

H.823 Overview

Changes to increase the supply of housing in **Downtowns, New Town Centers, Growth Centers, and Neighborhood Development Areas** (including Neighborhood Development Areas associated with Village Centers):

- **Increase the Act 250 unit thresholds** for “priority housing projects” with a unit count scaled to the population of a municipality (see table).
- **Adjust the definition of “mixed-income”** for rental housing to require that 20% of units be affordable to households making 80% (currently 60%) of county median household income, for a period of 20 years (currently 30 years).
- **Clarify an existing jurisdictional trigger** for projects located within Downtowns, New Town Centers, Growth Centers and Neighborhood Development Areas, so that jurisdiction over a project would be determined by counting only the housing units included in that discrete project.

Population	Existing Unit Threshold	Proposed Unit Threshold
15000+	200	275
10,000 - 15,000	100	150
6,000 - 10,000	50	75
3,000 - 6,000	30	50
<3000	25	25

Changes in Act 250 to promote downtowns and discourage sprawl:

- **Expedite Act 250 review within Designated Downtowns.** Downtown developments may seek expedited findings and conclusions from the Natural Resources Board in lieu of a permit or permit amendment from the District Commission. The review would apply criteria relevant to downtowns and would occur under a specified time frame. No permit fees would apply.
- **Reduce the cost and increase the flexibility to mitigate primary agricultural soils under Act 250 Criterion 9(B).** Projects located within Downtowns, Growth Centers, New Town Centers and Neighborhood Development Areas (associated with Downtowns) are eligible to pay an off-site mitigation fee for any impacted prime-agricultural soils at a ratio of 1:1.
- **Define “existing settlement” and “strip development,” and amend Act 250 Criterion 9(L),** to promote efficient use of land and existing infrastructure, to protect natural resources, to promote pedestrian accessibility, and to improve connections to existing settlements.
- **Amend Act 250 Criterion 5 (transportation)** to promote transportation alternatives such as walking, biking, and public transportation.

Changes in ANR permits to encourage downtown development:

- **Target ANR wastewater funding to designated areas.** Provides priority funding to eligible municipal projects in designated Downtowns, Village Centers, New Town Centers, Growth Centers, or Neighborhood Development Areas.
- **Accelerate state water and wastewater permits.** Directs ANR to issue a permit for a new or modified connection in a designated Downtown to a water or sewer main on submission of a certification by licensed designer and a letter from the owner of the water or sewer main allocating sufficient capacity.