

Growth Center Designation

5-Year Review Process

Overview

The Vermont Downtown Board reviews designated Growth Centers at least once every five years to determine whether the Growth Center continues to meet the standards that were in effect at the time of designation. (See [24 V.S.A. § 2793c \(e\)](#).) Review will focus on any changes that may have occurred over the past five years that may affect the findings of fact in the Designation Decision and any compliance with designation conditions, if applicable.

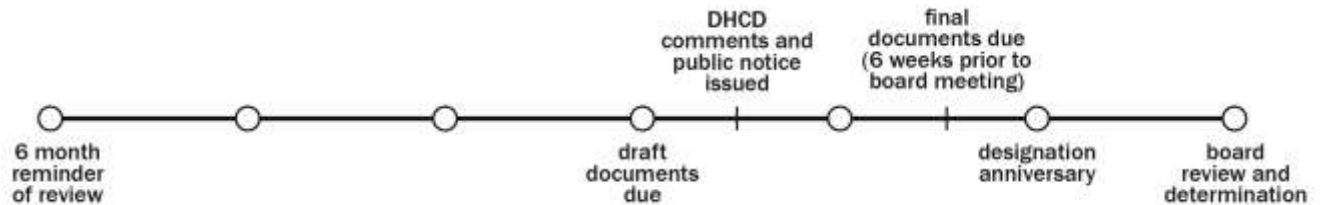
This review process also offers the Board an opportunity to obtain data on the designated Growth Centers for reporting purposes, to learn about the issues facing growth centers in Vermont and to engage in a dialog with the designated municipalities about implementing growth center plans.

Process for Conducting the 5-Year Review

1. Department of Housing and Community Development (DHCD) Community Planning and Revitalization staff notifies the planner and the legislative body of a municipality with a designated Growth Center at least six months before the 5th, 10th and 15th anniversaries of the designation approval. Staff will provide the municipality with:
 - a. a document describing the Board process for the 5-year Growth Center review,
 - b. a copy of the Growth Center Designation Decision, and
 - c. minutes of any post-designation review by the Downtown Board, if applicable.
2. The designated municipality must submit via email, an electronic copy of the draft review materials (see checklist below) three months prior to the Board hearing date. DHCD will email written comments two weeks after the draft is received, outlining any concerns or issues.
3. DHCD will issue email notice of the Downtown Board hearing at which the 5-year review will take place. Required notice under 24 V.S.A. 4384(e) involves notification of at least:
 1. The chairperson of the planning commission of each abutting municipality, or in the absence of any planning commission in an abutting municipality, to the clerk of that municipality;
 2. The executive director of the regional planning commission of the area in which the municipality is located; and
 3. Business, conservation, low income advocacy and other community or interest groups or organizations that have requested notice in writing prior to the date the hearing is warned.
4. Final submissions are due approximately six weeks before the Board meets to review the Growth Center which will normally fall on the second Monday of designation anniversary

month. The Board will normally conduct the 5-year review one month after the designation anniversary. (See timeline below.)

Growth Center 5-Year Review Timeline



5. DHCD staff will post any information submitted by the municipality online and issue a short report to the Board providing context for the review, with copies to the municipality and posted online.
6. At the Downtown Board Hearing, the municipality will give a 10-15 minute presentation to the Downtown Board highlighting successes over the past five years and future plans. The presentation does not need to be in Power Point but the option is available.
 - a. Overview – summary of progress made and obstacles encountered in implementing the Growth Center, including:
 - i. Any new maps, plans and graphics including the information about where growth has occurred.
 - ii. Photos of and/or plans of any new buildings and public facilities.
 - b. Future Plans - overview of the town’s goals and strategy for implementation over the next five years.
 - c. Assistance – how can the state help you in achieving your goals?
7. The Board will discuss and decide whether or not any further action is required. If a majority of the Board determines that the growth center no longer meets the standards for designation in effect at the time the growth center initially was designated, it may take any of the following actions:
 - a. Require corrective action, including conditions to ensure compliance with applicable standards.
 - b. Provide technical assistance through the coordinated assistance program; or
 - c. Remove the growth center's designation, with that removal not affecting any of the growth center's previously awarded benefits.
 - d. If the applicant has failed to comply with a condition requiring regulatory changes, the Board may modify, suspend or revoke designation.

The designation shall remain in effect if no action is taken or if a majority of the Board determines that the growth center continues to meet the applicable standards.

Submission Checklist

In order for the Board to make a decision on whether the Growth Center standards are still being met, the designated municipality shall email the following information to DHCD.

- A cover letter providing an overview of changes in the growth center over the past 5 years with either certification from the municipal executive that any conditions of approval have been met or an explanation of why they have not yet been met.
- Comments on each of the Findings of Fact in the Designation Decision, noting any circumstances that have changed, including updated development projections.
- An updated five-year capital plan that funds infrastructure improvements necessary to implement growth center development.
- Map and table showing the location and number of permits for new development* (and subdivision) since designation, depicting new development:
 - outside the growth center,
 - inside the growth center but outside the designated downtown/village center,
 - inside the designated downtown/village center, and
 - total number of development permits in the town and growth center and percentage located within the growth center.

These maps and development numbers are not due until the final 5-year review documents are submitted but DHCD will discuss this task with the municipality at the time the draft materials are submitted.

*New development should be categorized as: dwelling units, enterprises, structures, and subdivisions, understanding that there will be some overlap between these categories. Permits for additions and improvements like outdoor walls and ponds that are not living or working space, or do not result in residential or employment capacity, should not be included.

Amendments

If a municipality seeks to amend any aspect of the designated Growth Center, an amendment request may be made at the time of the 5-year review or at any other time. The Board may decide on the amendment either at the same time as the 5-year review or table review of the amendment to another date. Amendment applications shall include the same submission requirements and process as those requested for the 5-year review, and shall address any material changes (those affecting the findings of fact) that would result from the amendment.

Please contact Jacob Hemmerick (802.828.5249) or jacob.hemmerick@vermont.gov, Planning & Policy Manager, to guide and assist you in the review process.