

Chapter 11

Growth Management

This chapter establishes a competitive growth management system for residential subdivisions. The policy basis for this system appears in Section 5.1 of the town's *Comprehensive Plan*. Readers are encouraged to read that material first, as background for understanding the procedure established here.

1
2 **11.1 Purpose - Authority**
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4 **11.1.1 Why does Williston limit the pace of residential development?** The purposes of growth
5 management review are to:

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7 11.1.1.1 ... ensure that residential growth does not exceed the capacity of the town's existing
8 infrastructure and support planning for the expansion of municipal facilities and services; and
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10 11.1.1.2 ... given the limited capacity of the town's infrastructure, to encourage residential
11 subdivisions that successfully implement the goals of the *Town Plan*.
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13 11.1.1.3 More specifically, the residential growth management system adopted here supports
14 the development of a compact, pedestrian-friendly mixed-use center in the Taft Corners
15 growth center by encouraging housing construction in close proximity to that center, while
16 also rewarding the protection of open space resources ~~identified in the *Open Space Plan* and,~~
17 the provision of trails, energy conservation, and other actions residential developers can take
18 to help implement the *Town Plan*.
19

20 **11.1.2 What gives the town authority to limit the rate of development?** Limiting the pace of
21 development "to avoid or mitigate any undue impact on existing or planned community facilities or
22 services" is specifically authorized by 24 V.S.A. § 4423.
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24 **11.2 Applicability**
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26 **11.2.1 Which developments are subject to growth management review?** Growth management
27 review is required before a proposed residential subdivision or the residential portion of a proposed
28 mixed-use development may apply for a discretionary permit.
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30 **11.2.2 Are there any exceptions to growth management review?** There is a full exemption for the
31 construction of a single dwelling on certain existing undeveloped parcels. The DRB has authority,
32 but is not required, to provide a partial exemption for proposed minor residential subdivisions.
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34 11.2.2.1 Existing Lots. One dwelling may be constructed on any undeveloped parcel on which
35 dwellings are permitted by this bylaw that was, and has continued to be, in separate ownership
36 since the town adopted its first growth management system in 1990. It is important to review
37 the lot merger requirements of this bylaw (see WDB 2.4) before determining that an existing
38 parcel qualifies for this exception.
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40 11.2.2.2 Minor Subdivisions. The DRB may, after having evaluated and ranked all proposed
41 residential subdivisions as provided in this chapter, allocate as many as four dwelling units
42 each fiscal year to proposed minor residential subdivisions, regardless of their score on the
43 evaluation standards established in WDB 11.6, 11.7, or 11.8. The parent parcels of residential
44 subdivisions must have a base lot area of the parent parcel of less than 10 acres and the
45 applicant must be requesting no more than two units of allocation to be considered as a minor
46 subdivision.
47

48 **Why is there a Minor Subdivision Exception?** This exception is needed to allow the town to adopt evaluation
49 standards that are stringent enough to encourage positive performance by larger subdivisions without penalizing
50 landowners who wish to create only one or two lots from a relatively small parcel.

51
52 ~~11.2.3 What about lots approved under previous versions of growth management? Lots~~
53 ~~created by approved subdivisions under previous versions of the town's growth management~~
54 ~~system will continue to be subject to the allocation rules applied at the time that the subdivision~~
55 ~~was approved.~~ 11.2.3 Affordable Housing. Dwellings meeting the town's requirements as
56 perpetually affordable at 80% or less than the Area Median Income (AMI) as defined in WDB
57 46.3.9 may receive all of their required allocation separate from the number of allocation units
58 specified by the Residential Growth Target provided in WDB 11.3. For units proposed in the
59 sewer service area, the discretionary permit must include a finding that adequate sewer
60 treatment capacity is available pursuant to WDB 11.5.1.6. For units proposed outside of the
61 sewer service area, projects must meet the on-site sewage disposal requirements of WDB 15.
62 17.
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65 11.3 Residential Growth Target

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67 **11.3.1 What is the town's annual residential growth target?** Section 5.1.2 of the *Town Plan* sets a
68 residential growth target of 80 dwelling ~~units or dwelling~~ unit equivalents, as defined in WDB
69 46.3.46, per fiscal year, ~~each year through FY 2025.~~
70

71 **11.3.2 How is a dwelling unit equivalent defined?** For the purposes of this chapter and for
72 calculating density under WDB Chapter 19, one dwelling equivalent is defined as a dwelling unit
73 containing 2 or more bedrooms. A dwelling containing only one bedroom or less (studio) is counted
74 as 0.5 of a dwelling unit equivalent.
75

76 ~~**What Happens After 2025?** It is assumed that the town will have acquired additional sewage treatment capacity and other~~
77 ~~new infrastructure and that this chapter will have been revised accordingly.~~

78
79 **11.3.3 Is there a geographic component to the growth target?** Yes. Section 5.1.3 of the *Town Plan*
80 provides that the 80 dwelling ~~units~~ unit equivalents will be distributed as follows:
81

82 11.3.3.1 ... in the sewer service area, in the designated growth center, ~~5650~~ dwelling ~~units~~ unit
83 equivalents;

84
85 11.3.3.2 ... in the sewer service area, outside the designated growth center, ~~1220~~ dwelling
86 ~~units~~ unit equivalents, and

87
88 11.3.3.3 ... outside the sewer service area, ~~1210~~ dwelling ~~units~~ unit equivalents.

89
90 11.3.3.4 Shift to the Growth Center. The DRB may shift available units from areas outside the
91 growth center to proposed residential and mixed-use developments within the designated
92 growth center.
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94 11.3.3.5 ~~Shift to Certain Developments in the ARZD~~. The DRB may shift available units from
95 ~~other areas to proposed residential subdivisions that qualify under WDB 31.11.~~
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97 ~~11.3.3.6~~ Accessory Dwellings. Accessory dwellings permitted by WDB ~~2320~~.1 are not
98 dwelling ~~units~~ unit equivalents for the purposes of this chapter.
99

100 **11.3.4 How does affordable housing affect the growth target?** Residential developments that
101 include affordable units as some portion of the dwellings proposed shall be given priority in making
102 allocation decisions in the evaluation criteria of residential developments. Of the 80 dwellings
103 available for allocation each fiscal year, a minimum of 25% of those dwelling units in each allocation
104 area shall be reserved expressly for perpetually affordable housing as defined in WDB 46.3.9. Units
105 that are proposed to be perpetually affordable at 80% or less of the Area Median Income may be
106 approved outside of the Growth Target as provided in WDB 11.2.2.3.
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108

109 11.4 Growth Management Procedure

110
111 **11.4.1 At what point in the development review process does growth management review occur?**
112 Growth management review follows pre-application review. All proposed residential subdivisions
113 that have cleared pre-application review on or before December 31 of any year shall be subject to
114 growth management review in the following year- except as otherwise exempted. If a proposed
115 residential subdivision has not cleared pre-application review by December 31 of a given year, it will
116 not be reviewed during the following year.
117

118 11.4.2 How is growth management review conducted?

119
120 11.4.2.1 Notice to Eligible Applicants. All applicants whose proposed subdivisions qualify for
121 growth management review shall be notified of the date of the DRB's growth management
122 hearing (see WDB 11.4.2.2) and provided with a *Growth Management Questionnaire* by
123 January 15^[EH1].
124

125 11.4.2.2 Growth Management Questionnaires. Applicants must return their completed growth
126 management questionnaires ~~at least 15 working days before the scheduled hearing by March~~
127 ~~1~~^[EH2]. All representations made on a *Growth Management Questionnaire* are binding and
128 must be reflected in the application for a discretionary permit if the proposed residential
129 subdivision receives an allocation of dwelling units.
130

131 11.4.2.3 Public Hearing. The DRB shall, in ~~February or~~ March^[EH3] of each year, hold a public
132 hearing at which it reviews all proposed residential subdivisions that cleared pre-application
133 review during the preceding year. This hearing shall ~~generally~~ follow the procedures
134 prescribed in Chapter 6 for the review of applications for discretionary permits, ~~but only~~
135 ~~published notice is required~~.
136

137 11.4.2.4 Evaluation and Ranking. Following the public hearing required by WDB 11.4.2.3,
138 the DRB shall evaluate and rank the proposed residential subdivisions using the evaluation

139 criteria established in ~~his~~this chapter. These criteria guide the DRB in awarding points to
140 proposed residential subdivisions based on their implementation of specific goals and
141 objectives of the *Town Plan*.
142

143 11.4.2.5 Allocation of the Growth Target. The DRB shall allocate the ~~remaining available~~
144 portion (see WDB 11.5.1.2) of the growth target established in the *Town Plan* to the proposed
145 residential subdivisions according to their ranking and the rules established in WDB 11.5,
146 below. The DRB may also decide to allocate as many as four dwelling ~~units~~unit equivalents,
147 no more than two dwelling unit equivalents per project, under the exemption established by
148 WDB 11.2.2.2.
149

150 11.4.2.6 Notification of Allocation~~Certificates~~. Notice of the DRB’s decision and the
151 approved allocation schedule shall be provided byin the distribution form of ~~one Residential~~
152 ~~Allocation Certificate for a letter from the Administrator and sent to~~ each ~~dwelling unit~~
153 ~~allocated to the~~ applicant. ~~Applicants who are denied allocations shall be notified by first class~~
154 ~~by certified~~ mail. ~~The Residential Allocation Certificate Documentation of approved~~
155 allocation must be presented by the applicant with the application for the administrative permit
156 to build the dwelling-(s).
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159 11.5 Allocation Rules

160
161 ***11.5.1 Are there rules the DRB must follow in making the allocations authorized by WDB 11.4.2.5,***
162 ***above? Yes.***
163

164 11.5.1.1 Minimum Score. No proposed subdivision that is awarded fewer than 30 points shall
165 receive an allocation, except via the exemption provided by WDB 11.2.2.2.
166

167 11.5.1.2 Number of Units. The DRB may allocate only the number of dwelling ~~units~~unit
168 equivalents allowed by the residential growth target adopted in the *Town Plan*. This does not
169 mean that the DRB allocates 80 dwelling ~~units~~unit equivalents each fiscal year. It does not.
170 The number of dwelling ~~units~~unit equivalents previously allocated is deducted from the
171 growth target for each fiscal year in which those allocations were made, ensuring that an
172 average of no more than 80 dwelling units per fiscal year are allocated.
173

174 **What’s Left?** A chart showing the number of allocations that remain available in each fiscal year may be obtained
175 from Williston Planning.

176
177 ~~11.5.1.3 Lack of Demand. Dwelling units that are not allocated due to a lack of demand for~~
178 ~~the units available in a given fiscal year will be available for allocation in subsequent fiscal~~
179 ~~years through FY 2025.~~

180 ~~11.5.1.3 “Rolling Allocation” The DRB will make allocations based on a 10-year timeframe~~
181 ~~that begins with the upcoming fiscal year. Any allocation that was not awarded in past fiscal~~
182 ~~years is void and no longer available for allocation to future projects. The DRB will have a~~
183 ~~consistent 10-year “horizon” over which it can make allocations, within the rules of WDB~~
184 ~~11.5.1.5 and within the limits of sewer treatment capacity as discussed in WDB 11.5.1.6.~~
185

186 11.5.1.4 Partial Allocations. The DRB may make partial allocations to help create an equitable
187 division of the dwelling units available among proposed residential subdivisions that have

188 equal or essentially equal rankings. The DRB may also, due to the limited availability of
189 dwelling units and the rules adopted here, including WDB 11.5.1.5's limit on allocations to
190 any one proposed residential subdivision, allocate fewer units to a proposed residential
191 subdivision than were requested in its pre-application or on its growth management checklist.

192
193 11.5.1.5 Maximum Allocation. There are limits on the number of units of allocation that may
194 be allocated in any of the allocation years. No more than 75% of the units available in a given
195 fiscal year and in any of the three 'allocation areas' established by WDB 11.3.2 may be
196 allocated to any one proposed residential subdivision. In addition, no more than 50% of the
197 number of allocation units in any of the allocation areas may be allocated two or more years
198 prior to the fiscal year the allocation becomes available, and no more than 75% of the number
199 of allocation units in any of the allocation areas may be allocated one year prior to the fiscal
200 year the allocation becomes available.

201
202 11.5.1.6 Changes in Capacity. Sewage treatment plant capacity may change due to changing
203 regulations, the failure of plant components, and other causes. The DRB shall not allocate
204 units for which adequate sewage treatment plant capacity is not available regardless of the
205 growth target established in the *Town Plan*. Any decision not to allocate units on this basis
206 shall be based on a written finding by the Selectboard that changing conditions have resulted
207 in inadequate capacity.

208
209 11.5.1.7 High Scoring Developments. Residential developments that can achieve a score of
210 70 points or more as determined by the DRB, and meet the highest level of energy conservation
211 and efficiency as defined in WDB 11.7, 11.8, or 11.9, respectively, may proceed to
212 discretionary permit review immediately after pre-application, and their units are awarded
213 outside of the Growth Target. High Scoring Developments do not compete at the yearly
214 Growth Management hearing. Based on information submitted by the applicant as part of their
215 Discretionary Permit application, the DRB shall make a finding of fact that the project
216 achieves a score of 70 points or more based on the criteria in WDB 11.7, and that the project
217 can be supported by available sewer capacity as discussed in WDB 11.5.1.6.

218
219 11.5.1.8 Changes to Allocation Rules. Growth management review occurs once a year in
220 March. To maintain consistency of review, any amendments made to this chapter shall not be
221 effective until immediately following the close of the next growth management hearing.
222 Applicants who complete pre-application review between January 1 and the upcoming growth
223 management hearing shall be notified of any pending changes to this chapter as part of their
224 pre-application recommendations.

225
Example: a project is heard by the DRB as a pre-application in July of 2018. In November of 2018, the Selectboard adopts changes to this chapter that impact the project's potential score or approvability under this chapter. The project, along with any other project heard by the DRB as a pre-application in calendar year 2018 is subject to the allocation rules in this chapter as they existed at the beginning of calendar year 2018. The changes become effective following the allocation hearing in March of 2019 and are applied to all projects heard by the DRB in calendar year 2019.

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227
228 ***11.5.2 Do allocations made by the DRB expire?*** Yes. Applicants must meet two deadlines, one for
229 the submission of an application for a discretionary permit for the proposed residential subdivision
230 and one for the actual construction of the dwelling unit.

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11.5.2.1 Submission of Plans. An application for a discretionary permit for the proposed residential subdivision must be filed within one year of the date of the record of decision for the DRB meeting at which the allocation of dwelling units to that subdivision was made. If an application is not filed within one year, the allocation becomes void and the units of allocation it included will be made available for allocation to another proposed residential subdivision or development.

11.5.2.2 Construction of Units. Allocations ~~of dwelling units~~ are available beginning on July 1 of a particular year (the start of the town’s fiscal year). An administrative permit for the construction of an allocated dwelling unit must be approved within five years after the July 1 on which it becomes available. ~~If an administrative permit is not approved within five years, the allocation becomes void and the unit will be made available for allocation to another proposed residential subdivision. A development will receive an allocation schedule based on the town’s residential growth target. Once the first year of the allocation schedule is reached, any of the units within the allocation schedule of the development may be constructed within the time frame of the allocation schedule.~~

~~11.6 — What happens if some portion of a subdivision’s After the initial five-year allocation expires? A subdivision that has had some portion of its allocation expire may reapply for period, residential growth management allocation under the provisions of WDB 11.6.1.1-6 under limited circumstances.~~

~~11.6.1 What are developments may continue to obtain necessary administrative permits to construct any of the specific rules for reapplying for allocations that have expired?~~

~~11.6.1.1 Time Limitation. A subdivision may apply to have its previously awarded allocation returned without having to compete against other subdivisions if a request for pre-application is submitted prior to the end of the calendar year when the expiration of the units of allocation was identified by the Williston Planning office.~~

~~11.6.1.2 Substantial Progress. A residential subdivision applying to have some portion of its allocation re-established under these provisions must demonstrate that substantial progress towards implementing the subdivision has been made. For the purpose of these provisions substantial progress determined by the DRB must include all of remaining dwellings at the following pace:~~

- ~~• Construction of any required public or private street or driveway necessary to provide access to the subdivision~~
- ~~• Dedication of land or easements for open space, public access or conservation purposes as required under the initial subdivision approval~~

~~Administrative Permits for the construction of at least Developments with 1 to 9 dwelling unit equivalents – one dwelling unit within the subdivision must have been obtained equivalent per year~~

~~11.6.1.3 Expiration. Allocation re-established under these provisions may receive an additional five years to obtain administrative permits to begin construction beginning on the July 1st immediately following the DRB meeting when the allocation was awarded under these provisions. No additional extensions of time under these provisions are possible.~~

279 ~~11.6.1.4 Conditions of Approval. The original conditions of subdivision approval shall~~
280 ~~continue to apply to any subdivision awarded allocations under these provisions. The DRB~~
281 ~~shall only impose additional conditions of approval in cases where it is necessary to preserve~~
282 ~~the public health, safety and welfare.~~

283
284 ~~11.6.1.5 Special Findings. In order for a subdivision to re-establish some portion of its~~
285 ~~allocation under these provisions, the DRB must find that the subdivision is in substantial~~
286 ~~compliance with the intent and purpose of the current development regulations.~~

287
288 ~~11.6.1.6 Expired Allocation. Any allocation that has expired under these provisions was not re-~~
289 ~~applied for within the time constraints of WDB 11.6.1.1, or that does not meet the criteria~~
290 ~~specified under WDB 11.6.1.1 5 shall be returned to the pool of available units of allocation~~
291 ~~and shall only be awarded through the competitive process specified under WDB 11.4 & 5.~~
292 ~~Developments with 10-19 dwelling unit equivalents – up to two dwelling unit equivalents~~
293 ~~per year~~
294 ~~Developments with 20 + dwelling unit equivalents – up to four dwelling unit equivalents per year~~

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297 **11.7 Evaluation Criteria for Proposed Residential Subdivisions in the Growth Center.** The evaluation
298 criteria the DRB will use to evaluate and rank proposed residential subdivisions or the residential portion
299 of proposed mixed-use developments in the growth center are summarized ~~and weighted~~ to create a 100-
300 point scoring scale ~~in the growth management checklists~~. They are explained in detail below.

301
302 11.7.1 Conserve Energy- (0-10 points) All new dwellings must meet the required Vermont
303 Residential Energy Standards. This criterion encourages additional energy conservation in accord
304 with Policy 11.4 of the *Town Plan*. Scoring will be based on the percentage of total dwelling units
305 that ~~will be Five Star or LEED certified~~ either meet enhanced energy efficiency standards or that
306 generate renewable energy as part of the proposed development.

- 307
308 ~~• 100% of all units certified – 10 points~~
- 309
310 ~~• 80-99% of all units meet Efficiency Vermont High Performance Level and~~
311 ~~generate at least 75% of their estimated energy demand through onsite~~
312 ~~renewable sources or will store at least four days of typical energy demand on-~~
313 ~~site – 10 points~~
- 314
315 ~~• 100% of all units certified – 8 points~~ meet Efficiency Vermont High
316 Performance Level – 6 points
- 317
318 ~~60-79~~
- 319
320 ~~• 50% of all units certified – 6 points~~
- 321
322 ~~• 40-59% of all units certified~~ meet Efficiency Vermont High Performance Level
323 – 4 points
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326 ~~• 20-38% of all units certified – 2 points~~
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- ~~less than 20% of all units certified~~ meet Vermont Residential Energy Standards
– 0 points

11.7.2 Build Affordable Housing: ~~(0-20 points)~~. Consistent with Policy 5.2.1 of the *Town Plan*, this criterion provides an advantage to applicants who will build perpetually affordable housing. “Affordable” includes two levels: what is affordable at 100% and at 80% of the median income. The units affordable at the 80% of median income level are included in the overall percentage of affordable units.

- 40% or more of all proposed dwelling units will meet the definition of perpetually affordable below 120% of the median income level, and 20% or more of all proposed dwelling units will be affordable between 80-100% of the median income level, and 10% or more of all proposed dwelling units will be affordable at the 80% or less than the median income level – ~~1020~~ points
- 30% or more of all proposed dwelling units will meet the definition of perpetually affordable below 120% of the median income level, and 20% or more of all proposed dwelling units will be affordable between 80-100% of the median income level, and 10% or more of all proposed dwelling units will be affordable at the 80% or less than the median income level – ~~816~~ points
- 20% or more of all proposed dwelling units will meet the definition of perpetually affordable below 120% of the median income level, and 10% or more of all proposed dwelling units will be affordable between 80-100% of the median income level, and 5% or more of all proposed dwelling units will be affordable at the 80% or less than the median income level – ~~612~~ points
- 15% or more of all proposed dwelling units will meet the definition of perpetually affordable below 120% of the median income level, and 5% or more of all proposed dwelling units will be affordable between 80-100% of the median income level, and 5% or more of all proposed dwelling units will be affordable at the 80% or less than the median income level – ~~48~~ points
- 10% or more of all proposed dwelling units will meet the definition of perpetually affordable – ~~24~~ points
- Less than 10% perpetually affordable units will be provided – 0 points

11.7.3 Offer Housing Choices: ~~(0-20 points)~~. Consistent with Policy 5.2.3 of the *Town Plan*, this criterion encourages each subdivision to include housing options for a broad spectrum of household incomes and types, and for both owners and renters. The goal is not merely to promote affordability as WDB 11.6.2 does, but to ensure that limited housing choices do not result in a community with limited cultural and social diversity.

- Proposed residential subdivisions should include a mix of dwelling types and sizes that will result in a mix of different housing costs and tenures. Where the proposed residential subdivision is part of a mixed-use development, it must

377 include units that are demonstrably affordable to the typical employee who will
378 be working there in order to be awarded any points for this criterion. 1-~~10~~20
379 points depending on the range of housing options proposed
380

- 381 • The proposed residential subdivision does not contribute to housing diversity.
382 – 0 points.

383
384 **11.7.4 Provide Neighborhood Space- (0-10 points).** This criterion encourages the provision of urban
385 and/or neighborhood parks, and/or of indoor space for neighborhood activities. Points will be
386 awarded for the construction of an urban or neighborhood park, as defined in Policies 1.2 and 2.2
387 of the ~~Open Space~~Chapter 13 of the 2016-2024 Williston Comprehensive Plan, and/or for the
388 construction of a building space that can be used as a meeting room, fitness center, day care center,
389 or other neighborhood space acceptable to the DRB. The developer must commit to equip the space
390 provided for its purpose to earn points. The intent here is to encourage the creation of places for
391 recreational and civic activities that foster neighborliness, but need not be maintained by the town.
392

- 393 • The proposed subdivision provides developed neighborhood space that is easily
394 accessible and useful to its inhabitants – 1-10 points, depending on the size,
395 diversity of functions, and other characteristics of the space/s provided.
396
- 397 • The proposed residential subdivision provides no such space, or inadequate
398 space – 0 points.
399

400 **11.7.5 Build Paths and Trails- (0-10 points).** This ~~proposed~~ criterion favors proposed residential
401 subdivisions that build their portion of the paths and trails called for by the ~~Town~~2016-2024 Williston
402 Comprehensive Plan (see Policy 6.6).
403

- 404 • The majority of the proposed dwelling units are served by the town’s path and
405 trail system, with the developer building all on-site segments – 5-10 points,
406 depending on the length of the path or trail segment/s.
407
- 408 • no path or trail connection is built – 0 points
409

410 **11.7.6 Conserve Open Space- (0-10 points).** While there are limited opportunities for open space
411 conservation within the growth center, this criterion encourages the permanent conservation of any
412 remaining lands identified in the ~~Open Space~~Chapter 13 of the 2016-2024 Williston Comprehensive
413 Plan or another open space asset acceptable to the Conservation Commission via dedication or
414 conservation easement.
415

- 416 • the proposed development will protect open space lands identified in ~~the open~~
417 space planChapter 13 of the 2016-2024 Williston Comprehensive Plan or
418 another open space asset acceptable to the Conservation Commission via
419 dedication to the town or another public agency, or via a conservation easement
420 – 1-10 points depending on the extent and the importance of the open space
421 protected
422
- 423 • the proposed development will not provide permanent open space protection –
424 0 points
425

426 **11.7.7 Design for the Context- (0-10 points).** Proposed residential subdivisions should provide for a
427 scale of housing (height, bulk) that is compatible with the surrounding uses. This does not mean that
428 the density or mix of housing forms must be identical or very similar. It means that the overall
429 character of the proposed residential subdivision will complement neighboring uses.

- 430
- 431 • the proposed development is in scale and compatible with the surrounding uses
432 – 1-10 points depending on the effort made to ensure compatibility
- 433
- 434 • the proposed development is not in scale and **not** compatible with its context –
435 0 points
- 436

437 **11.7.8 Sustainable Transportation. (0-10 points)** Developments that will support transportation
438 sustainability by providing publicly-available facilities that allow for transit use, carpooling,
439 electric vehicle charging, car-sharing, or secure, covered bicycle storage will receive 1-10 points
440 in addition to the points available for energy efficiency above.

441

442 A minimum of one covered carpool or transit shelter, one carpool parking space, one electric
443 vehicle charging port and space, one carshare space, or two secure covered bicycle storage lockers
444 per 25 Dwelling Unit equivalents (DUE) in the project is required for points to be scored for any
445 of these facilities. Developments may also meet one of the scoring criteria elements by showing
446 that the project will be part of a Transportation Management Association that provides
447 programming and incentives to the residents of the project and any onsite employees to reduce
448 single-occupant vehicle trips.

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- 452 • The proposed development will provide five of the elements listed in 11.7.8-
453 10 points
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- 455 • The proposed development will provide four of the elements listed in 11.7.8-
456 8 points
- 457
- 458 • The proposed development will provide three of the elements listed in
459 11.7.8- 6 points
- 460
- 461 • The proposed development will provide two of the elements listed in 11.7.8-
462 4 points
- 463
- 464 • The proposed development will provide one of the elements listed in 11.7.8-
465 2 points
- 466
- 467 • The proposed development will not provide any sustainable transportation
468 facilities- 0 points
- 469

470

471 **11.8 Evaluation Criteria for Proposed Residential Subdivisions that Have Sewerage, but Are Not**
472 **Within the Growth Center.** The evaluation criteria the DRB will use to evaluate and rank proposed
473 residential subdivisions in the MDR Residential and Village zoning districts are summarized and weighted

474 to create a 100-point scoring scale in the Growth Management Checklists. They are explained in detail
475 below.

476
477 ***11.8.1 Conserve Energy.*** ~~Same as WDB 11.7.1.~~ **(0-10 points)** All new dwellings must meet the
478 required Vermont Residential Energy Standards. This criterion encourages additional energy
479 conservation in accord with Policy 11.4 of the *Town Plan*. Scoring will be based on the percentage
480 of total dwelling units that either meet enhanced energy efficiency standards or that generate
481 renewable energy as part of the proposed development.

482
483 ***11.8.2 Build Affordable Housing.*** ~~Same as WDB 11.7.2.~~

484
485 ***11.8.3 Offer Housing Choices.*** ~~Same as WDB 11.7.3.~~

486
487 ***11.8.4 Provide Neighborhood Space.*** ~~Same as WDB 11.7.4~~

488
489 ***11.8.5 Build Paths and Trails.*** ~~Same as WDB 11.7.5~~

490
491 ***11.8.6 Design for the Context.*** ~~Same as WDB 11.7.7.~~

- 492
493
- 494 • 100% of all units meet Efficiency Vermont High Performance Level and
495 generate at least 75% of their estimated energy demand through onsite
496 renewable sources or will store at least four days of typical energy demand on-
497 site – 10 points
 - 498 • 100% of all units meet Efficiency Vermont High Performance Level – 6 points
 - 499
 - 500
 - 501 • 50% of all units meet Efficiency Vermont High Performance Level – 4 points
 - 502
 - 503
 - 504 • all units meet Vermont Residential Energy Standards – 0 points
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508 ***11.8.2 Build Affordable Housing (0-20 points).*** Consistent with Policy 5.2.1 of the *Town Plan*, this
509 criterion provides an advantage to applicants who will build perpetually affordable housing.
510 “Affordable” includes two levels: what is affordable at 100% and at 80% of the median income. The
511 units affordable at the 80% of median income level are included in the overall percentage of
512 affordable units.

- 513
- 514 • 40% or more of all proposed dwelling units will meet the definition of perpetually
515 affordable below 120% of the median income level, and 20% or more of all
516 proposed dwelling units will be affordable between 80-100% of the median income
517 level, and 10% or more of all proposed dwelling units will be affordable at the 80%
518 or less than the median income level – 20 points
 - 519
 - 520 • 30% or more of all proposed dwelling units will meet the definition of perpetually
521 affordable below 120% of the median income level, and 20% or more of all
522 proposed dwelling units will be affordable between 80-100% of the median income

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level, and 10% or more of all proposed dwelling units will be affordable at the 80% or less than the median income level – 16 points

• 20% or more of all proposed dwelling units will meet the definition of perpetually affordable below 120% of the median income level, and 10% or more of all proposed dwelling units will be affordable between 80-100% of the median income level, and 5% or more of all proposed dwelling units will be affordable at the 80% or less than the median income level – 12 points

• 15% or more of all proposed dwelling units will meet the definition of perpetually affordable below 120% of the median income level, and 5% or more of all proposed dwelling units will be affordable between 80-100% of the median income level, and 5% or more of all proposed dwelling units will be affordable at the 80% or less than the median income level – 8 points

• 10% or more of all proposed dwelling units will meet the definition of perpetually affordable – 4 points

• Less than 10% perpetually affordable units will be provided – 0 points

11.8.3 Offer Housing Choices (0-20 points). Consistent with Policy 5.2.3 of the *Town Plan*, this criterion encourages each subdivision to include housing options for a broad spectrum of household incomes and types, and for both owners and renters. The goal is not merely to promote affordability as WDB 11.6.2 does, but to ensure that limited housing choices do not result in a community with limited cultural and social diversity.

• Proposed residential subdivisions should include a mix of dwelling types and sizes that will result in a mix of different housing costs and tenures. Where the proposed residential subdivision is part of a mixed-use development, it must include units that are demonstrably affordable to the typical employee who will be working there in order to be awarded any points for this criterion. 1-20 points depending on the range of housing options proposed

• The proposed residential subdivision does not contribute to housing diversity. – 0 points.

11.8.4 Provide Neighborhood Space (0-10 points). This criterion encourages the provision of urban and/or neighborhood parks, and/or of indoor space for neighborhood activities. Points will be awarded for the construction of an urban or neighborhood park, as defined in Policies 1.2 and 2.2 of the *Chapter 13 of the 2016-2024 Williston Comprehensive Plan*, and/or for the construction of a building space that can be used as a meeting room, fitness center, day care center, or other neighborhood space acceptable to the DRB. The developer must commit to equip the space provided for its purpose to earn points. The intent here is to encourage the creation of places for recreational and civic activities that foster neighborliness, but need not be maintained by the town.

- The proposed subdivision provides developed neighborhood space that is easily accessible and useful to its inhabitants – 1-15 points, depending on the size, diversity of functions, and other characteristics of the space/s provided.
- The proposed residential subdivision provides no such space, or inadequate space – 0 points.

11.8.5 Build Paths and Trails (0-10 points). This criterion favors proposed residential subdivisions that build their portion of the paths and trails called for by the *2016-2024 Williston Comprehensive Plan* (see Policy 6.6).

- The majority of the proposed dwelling units are served by the town’s path and trail system, with the developer building all on-site path segments and dedicating all on-site trail segments – 5-10 points, depending on the length of the path or trail segment/s.
- no path or trail connection is built or dedicated – 0 points

11.8.6 Design for the Context (0-5 points). Proposed residential subdivisions should provide for a scale of housing (height, bulk) that is compatible with the surrounding uses. This does not mean that the density or mix of housing forms must be identical or very similar. It means that the overall character of the proposed residential subdivision will complement neighboring uses.

- the proposed development is in scale and compatible with the surrounding uses – 1-5 points depending on the effort made to ensure compatibility
- the proposed development is not in scale and not compatible with its context – 0 points

11.8.7 Build Close to Services- (0-10 points). Williston encourages new residential development within walking distance of focal points in the growth center or village. There must be a safe pedestrian way from the units for which points are awarded to a focal point in the growth center or the village. This means there must be existing sidewalks and/or a town recreation path or trail, or that the developer will construct a safe pedestrian way. Distances will be measured along the shortest pedestrian way from the mid-point among the proposed units to the nearest focal point.

- Proposed units are within 1,310 feet of focal point in the growth center or village – 10 points
- Proposed units are within 2,640 feet of focal point in the growth center or village – 5 points
- All other proposed units – 0 points

What is a Focal Point? Focal points are public gathering places, formal or informal. They are currently identified in the town’s vision for its growth center, as set forth in the town’s application to the state for growth center designation. ~~This~~

618 material will eventually be incorporated into the *Town Plan*. Focal points include the intersection of any of the public streets
619 and Williston Road in the VZD, the Town Hall and the Dorothy Alling Memorial Library.

620
621 **11.8.8 Neighborhood Design- (0-5 points).** This criterion does not include architectural design or
622 the details of landscape design. Those subjects are addressed after an application for a discretionary
623 permit is filed. Proposed residential subdivisions will be scored based their use of open space to both
624 buffer and integrate the neighborhood, as well to manage stormwater, and on the siting of homes to
625 encourage walking and social interaction among neighbors.

- 626
- 627 • Open space is used both creatively and to serve functional needs like buffering
- 628 and stormwater management, while homes are sited so as to encourage walking
- 629 and social interaction among neighbors – 0-10 points depending on how well
- 630 this goal is implemented.
- 631
- 632 • Permanent protection of open space identified in the *Open Space Chapter 13 of*
- 633 *the 2016-2024 Williston Comprehensive Plan* will result in the award of 1-5
- 634 additional points on this criterion, depending on the extent and quality of the
- 635 open space resource being protected.
- 636
- 637 • Open space is not used creatively and/or site planning techniques do not
- 638 encourage walking and social interaction – 0 points
- 639

640 **11.8.9 Sustainable Transportation. (0-10 points)** Developments that will support transportation
641 sustainability by providing publicly-available facilities that allow for transit use, carpooling,
642 electric vehicle charging, car-sharing, or secure, covered bicycle storage will receive 1-10 points
643 in addition to the points available for energy efficiency above.

644

645 A minimum of one covered carpool or transit shelter, one carpool parking space, one electric
646 vehicle charging port and space, one carshare space, or two secure covered bicycle storage lockers
647 per 25 Dwelling Unit equivalents (DUe) in the project is required for points to be scored for any
648 of these facilities. Developments may also meet one of the scoring criteria elements by showing
649 that the project will be part of a Transportation Management Association that provides
650 programming and incentives to the residents of the project and any onsite employees to reduce
651 single-occupant vehicle trips.

- 652
- 653
- 654
- 655 • The proposed development will provide five of the elements listed in 11.7.8-
- 656 10 points
- 657
- 658 • The proposed development will provide four of the elements listed in 11.7.8-
- 659 8 points
- 660
- 661 • The proposed development will provide three of the elements listed in
- 662 11.7.8- 6 points
- 663
- 664 • The proposed development will provide two of the elements listed in 11.7.8-
- 665 4 points
- 666

- The proposed development will provide one of the elements listed in 11.7.8-2 points
- The proposed development will not provide any sustainable transportation facilities- 0 points

11.9 Evaluation Criteria for Proposed Residential Subdivisions Outside the Sewer Service Area. The evaluation criteria the DRB will use to evaluate and rank proposed residential subdivisions outside the sewer service area are summarized and weighted to create a 100-point scoring scale in the growth management checklists. They are explained in detail below.

11.9.1 Conserve Energy. ~~Same as WDB 11.7.1.~~***(0-10 points)*** All new dwellings must meet the required Vermont Residential Energy Standards. This criterion encourages additional energy conservation in accord with Policy 11.4 of the *Town Plan*. Scoring will be based on the percentage of total dwelling units that either meet enhanced energy efficiency standards or that generate renewable energy as part of the proposed development.

11.9.2 Build Affordable Housing. Same as WDB 11.7.2.

11.9.3 Build Paths and Trails. Same as WDB 11.7.5

11.9.4 Design for the Context. Same as WDB 11.7.7

- 100% of all units meet Efficiency Vermont High Performance Level and generate at least 75% of their estimated energy demand through onsite renewable sources or will store at least four days of typical energy demand on-site – 10 points
- 100% of all units meet Efficiency Vermont High Performance Level – 6 points
- 50% of all units meet Efficiency Vermont High Performance Level – 4 points
- all units meet Vermont Residential Energy Standards – 0 points

11.9.2 Build Affordable Housing (0-20 points). Consistent with Policy 5.2.1 of the *Town Plan*, this criterion provides an advantage to applicants who will build perpetually affordable housing. “Affordable” includes two levels: what is affordable at 100% and at 80% of the median income. The units affordable at the 80% of median income level are included in the overall percentage of affordable units.

- 40% or more of all proposed dwelling units will meet the definition of perpetually affordable below 120% of the median income level, and 20% or more of all proposed dwelling units will be affordable between 80-100% of the median income level, and 10% or more of all proposed dwelling units will be affordable at the 80% or less than the median income level – 20 points

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- 30% or more of all proposed dwelling units will meet the definition of perpetually affordable below 120% of the median income level, and 20% or more of all proposed dwelling units will be affordable between 80-100% of the median income level, and 10% or more of all proposed dwelling units will be affordable at the 80% or less than the median income level – 16 points
- 20% or more of all proposed dwelling units will meet the definition of perpetually affordable below 120% of the median income level, and 10% or more of all proposed dwelling units will be affordable between 80-100% of the median income level, and 5% or more of all proposed dwelling units will be affordable at the 80% or less than the median income level – 12 points
- 15% or more of all proposed dwelling units will meet the definition of perpetually affordable below 120% of the median income level, and 5% or more of all proposed dwelling units will be affordable between 80-100% of the median income level, and 5% or more of all proposed dwelling units will be affordable at the 80% or less than the median income level – 8 points
- 10% or more of all proposed dwelling units will meet the definition of perpetually affordable – 4 points
- Less than 10% perpetually affordable units will be provided – 0 points

11.9.3 Provide for Paths and Trails (0-10 points). This criterion favors proposed residential subdivisions that provide easements for primitive trails or build their portion of the paths called for by the 2016-2024 Williston Comprehensive Plan (see Policy 6.6).

- The majority of the proposed dwelling units are served by the town’s path and trail system, with the developer building all on-site segments – 5-10 points, depending on the length of the path or trail segment/s.
- no path is built or trail easement is provided – 0 points

11.9.4 Design for the Context (0-10 points) Proposed residential subdivisions should provide for a scale of housing (height, bulk) that is compatible with the surrounding uses. This does not mean that the density or mix of housing forms must be identical or very similar. It means that the overall character of the proposed residential subdivision will complement neighboring uses.

- the proposed development is in scale and compatible with the surrounding uses – 1-15 points depending on the effort made to ensure compatibility
- the proposed development is not in scale and not compatible with its context – 0 points

764 **11.9.52 Conserve Open Space: (0-30 points).** This criterion encourages the long-term protection of
765 the open spaces identified in Chapter 13 of the ~~open-space~~2016-2024 Williston Comprehensive Plan.
766 It awards points for the protection of lands identified in the ~~open-space plan~~there by dedication or
767 conservation easement.
768

- 769 • the proposed development will protect open space lands identified in Chapter
770 13 of the ~~open-space~~2016-2024 Williston Comprehensive Plan or another open
771 space asset acceptable to the Conservation Commission via dedication to the
772 town or another public agency, or via a conservation easement – 1-~~10~~30 points
773 depending on the extent and the importance of the open space protected
774
- 775 • the proposed development will not provide permanent open space protection –
776 0 points
777

778 **11.9.6 Minimize Visual Impact: (0-20 points).** This criterion encourages “rural” developments that
779 are sited so as to disappear into the landscape.
780

- 781 • the proposed project will not be visible from public roads, except any new road
782 built to provide direct access to the site – ~~10~~20 points
783
- 784 • the proposed project will be minimally visible from public roads, except any
785 road directly serving the site – ~~5~~1-10 points
786
- 787 • the proposed project will be visible from public roads – 0 points