requirements include: <ul style="list-style-type: none"> ○ Size requirements ○ Location requirements ○ Use requirements ○ Density, design and form requirements ○ Capital budget requirements ○ General infrastructure requirements ○ Public space requirements

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- Transportation requirements
- Protection of important natural resources, both within and outside of growth centers
- Protection of historic resources
- List the steps to be taken and the materials required before a municipality may apply for growth center designation.
- Clarify the steps to be taken in the designation process. The bill outlines a preliminary application and meeting process, to be conducted with the Department of Housing and Community Development, which replaces the existing pre-application process conducted through a growth center subcommittee. The designation process no longer requires municipalities to conduct full build-out analyses for potential growth; this analysis can be very expensive for municipalities.
- Give the Commissioner of Housing and Community Development authority over the planning manual, and require that the planning manual address methodologies for calculating the appropriate size, adequate infrastructure, residential density, and appropriate boundaries for growth centers.
- Lay out the time frame used by the State Downtown Board in making designation decisions, and the process for requesting reconsideration of the Board's decisions.
- State that growth center designation is to last for 20 years, and require five-year review of that designation. The five-year review would involve an updated capital plan that funds any infrastructure improvements necessary to accommodate growth center growth and development.
- Provide a process for amending or removing a growth center's designation if the growth center no longer meets the standard for designation.
- Provide a process for review of the growth center by the Natural Resources Board
- Provide a process for review of the growth center by the Act 250 District Commission
- Allow for concurrent designation of a growth center with another designation
- Detail financial incentives, regulatory incentives, and development assistance available to designated growth centers

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	<i>Changes to title 24, chapter 117</i>
4	This section would incorporate reference to designated growth centers into the existing statutory section dealing with municipal planning and development. The bill would encourage economic growth in designated areas, and require that development be undertaken in accordance with smart growth principles.
5	This section would give the Commissioner of the Department of Housing and Community Development jurisdiction over the planning manual.
6	This section would require that municipal plans include reference to any area within the municipality proposed for designation under chapter 76A, and explain how the designation would further the goals of the municipal plan.
7	This section would require that a regional plan indicate areas within the region that are likely candidates for designation under chapter 76A.
8	This section would amend the existing statutory language regarding the practical implementation of municipal plans- the bill would add a reference in this section to the designation process under chapter 76A, essentially reminding municipalities that the option to apply for designation and the associated benefits exists.
9	This section would require the Commissioner of Housing and Community Development to revise the planning manual to conform to the provisions of this act.

