

MEMORANDUM

To: Williston Energy Committee
CC: Matt Boulanger, Planning Director
From: Melinda Scott, Energy and Community Development Planner
Date: May 18, 2023
Re: **Bylaw Amendments**



On May 10, 2023 Brian Forrest shared a memorandum with the Energy Committee, which in part requested several bylaw amendments to be initiated by the Committee. This memo provides a response to each requested amendment, as follows:

1. *Create a provision in the town's Unified Development Bylaw that requires any new commercial, industrial, or residential development to install an appropriate quantity of EV charging stations, and establish infrastructure for future expansion. This would also apply to existing changes to commercial, industrial or residential development.*

Response: This is already required by the 2023 CBES and RBES. The CBES requires EV charging parking spaces to be provided at certain percentages by type of commercial building occupancy (starting at a minimum of 2% of spaces), with additional requirements for EV "capable"¹ spaces. The RBES requires Level 2 capable EV charging parking spaces for all buildings (base code and stretch code) at 1 per dwelling unit plus 25% of remaining parking spaces provided not utilized by dwelling units, or 40 spaces, whichever is less. On top of these requirements, Act 250 has additional requirements to meet the stretch energy code. Nearly all commercial, industrial and residential development in Williston is covered under Act 250. This is true for any proposed new development as well as any changes to existing development. The stretch code imposed under Act 250 requires, for single family housing, one Level 1 parking space per dwelling unit with an accessible socket. For multifamily developments of 10 or more dwelling units, 4% of parking spaces (rounded up to the nearest whole number) must have a socket capable of providing either a level 1 or level 2 charge within 5 feet of the centerline of the parking space.

Does the Energy Committee wish to draft more stringent requirements related to EV charging facilities; if so, what should be required?

2. *In all zoning districts, incentives for installing overhead parking lot solar energy arrays should be considered, such as setback relief or other means.*

Response: The proposed amendment has been drafted in Chapter 14 – Parking and Loading.

3. *Revise the Williston Unified Development Bylaw to require any new development to provide a significant percentage of renewable energy generation and/or on-site storage, while considering constraints such as topography or neighboring structures. Sizing, energy output and storage should be based on the*

¹ **ELECTRIC VEHICLE CHARGING – LEVEL 2 CAPABLE.** Level 2 "capable" includes space in the utility room for panel(s) of at least one minimum 40-ampere branch circuit to be provided to garages and/or the exterior of the building to accommodate a future dedicated Society of Automotive Engineers (SAE) standard J1772-approved Level 2 EVSE with a J1772 connector or NEMA 14-50, or equivalent, within 5 feet of the centerline for each EV charging parking space. A conduit or other unobstructed path to easily run a future wire to the parking spot shall also be provided.

expected on-site consumption of electricity, including heat pumps and electric charging for automobiles and trucks.

Response: The 2023 CBES requires a “solar ready” zone for buildings 5 stories or less that are oriented between 110 and 270 degrees of true north or that have low-slope roofs. Solar ready zones must be not less than 40% of the roof area. Solar ready zones must comply with minimum structural load requirements (roof has to be constructed to support a solar array). The 2023 RBES also requires a “solar ready” zone to ensure that it will be easy to install solar photovoltaic panels in the future. This requirement includes:

- Total solar-ready zone area: not less than 300 sq ft or 40% of the unobstructed roof area
- Multifamily/townhouses: not less than 150 square feet
- Roof or ground-mount
- Construction documents show solar-ready zone
- Capped roof penetration sleeve
- Roof load documentation
- Interconnection pathway (conduit) from panel to zone
- Electrical service reserved space

South Burlington is considering a regulation that would require solar to be installed wherever a “solar ready” zone is required. When Williston asked the town counsel about possibly implementing such a requirement, we were told that the town could not require solar installations because that was the purview of the Public Utility Commission. South Burlington is getting around that by explicitly stating that the city does not require a solar installation to connect to the grid. This is impractical.

Does the Energy Committee wish to draft a bylaw similar to South Burlington’s to require solar installations on new commercial and residential developments?

4. *Consider revisions to Chapter 11 Growth Management that further incentivizes any level of energy efficiency beyond the base requirements of Efficiency Vermont or simple calculation of on-site generation/storage requirements and uses a non-fossil-fuel source for heating/cooling buildings.*

Response: Chapter 11 Growth Management already incentivizes energy efficiency beyond the base requirements and renewable energy production and storage. Since adopting this incentive, only one project has utilized it. The incentives have been modified in a proposed amendment so as to include the use of non-fossil-fuel heating systems and make the incentive more flexible and easier to use.

5. *Explore a requirement that all new development provide cold-climate heat pumps or other devices using renewable energy sources, as the primary source of building and domestic hot water heating.*

Response: An amendment to Chapter 11 Growth Management has been drafted that would incentivize the provision of cold climate heat pump systems in new residential developments. The Energy Planner feels that this incentive will be attractive to developers because it is relatively easy to implement and makes a project more competitive.

Does the Energy Committee wish to draft a bylaw requiring all new development to provide cold-climate heat pumps or other non-fossil-fuel sources as the primary heating source?

6. *Prohibit the burning of trash, and discourage the burning of brush with an ordinance.*

Response: The burning of trash is already prohibited by state law. **Does the Energy Committee wish to draft an ordinance discouraging the burning of brush?**