

Background

- Vermont’s traditional settlement pattern of compact centers surrounded by rural working lands underpins our culture, brand, and economy.
- Aligning state policy, regulations, and funding to encourage development and re-development within compact centers has many co-benefits, including increased community vitality, improved return on the public’s investments in infrastructure (e.g. sewer, water, roads), more housing and transportation options, reduced dependence on fossil fuels, and improved air and water quality.
- Construction in Vermont’s walkable, compact centers tends to be more expensive than building in “greenfield” areas due to higher land costs, heightened local regulation, contaminated soils, and other factors.
- Act 250’s permit jurisdiction treats development within centers the same as development in a farm field or forested area -- tipping development decisions away from Vermont’s traditional centers and toward working lands, increasing the rate of forest fragmentation, and parcelization.

Enhanced designation will provide a new incentive for cities and towns to raise the bar on local environmental regulations by modifying Act 250 jurisdiction within qualified state designated areas.

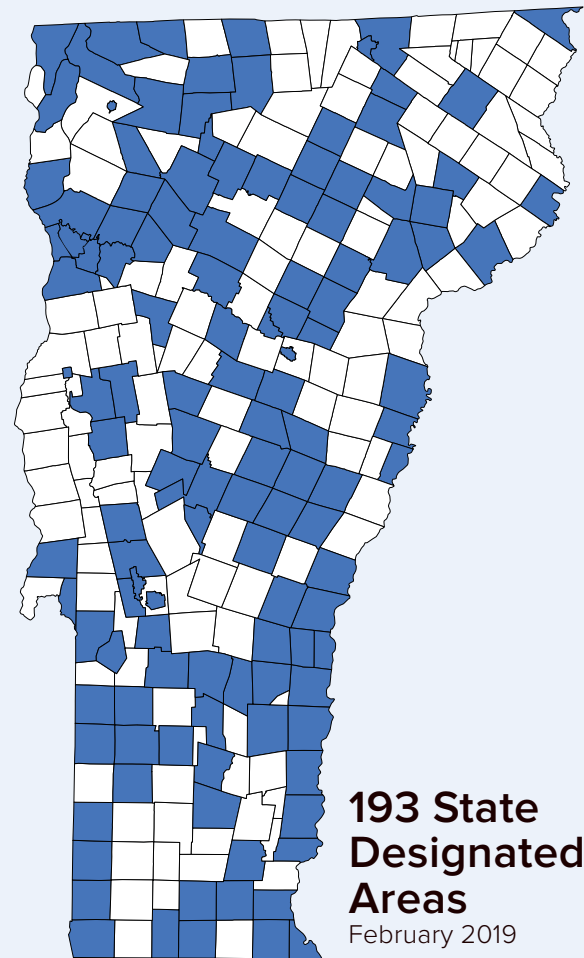
Stakeholders Consulted

- Preservation Trust of Vermont
- Vermont Association of Planning and Development Agencies
- Vermont Association of Realtors
- Vermont Homebuilders and Remodelers Association of Northern Vermont
- Vermont League of Cities and Towns
- Vermont Mayors Coalition
- Vermont Natural Resources Council
- Vermont Planners Association

Overview

- **Balanced Approach** -- Proposed enhanced designation is one piece of a larger framework of Act 250 improvements providing incentives to help Vermont’s cities and towns prepare for climate change. Certain important natural resources outside these areas would receive additional protection through Act 250.
- **Broad Opportunities for Eligibility** -- Municipalities with RPC-approved municipal plans are eligible to apply if they have or obtain a [state designated](#) village center, downtown, new town center, growth center, or neighborhood development area.
- **Improved Local Capacity** -- Some communities may need to update bylaws to include enhanced environmental protections, such as municipal flood hazard planning and regulation for the entire municipality, erosion control bylaws, coordinated capital budget and program, and bylaws that support walkable smart growth. (Refer to the enhanced checklist on back.)

Municipalities with State Designations



193 State Designated Areas
February 2019

Process

1. **Pre-Application Meeting.** Municipalities request pre-application with Department of Housing and Community Development staff
2. **Draft Application.** Municipality submits draft application for review and comment
3. **Pre-Application Review.** Agency partners (ANR, VTrans, AAF+M) review and comment on the application
4. **Final Application.** Municipality addresses comments and submits final application
5. **Notice.** Municipality and Department broadly notice the final application and hearing
6. **Board Hearing.** Downtown Board conducts hearing within the applicant municipality
7. **Board Decision.** Board issues a written decision

State Designations



Appeals and Accountability

- **Appeal Rights.** Decision may be appealed to the Natural Resources Board
- **Compliance.** Board may review compliance at any time
- **Expiration.** Enhanced designation expires with the underlying designation

Enhanced Checklist

| | | Flood Hazard Planning & Regulation | Erosion Control Bylaws | Capital Budget & Program | Smart Growth Bylaws | Historic Preservation Bylaws | Wildlife Habitat Bylaws | Water & Wastewater | Adequate Planning Staff |
|---------------------------|--|------------------------------------|------------------------|--------------------------|---------------------|------------------------------|-------------------------|--------------------|-------------------------|
| State Designations | KEY ✓ New requirement for enhanced designation ☑ Addressed by existing designation ☐ Not applicable to the designation | | | | | | | | |
| | Village Center | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ |
| | Downtown Center | ✓ | ✓ | ✓ | ✓ | ✓ | | ☑ | |
| | New Town Center | ✓ | ✓ | ✓ | ☑ | | ✓ | ☑ | |
| | Growth Center | ✓ | ✓ | ✓ | ☑ | | ✓ | ☑ | |
| | Neighborhood Development Area | ✓ | ✓ | ✓ | ☑ | | ✓ | ☑ | |