

**Chip Sawyer Written Testimony on Potential Housing Legislation
For House Committee on General and Housing and Senate Committee on Economic
Development, Housing and General Affairs**

February 16, 2023

Thank you for the opportunity to provide written testimony on possible housing legislation. I am the Director of Planning & Development for the City of St. Albans. Our municipality has permitted more than 220 dwelling units throughout our community in the past decade. Another multi-dwelling project of more than 70 units has been approved by our DRB and will be filing for its building permits shortly. In addition, our City administration has a stated goal of ensuring that another 200 dwelling units are built in the next several years; an endeavor that will likely require the municipality's direct involvement in order to come to fruition.

The challenges that our historic urban center has had to overcome for housing development would not be solved with broad preemptions of the building blocks of local land use regulation. In fact, I have substantial concerns with many of the local zoning changes proposed in the current draft of the omnibus housing bill being considered in the Senate. Time and time again, we have found that the biggest impediments to housing development in our community are market failure and regulatory redundancy, and the City has had to step into a development partner role to secure financing, remediate environmental issues, engage in site preparation and take on other risks. In light of our experience, I have the following comments and suggestions.

Please realize that any State land use preemptions linked to water and sewer service areas represent the effectively rezoning of the entire community of the City of St. Albans; not just our downtown area, but all of our neighborhoods. We are not alone among Vermont municipalities that would be affected in this way. Please consider the input of local stakeholders before you consider land use preemptions. While zoning mandates may or may not lead to the construction of more housing in the state, they could certainly lead to unintended consequences.

For instance, Franklin County is a car-centric housing market, driven by economic realities and inadequate regional public transit. Households typically have more than 1 car. Even many one-bedroom apartments house two-earner households, both of whom must commute to work. Our local bylaws must be allowed to reflect these current conditions. Lack of parking capacity can be a burden for our low-to-moderate income households who have little choice in housing options and end up having to settle for properties that can't accommodate the cars they own. They end up paying more in parking tickets and fees as they are forced to look for parking locations, especially in light of winter parking bans.

In our experience with housing projects, the large developers of 20 or more units are always looking to make sure that there is adequate parking for their target market. But these concerns are not always exhibited by the developers of smaller "missing middle" housing projects. We need to be able to ensure that missing middle housing in our community is adequately designed for the households that will be living there.

Requests:

- Please do not limit our ability to require off-street parking to only 1 space per dwelling unit. Furthermore, please do not propose language that would preclude any existing local regulations that require parking spaces per bedroom, rather than per dwelling unit.
- Please continue to allow municipalities to require Conditional Use Review for projects of 2 or more dwelling units. The development review process provides for a beneficial accounting of the effects of development on community facilities, traffic, and other subjects. And current state law already prohibits “character of the area” from being used as a justification to deny any property of four dwelling units or less.
- Please apply any new density preemptions to new construction only. There has been no analysis on how the creation of new statewide density increases could affect existing historic homes.
- Please ensure that there is funding available for workforce housing projects at 80-120% of median income. Our community has a need for more workforce housing for households that earn too much for the typical 60%-80% projects but not quite enough for “market rate” housing.
- Whenever possible, please allow municipalities to be eligible grantees and recipients of funds. I would be happy to elaborate on the ways in which our municipality has been able to make new housing a reality by taking on the role of developer and partner.

Overall, I stand in support of the comments that will be delivered by the Vermont Planners Association, especially their recommendations to take time for more stakeholder solutions on many sections of the bill. The drafting of housing legislation with the current lack of stakeholder input from the local planning community is a regrettable oversight and a mistake. And I would enthusiastically support any opportunity for greater local, regional and municipal involvement in the drafting of such language.

Chip Sawyer