

# Senate Committee on Natural Resources and Energy

Testimony from Natural Resources Board on S.100



Wednesday, March 1, 2023

# Housing projects permitted by Act 250 (2017-2022)

- Permitted 70+ housing projects including approximately 3,000 total units.
- 89% projects processed as “minor,” without hearing.
- 11% projects processed as “major.”
- Of the approved projects, \$1.44 million in fees were assessed, or about \$480 per unit to cover direct/indirect cost of administering the program. This includes costs assessed on behalf of Agency of Natural Resources.
- Average time to process these housing project permits: 73 days from time application was deemed complete to issuance.
- No applications denied.

# Housing and Act 250

- PHPs have been exempt from Act 250 since 2013
- Reduced permitting fees for housing in NDAs
- No fees for projects in downtown designated areas (“6086b process”)
- Upcoming legislative reports will inform future and needed regulatory changes:
  - Designated Area Report
  - Necessary Updates to the Act 250 Program

# A look at the PHP tally ...

- From 2017-2022, over 2,700 PHP units were exempt from Act 250.
  - 20+ PHPs, 2,491 units in District 4 (Chittenden County)
  - 3 PHPs, 74 units in District 3 (Windsor, Orange counties)
  - 1 PHP, 54 units in District 6 (Franklin County)
  - 2 PHPs, 65 units in District 7 (Caledonia, Essex, Orleans counties)
  - 2 PHPs, 75 units in District 8 (Bennington County)

## S. 100- Sections affecting Act 250 statute

- Housing unit count from 10 to 24
- Designated area units to 24
- Priority Housing Project exemption
- Subdivision lots to 15 in designated neighborhood area
- Housing amendment exemption to 24 units
- Enhanced Designation Areas