

Application Guidelines for New Town Center Designation

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The Downtown Development Act (24 VSA Chapter 76A) provides a process for recognizing those areas that are planning for development that will be consistent with statutory standards. Application is made to the Vermont Downtown Development Board, which has 45 days to make a decision following receipt of a complete application.

Application Requirements

Application is made by the municipality, and must be complete to be considered. It must contain the following elements:

- A. Cover Page, which must include:
 - Name of the municipality;
 - Name, address, e-mail and day time phone of the primary contact person;
 - Minutes or municipal resolution showing that the application has been authorized by the municipality.
- B. Notifications -- Evidence that the regional planning commission and regional development corporation for that region have been notified of the municipality's intent to apply. A copy of the letters sent to these organizations is sufficient.
- C. Confirmed Planning Process -- A letter from the municipality's regional planning commission must be included in the application, stating that the municipal planning process is confirmed. Confirmation means that the municipal plan, and planning process, have been reviewed and approved by that regional commission.
- D. Planning and Regulatory Tools -- The municipality must have developed a municipal center plan and regulations to implement the plan, including an official map, as well as a design review district created under Title 24, Chapter 117, §4414(1)(E). Appropriate documentation/excerpts must be submitted.
- E. Community Reinvestment Agreement -- This agreement must be signed by representatives of municipal government, business and property owners within the district, the organization taking the lead on the revitalization effort (under D(3) below), and community groups with an articulated purpose of supporting new town center interests. This does not mean that every entity must be a signatory, rather the Agreement must show that a broad range of new town center interests is committed to their new town center development program. Those who are signing the Agreement are demonstrating their commitment and willingness to participate, not simply showing support for the designation application. The Agreement must show that the following elements are in place:

1. A map of the designated new town center. The total area of land encompassed within a designated new town center shall not exceed 125 acres. In a municipality with a population greater than 15,000, the total area of land encompassed within a designated new town center may include land in excess of 125 acres provided that the additional area is needed to facilitate the redevelopment of predominately developed land in accordance with the smart growth principles defined under subdivision 2791(13) of this title and shall not exceed 175 acres.
2. The map should use the municipal property tax map as the base map, and must delineate the boundaries of the new town center district and indicate in acres the size of the new town center. It should clearly show which properties and buildings are to be included, and must be consistent with the following statutory definition:

“New Town Center” means the area planned for or developing as a community’s central business district, composed of compact, pedestrian-friendly, multistory, and mixed use development that is characteristic of a traditional downtown, supported by planned or existing urban infrastructure, including curbed streets and sidewalks and on-street parking, storm water treatment, sanitary sewers, and public water supply.”

3. Regulations enabling high densities that are greater than those allowed in any other part of the municipality.
4. Regulations enabling multistory and mixed use buildings and mixed uses which enable the development of buildings in a compact manner
5. A capital improvement program, or a capital budget and program under title 24, showing a clear plan for providing public infrastructure within the center, including facilities for drinking water, wastewater, storm water, public space, lighting, and transportation (including public transit, parking, and pedestrian amenities). It must at a minimum identify each project, year construction is expected, cost, and expected sources of funds
6. A clear plan for mixed income housing in the new town center.
7. Evidence that civic and public buildings exist, or will exist in the center, as shown by the capital improvement plan or the capital budget and program, and an Official Map adopted under 24 V.S.A. Chapter 117.
8. Water supply and sewage systems:
 - a) The Agreement must provide evidence that any private or public sewage system, and any private or public water supply system serving the proposed new town center district is in compliance with state requirements. Please note that

you will need responses from two different ANR Divisions to demonstrate compliance, and should allow at least several weeks for them to do this review.

- i. For Wastewater systems, the appropriate form in Appendix A must be filled out and sent to the ANR Wastewater Division before the designation application is filed, allowing time for them to respond on the status of compliance. The Wastewater Division response must be included in the designation application.
 - ii. For drinking water systems, instructions for requesting a compliance review from the ANR Water Supply Division are contained in Appendix A. The request must be made before the designation application is filed, allowing time for them to respond on the status of compliance. The Water Supply Division response must be included in the designation application.
- b) The Community Reinvestment Agreement must also provide evidence that the municipality has dedicated a portion of any unallocated reserves for both the wastewater and drinking water systems, adequate to accommodate future growth in the new town center district.
- i. The municipality should show they have reviewed the anticipated growth for the new town center district, and base the allocation of reserves on that estimate.
 - ii. The dedication of reserves must be made by formal action by the legislative body of the municipality. Evidence of these dedications must be included in the application for designation.
 - The municipality must request approval from the Wastewater Division for the wastewater system reserve. The Division's letter of approval must accompany the application for designation, so adequate time should be allowed for their response.
 - No ANR approval is required for the drinking water system reserve.

If the new town center does not currently have water and sewage systems within the designated new town center, the municipality must provide evidence of its commitment to construct such systems within 10 years, and in compliance with state regulations