

Testimony of Dawn Francis, Colchester Town Manager

Suggested language to add to Economic Development bill in support of Enterprise Zones:

It is acknowledged that there are areas that may not be appropriate for, or compatible with existing uses within the downtown, village center, new town center or growth centers. Therefore, in order to enhance the quality of the aforementioned centers and to create a place for inconsistent uses to locate without sprawling into the countryside, industrial zones shall be recognized and include lands that may not be contiguous to the above described areas, but have clearly defined boundaries that are zoned or permitted for industrial or business use as of January, 2010 as determined by the local and regional planning authorities' plans to accommodate a share of the industrial and business growth anticipated by the municipality or municipalities over a 20-year period. These zones shall to the fullest extent possible, function as a single integrated area and provide functional connections to the designated growth centers located within a community. These functional connections mean areas connected by existing or planned public or private infrastructure.

Industrial Parks that have been in existence as of January, 2010, that are within a community that has an adopted plan, zoning and subdivision bylaws, and have an existing Act 250 permit shall be waived from the Act 250 process.

Rationale:

Vermont communities seek to balance our 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. Without employment, our society would be in economic decline, which then robs the resources needed to maintain a quality environment. Thoughtful land use planning which would lead to expedited permitting of industrial locations would support the goals of the development community and land conservationists.

Unfortunately, the state's growth center legislation and some of the more recent changes to Act 250 do not recognize the value of industrial uses and excludes from designation outlying areas that communities have zoned and permitted to promote prosperity.

Many industrial or heavy commercial uses are not welcome in downtowns or immediately adjacent to residential areas. Zoning evolved as a result of the need to *“protect residential, agricultural and other areas from undue concentrations of population and overcrowding of land and buildings, from traffic congestion, from inadequate parking and the invasion of through traffic, and from the loss of peace, quiet and privacy” (excerpt from T.24, Chapter 117 State Planning Goals)* A broader perspective on the public value of certain types of planned economic development must be provided within the state's planning and development regulations.

Currently, much of the language in our statutes speaks to the necessity of avoiding or protecting natural and historic resources in growth centers, instead of acknowledging that

their conversion within designated areas are justified as a means to encourage infill development and avoid the process of leapfrogging from acceptable landscape to acceptable landscape.

Properly crafted, industrial zones can be a tool for both economic development and the protection of natural resources. By encouraging infill development in industrial zones that have already been permitted outside of downtowns, a municipality can protect natural resources by virtue of where it provides shovel ready sites and incentives for employers to locate.

There is an on-going need for the location of value added land uses typically associated with undesirable, but generally unavoidable, impacts such as night lighting, night-time employee arrivals/departures and night truck deliveries/outputs that would be disruptive to a residential neighborhood. The same incentives provided for downtowns and designated growth centers are also needed for Industrial Parks to construct infrastructure such as sewer, water and stormwater as well as multi-modal (most probably bus) locations for worker transportation.

Other Incentives

Waiver of Act 250 process

Lower level of service thresholds for traffic in the Act 250 and local review process allowed.

Special consideration of state funding for infrastructure in industrial parks (need to change statutory language to recognize employment zones/job centers in addition to downtowns/villages)

Allowance of development in industrial parks without having to pay for ag or natural resource mitigation.