

Memorandum

TO: Williston Selectboard

FROM: Matt Boulanger, AICP, Planning Director

DATE: December 13, 2018

SUBJECT: Town of Williston Unified Development Bylaw – to amend the following chapters:
Chapter 11 Growth Management, Chapter 36 Industrial Zoning District West

Following extensive public process and a series of public hearings from September 12, 2018 through November 20, 2018, The Williston Planning Commission is pleased to transmit proposed amendments to the *Williston Unified Development Bylaw* to the Selectboard for their consideration. The proposed amendments contain some significant changes to the Town’s Residential Growth Management Allocation system and the addition of one new allowed use (financial advising) to the Industrial Zoning District West (IZDW). A motion to set these proposed changes to the first of two required public hearings is recommended.

Growth Management:

The proposed amendments to the Town’s *Unified Development Bylaw* as they relate to Chapter 11: *Growth Management* fall into four broad categories:

1. Lessen the administrative burden of growth management:
 - Simplify the administration of Growth Management by replacing the requirement for allocation certificates with a requirement for applicants to present Notices of Decision when applying for construction permits.
 - Redraft all scoring criteria to reflect the weighting of allocation criteria that only existed outside of the bylaw before.
 - Redraft the scoring criteria to make them more readable and understandable for applicants.

2. Strengthen the incentives for desirable attributes of new residential development while also limiting the number and frequency of small exemptions for low-scoring projects.
 - Add the opportunity for projects to compete for allocation by providing onsite renewable energy generation or energy storage
 - Add the opportunity for projects to compete for allocation by constructing sustainable transportation facilities
 - Strengthen the energy efficiency requirements for allocation
 - Limit the exemption for minor subdivisions that do not meet the minimum score required for allocation to projects proposing no more than two dwelling unit equivalents on parcels smaller than 10 acres in size

3. Meet demand for residential development in the RZD and allow flexibility in construction schedules while maintaining an average “cap” of 80 units per year over in any 10-year period:

- Adjust the geographic distribution of the 80 unit/year Growth Target to add units in the sewer service area outside of the growth Center while removing some available units from the area of town outside of the sewer service area and from the Growth Center.
 - Allow projects that have commenced construction within their allocation schedule to proceed with building all of their allocated dwelling units at any time within their overall allocation schedule.
 - Change from a 10-year fixed schedule to 10-year “rolling” allocation, where the allocation “horizon” is always 10 years away and units that are not allocated are not eligible to be reallocated to future years, as is done currently.
 - Replace the outright expiration of allocation with a “slow build” provision that will allow small projects to continue at a slow pace while incentivizing large projects to either build in a timely fashion or return for a new review and approval by the DRB.
 - Subject all units approved under prior versions of Growth Management to the new rules proposed for expiration and “slow build” provisions.
4. Encourage certain highly-desirable types of residential development by exempting it from the Growth Management process and 80 unit/year Growth Target entirely:
- Exempt units that will be perpetually affordable at 80% of the area median income or less from the requirement to obtain allocation and the 80 unit/year “cap.” (as long as there is adequate sewer capacity available under Attachment “A” to the Williston Sewer Allocation Ordinance)
 - Exempt projects with scores of 70 points or greater from the Growth Management allocation portion of development review and the 80 unit/year “cap” (as long as there is adequate sewer capacity available under *Attachment “A” to the Williston Sewer Allocation Ordinance*)

Industrial Zoning District West (IZDW)

1. The proposed amendment to Chapter 36, Industrial Zoning District West, will:
 - Add Financial Advisors (under NAICS Code 5239, *other financial investment activities*) to the list of allowed uses (Table 36.A) in the Industrial Zoning District West in Chapter 36 of the bylaw, where many other forms of professional, scientific, and technical services, including offices of lawyers and accountants, are already allowed.

Recommended Motion:

That the Williston Selectboard, pursuant to 24. V.S.A §4442 *Adoption of bylaws and related regulatory tools; amendment or repeal*, schedule a public hearing to consider the proposed amendments to Chapters 11 and 36 of the Williston Unified Development Bylaw.

Attachments: Williston Unified Development Bylaw Chapters 11 and 36 with proposed changes
Current Growth Management Allocation Table