

Chapter 11

Including Affordable Homes and Residential Growth Management

This chapter requires the inclusion of affordable homes in most new residential developments and establishes a competitive growth management system for those residential developments that will not provide a sufficient amount of affordable homes. 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.

11.1 Purpose - Authority

11.1.1 Why does Williston limit the pace of residential development and require the provision of affordable homes in most new developments? The purposes of this chapter are to:

11.1.1.1 ... ensure that residential growth meets the town's needs for additional workforce and affordable homes, does not exceed the capacity of the town's existing infrastructure and supports planning for the expansion of municipal facilities and services; and

11.1.1.2 ... given the limited capacity of the town's infrastructure, encourage residential developments that successfully implement the goals of the *Town Plan*, with a specific focus on meeting the town's need for more affordable homes.

11.1.1.3 ... support the development of a compact, affordable pedestrian-friendly mixed-use center in the Taft Corners Form-based Code Zoning District (TCFBC) by encouraging housing, while also rewarding the protection of open space resources, the provision of trails, energy conservation, and other actions residential developers can take to help implement the *Town Plan*.

11.1.2 What gives the town the authority to limit the rate of development? Limiting the pace of development "to avoid or mitigate any undue impact on existing or planned community facilities or services" is specifically authorized by 24 V.S.A. § 4422.

11.1.3 What gives the town the authority to require the inclusion of affordable homes in new residential projects? In February of 2023, the Planning Commission prepared a Housing Needs Assessment, which is required by 24 V.S.A. 4414(7)(B) prior to the adoption of inclusionary zoning provisions. 4417(A) also requires that any inclusionary zoning be in conformance with the Housing Element of the town's comprehensive plan, which is found in Chapter 5 of the *2016-2024 Williston Comprehensive Plan*. 24 V.S.A 4417(C) requires that any inclusionary zoning provisions "include development incentives that contribute to the economic feasibility of providing affordable housing units." These incentives are provided in part in this chapter in the form of exemptions from its growth management requirements, which will otherwise apply.

11.2 Applicability

11.2.1 Which developments are subject to growth management review? Except as exempted in 11.2.2, below, growth management review and approval is required before a proposed residential development or the residential portion of a proposed mixed-use development may apply for a discretionary permit, or in the case of areas covered by the Taft Corners Form Based Code Zoning District (TCFBC), as a part of the review and approval of a Certificate of Conformity.

11.2.2 Are there any exceptions to growth management review?

11.2.2.1 Existing Lots. The construction of up to four dwellings on any parcel where dwellings are permitted by this bylaw pursuant to allowed uses and density requirements is not subject to the provisions of WDB 11.4-11.9, below.

11.2.2.2 Inclusionary Zoning. New residential developments, buildings, or mixed-use projects that meet the inclusionary zoning requirements of this chapter are exempt from the provisions of WDB 11.4-11.9, below, but must instead meet all requirements of WDB 11.3, *Inclusionary Zoning*, in this chapter.

11.2.2.3 Adaptive Reuse to Residential. The adaptive reuse of any building existing more than ten years before the date a permit for the adaptive reuse is submitted, to add dwellings to that building, is not subject to the provisions of WDB 11.4-11.9 below, provided the adaptive reuse does not involve any addition to the building exceeding 20% of the existing floor area. The adaptive reuse of former hotel/motel buildings is not covered by this provision but may be exempted under the provisions of 11.2.2.2, above.

11.2.3 Glaser Specific Plan, SP 23-01. The Glaser Specific Plan can proceed from pre-application to discretionary permit. The DRB must make findings that the discretionary permit application upholds a Growth Management score of at least 50 points based upon the criteria of WDB Chapter 11 as amended October 4, 2022, except WDB 11.7.1 and 11.7.9 which can be based upon the Energy Efficiency or Sustainable Transportation criteria of Chapter 11 as amended October 17, 2023 or any future version of the WDB. Following discretionary permit approval and final plans approval, the applicant may receive administrative permits for new dwellings up to a maximum of 18 dwellings per fiscal year until project completion. The rules of 11.2.3 shall supersede all other rules of WDB 11.

11.3 Inclusionary Zoning The following requirements for the inclusion of affordable dwellings must be met by all developments that will create five (5) or more new dwellings in Williston. Multiple developments or projects within a 5-year period by the same applicant, landowner, responsible party or "person" as defined by Title 10 VSA 6001(14) that do not individually trigger Inclusionary Zoning but, in aggregate, equal or exceed 5 new dwellings within any single zoning district shall be subject to the requirements of Inclusionary Zoning. Said 5-year period shall be measured from the final DRB approval of a prior project (not including amendments resulting in no additional dwellings) to the date of the receipt of the application for the subsequent project. Applicable developments that will not meet the inclusionary zoning requirements of this section must follow the Residential Growth Management Allocation procedures and scoring criteria outlined in WDB 11.4-11.9 and must meet the payment in-lieu requirements of 11.3.5, below.

11.3.1 What are affordable dwellings? Affordable dwellings, as defined in WDB 46.3.9 means dwellings that will be made available for rent or for sale at prices which allow them to be rented or acquired by households having incomes of no more than 100% of the median household income for The Burlington-South Burlington Metropolitan Statistical Area (MSA), as defined

by the United States Department of Housing and Urban Development, household without spending more than thirty (30) percent of their incomes on housing costs. The median income shall be determined on the basis of the data which is most recent to the time that the units are ready for occupancy.

Housing costs for renters shall include rent and utilities (heat, hot water, trash removal, and electricity). For homeowners, housing costs include mortgage (interest and principal), property taxes, homeowner's association fees, and property insurance. To qualify as 'affordable,' the future rent or resale price of a dwelling must be perpetually restricted to the same affordability standards discussed in this definition at the time of sale or rent, as discussed under WDB 11.3.5.

11.3.2 What percentage of dwellings is required to be affordable? Developments with 5-9 dwellings must provide at least 1 dwelling affordable at 100% AMI or below. Developments with 10 or more dwellings must include affordable dwellings at percentages meeting one of the following criteria:

- At least 10% of the proposed dwellings (rounded up to the nearest whole number) shall meet the definition of perpetually affordable at or below 80% of the area median income level, **or**
- At least 15% of the proposed dwellings (rounded up to the nearest whole number) shall meet the definition of perpetually affordable at or below 100% of the area median income level, **or**
- A combination of dwellings affordable at 80% and 100% area median income, such that 1.5 times the number of dwellings (rounded up to the nearest whole number) required at 80% area median income and not provided shall be required to be provided at 100% area median income.

Example: A 60-dwelling project can provide:

- 54 market rate homes and 6 homes affordable at 80% AMI, or
- 51 market rate homes and 9 homes affordable at 100% AMI, or
- 53 market rate homes, 4 homes affordable at 80% AMI and 3 homes affordable at 100% AMI.

For the combined affordability levels of 80% and 100% AMI, 6 homes are required at 80% AMI. 4 homes are provided at 80% AMI, leaving 2 required and not provided. Multiply 2 by 1.5 to get 3 homes required at 100% AMI.

11.3.3 Are there any specific requirements for affordable dwellings?

11.3.3.1 Integration with Overall Project. The project application shall identify the dwellings proposed to be affordable. Affordable dwellings shall be integrated with the rest of the development and shall be compatible to the extent practicable in exterior design and appearance with other dwellings with the exception of garages (attached or unattached) or other accessory structures. Affordable dwellings constructed on site may be in less desirable locations than market-rate dwellings in the development, but shall, on average, be no less accessible to public amenities, such as open space or community facilities, as the market-rate dwellings.

11.3.3.2 Allowable Differences from Market Rate Dwellings. Affordable dwellings may differ from the market dwellings with regard to interior amenities and floor area; provided that these differences, excluding differences related to size differentials, are not apparent in the general exterior appearance of the project's dwellings, and these differences do not include insulation, windows, heating systems, and other improvements related to the energy efficiency of the project's units.

11.3.3.3 Construction Phasing Schedule. Affordable dwellings shall be made available for occupancy on approximately the same schedule as the project's market dwellings, except that certificate of occupancy for the last 10% of the market dwellings (rounded up to nearest whole number) shall be withheld until certificates of occupancy have been issued for all of the affordable dwellings.

11.3.4 Is there a density bonus or any other development incentives for providing affordable homes? In order to contribute to the economic feasibility of providing affordable dwellings, all projects covered by Inclusionary Zoning are entitled by right to density bonuses as described in Chapter 19 and other incentives described below, at the discretion of the applicant.

11.3.4.1 Exemption from Growth Management. Projects meeting the requirements of 11.3 Inclusionary Zoning are exempt from the provisions of WDB 11.4-11.9.

11.3.4.2 Expedited review. Projects under this section, and with a complete application, will be scheduled ahead of projects with no affordable dwellings to the extent practicable.

11.3.4.3 Fee Waivers. A waiver of certain permit fees and impact fees for qualified projects as determined by the Selectboard.

11.3.5 How will perpetual affordability of the dwellings be ensured? Affordable dwellings shall be subject to covenants or restrictions that preserve their affordability in perpetuity.

11.3.5.1 Deed Restrictions acceptable to the Town shall be placed on the appropriate property to ensure that affordable dwellings created under this section shall remain affordable in perpetuity, or for as long a period as is allowed by law.

11.3.5.2. Resale Restrictions. Provisions to ensure continued affordability of affordable dwellings offered for sale shall include a formula for calculating the maximum sales price based on the applicable affordability level (80% or 100% of Area Median Income). The developer of the dwelling shall be considered the first seller and must sell the dwelling at a price no greater than the maximum sales price meeting the definition of affordability under 11.3.1. For subsequent sales of the dwelling, the maximum sales price shall be the greater of: (a) the maximum sales price as described above, or (b) the dwelling owner's original purchase price adjusted for the actual documented costs of any capital improvements to the affordable dwelling during the dwelling owner's period of ownership.

11.3.5.3. Rent Increases. Provisions for continued affordability of affordable rental dwellings shall limit annual rent increases to the percentage increase in the median household income within the Burlington-South Burlington Metropolitan Statistical

Area (MSA). Rental dwellings designated as affordable shall be monitored annually by the town for compliance with this provision.

11.3.6 Are affordable dwellings required to be sold/rented to income-qualified buyers/renters?

Yes. Affordable dwellings shall be marketed for rent/lease to households within the same income bracket as the dwelling was intended for. For example, if the development includes dwellings affordable to those earning 80% of the Burlington-South Burlington median income, those dwellings must be sold to households meeting the respective income qualifications of earning less than or equal to 80% of the Burlington-South Burlington median income.

11.3.7 What if my project does not include affordable dwellings? Residential developments that do not qualify for exemptions listed under 11.2.2 are required to obtain growth management allocation. Additionally, residential developments consisting of ten (10) or more new dwellings not exempt under 11.2.2 must contribute a payment in-lieu fee to Williston’s Affordable Housing Trust Fund as follows:

Project Size	Required Payment in Lieu Per Unit
>= 20 Ds	\$3,500
21-50 Ds	\$7,000
> 50 Ds	\$8,500

A marginal fee approach shall be used in payment of the in-lieu fees.

Example: Fee in-lieu calculated for a 25-dwelling project, as follows: 20 x \$3,500 = \$70,000 for the first 20 dwellings; 5 x 7,000 = \$35,000 for the additional 5 dwellings; Total fee in-lieu = \$105,000.

The payment in lieu fee may be adjusted from time to time by the Selectboard similarly to other permitting fees. Adjusted fees shall be updated in this bylaw accordingly.

11.4 Residential Growth Target

11.4.1 What is the town’s annual residential growth target? Section 5.1.2 of the *Town Plan* sets a residential growth target of 80 dwellings per fiscal year.

11.4.2 How will the town achieve its growth target? By setting high standards for new development, including the inclusionary zoning requirements in this chapter, by setting appropriate development standards for different geographic areas of the town, and by setting limits on the number of dwellings that do not meet the inclusionary zoning requirements, the town will maintain its growth target as discussed in 11.3.3, below.

11.4.3 How is a dwelling defined? WDB 46.3.50 defines a dwelling. Accessory dwellings permitted by WDB 20.1 are not dwellings for the purposes of this chapter.

What is a dwelling? A dwelling is a building (typically a single-household home) or a separate space within a larger building (typically an apartment, townhouse, or the like) that contains complete housekeeping facilities for one household.

11.4.4 Is there a geographic component to the growth target? Yes. Section 5.1.3 of the *Town Plan* provides for 80 dwellings per year. While most dwellings are expected to be created in projects covered by the inclusionary zoning provisions of 11.3, some limited allocation for projects that do not meet these requirements is available through a yearly allocation schedule as follows:

11.4.4.1 ... in the sewer service area, in the designated growth center, 50 dwellings ,

11.4.4.2 ... in the sewer service area, outside the designated growth center, 20 dwellings ,
and

11.4.4.3 ... outside the sewer service area, 10 dwellings .

11.4.4.4 Shift to the Growth Center. The DRB or Administrator may shift available dwellings from areas outside the growth center to proposed residential and mixed-use developments within the designated growth center.

11.5 Growth Management Procedure

11.5.1 At what point in the development review process does growth management review occur?

Growth management review follows pre-application review. All proposed residential developments that are not exempt pursuant to WDB 11.2.2 that have cleared pre-application review on or before December 31 of any year shall be subject to growth management review in the following year except as otherwise exempted. If a proposed residential development has not cleared pre-application review by December 31 of a given year, it will not be reviewed during the following year. For applicable projects in the Taft Corners Form-Based Code Zoning District (TCFBC), allocation will be assigned by the Zoning Administrator at the time of the issuance of a Certificate of Conformity.

11.5.2 How is growth management review conducted outside TCFBC?

11.5.2.1 Notice to Eligible Applicants. All applicants whose proposed developments qualify for growth management review shall be notified of the date of the DRB's growth management hearing (see WDB 11.5.2.3) and provided with a *Growth Management Questionnaire* by January 15.

11.5.2.2 Growth Management Questionnaires. Applicants must return their completed growth management questionnaires by March 1. All representations made on a *Growth Management Questionnaire* are binding and must be reflected in the application for a discretionary permit if the proposed residential development receives an allocation of dwellings.

11.5.2.3 Public Hearing. The DRB shall, in March of each year, hold a public hearing at which it reviews all proposed residential development that cleared pre-application review during the preceding calendar year. This hearing shall follow the procedures prescribed in Chapter 6 for the review of applications for discretionary permits.

11.5.2.4 Evaluation and Ranking. Following the public hearing required by WDB 11.5.2.3, the DRB shall evaluate and rank the proposed residential development using the evaluation

criteria established in this chapter. These criteria guide the DRB in awarding points to proposed residential development based on their implementation of specific goals and objectives of the *Comprehensive Plan*.

11.5.2.5 Allocation of the Growth Target. The DRB shall allocate the available portion (see WDB 11.6.1.2) of the growth target established in the *Comprehensive Plan* to the proposed residential developments according to their ranking and the rules established in WDB 11.6, below.

11.5.2.6 Notification of Allocation. Notice of the DRB's decision and the approved allocation schedule shall be provided in the form of a letter from the Administrator and sent to each applicant by certified mail. Documentation of approved allocation must be presented by the applicant with the application for the administrative permit to build the dwelling(s).

11.5.2.7 Allocation of the Growth Target Allocation in the Taft Corners Form Based Code Zoning District is assigned by the Zoning Administrator at the time of issuance of a Certificate of Conformity, which is the permit to build in this Zoning District. Projects in the Taft Corners Form Based Code Zoning District do not apply for hearing review at the DRB under the provisions of 11.5.2.1-11.5.2.6 above and are not subject to the scoring criteria in 11.7, below. The design criteria in the Taft Corners Form Based Code Zoning District mandate much of what is incentivized under these criteria.

11.5.2.8 Notification of Allocation in the Taft Corners Form Based Code Zoning District Notification of allocation in the Taft Corners Form Based Code Zoning District is in the form of the Certificate of Conformity for the project issued by the Zoning Administrator.

11.5.2.9 Subsequent Growth Management Allocation. Proposed developments that have obtained an initial allocation of dwellings and approval of final plans for a discretionary permit but require additional allocation to complete the entire development as proposed, shall first obtain the additional allocation through growth management review, but shall not be required to submit a preapplication during the prior calendar year. Should additional allocation be granted, an amendment to the discretionary permit shall be filed to document the revised phasing schedule. Such an amendment shall be considered a minor change.

11.6 Allocation Rules

11.6.1 Are there rules the DRB, or Administrator in the case of projects in the Taft Corners Form Based Code Zoning District, must follow in making the allocations authorized by WDB 11.5.2.5, above? Yes.

11.6.1.1 Minimum Score. No proposed development that is awarded fewer than 40 points shall receive an allocation. In the Taft Corners Form Based Code Zoning District, the Administrator, using the criteria for the Growth Center in 11.7, may deny a Certificate of Conformity for a project that will not meet the minimum score.

11.6.1.2 Number of Dwellings. The DRB or Administrator may allocate only the number of dwellings allowed by the residential growth target adopted in the *Comprehensive Plan*. This does not mean that the DRB or Administrator allocates 80 dwellings each fiscal year. They do not. The number of dwellings previously allocated is deducted from the growth

target for each fiscal year in which those allocations were made, ensuring that an average of no more than 80 dwellings per fiscal year are allocated.

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

11.6.1.3 “Rolling Allocation” The DRB or Administrator will make allocations based on a 10-year timeframe that begins with the upcoming fiscal year. Any allocation that was not awarded in past fiscal years is void and no longer available for allocation to future projects. The DRB or Administrator will have a consistent 10-year “horizon” over which they can make allocations, within the rules of WDB 11.6.1.5 and within the limits of sewer treatment capacity as discussed in WDB 11.6.1.6.

11.6.1.4 Partial Allocations. The DRB or Administrator may make partial allocations to help create an equitable division of the dwelling units available among proposed residential developments that have equal or essentially equal rankings. The DRB may also, due to the limited availability of dwellings and the rules adopted here, including WDB 11.6.1.5’s limit on allocations to any one proposed residential development, allocate fewer dwellings to a proposed residential development than were requested in its pre-application or on its growth management checklist.

11.6.1.5 Maximum Allocation. There are limits on the number of market-rate dwellings of allocation that may be allocated in any of the allocation years. No more than 75% of the market-rate dwellings available in a given fiscal year and in any of the three ‘allocation areas’ established by WDB 11.4.3 may be allocated to any one proposed residential development. In addition, no more than 50% of the number of market-rate allocation dwellings in any of the allocation areas outside the TCFBC may be allocated two or more years prior to the fiscal year the allocation becomes available, and no more than 75% of the number of allocation dwellings in any of the allocation areas outside the TCFBC may be allocated one year prior to the fiscal year the allocation becomes available.

11.6.1.6 Changes in Capacity. Sewage treatment plant capacity may change due to changing regulations, the failure of plant components, and other causes. The DRB or Administrator shall not allocate dwellings for which adequate sewage treatment plant capacity is not available regardless of the growth target established in the *Williston Comprehensive Plan*. Any decision not to allocate dwellings on this basis shall be based on a written finding by the Selectboard that changing conditions have resulted in inadequate capacity.

11.6.2 Do allocations made by the DRB or Administrator expire? Yes. Applicants who received allocation under the provisions of 11.6.1 must meet two deadlines, one for the submission of an application for a discretionary permit for the proposed residential development and one for the subsequent submission of final plans.

A development will receive an allocation schedule based on the town’s residential growth target. Allocations are available beginning on July 1 of a particular year (the start of the town’s fiscal year). Once the first year of the allocation schedule is reached, any of the dwellings within the allocation schedule of the development may be constructed within the time frame of the allocation schedule.

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

11.6.2.2 Submission of Final Plans. Final Plans must be submitted for approval following the issuance of a Discretionary Permit by the DRB within the timeframes required in WDB 6. If Final Plans are not submitted, the allocation becomes void and the allocation is returned to the system.

11.7 Evaluation Criteria for Proposed Residential Development in the Growth Center, outside of the Taft Corners Form Based Code Zoning District. The criteria the DRB will use to evaluate and rank proposed residential development or the residential portion of proposed mixed-use developments in the Growth Center are summarized to create a 100-point scoring scale. They are explained in detail below.

11.7.1 Conserve Energy (0-30 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 *2016-2024 Williston Comprehensive Plan*. Scoring will be based on the percentage of total dwellings that either meet enhanced energy efficiency standards or that generate renewable energy as part of the proposed development.

- 100% of all dwellings incorporate at least **two** of the following elements – 30 points:
 - meet Efficiency Vermont High Performance Level,
 - use cold-climate heat pumps (CCHPs), ground source heat pumps, or geothermal heat pumps,
 - generate at least 50% of their estimated energy demand through onsite renewable sources,
 - store at least two days of typical energy demand on-site.

- 100% of all dwellings incorporate at least **one** of the following elements – 20 points:
 - meet Efficiency Vermont High Performance Level,
 - use cold-climate heat pumps (CCHPs), ground source heat pumps, or geothermal heat pumps,
 - generate at least 50% of their estimated energy demand through onsite renewable sources,
 - store at least two days of typical energy demand on-site.

- 50% of all dwellings incorporate at least **one** of the following elements – 10 points:
 - meet Efficiency Vermont High Performance Level,
 - use cold-climate heat pumps (CCHPs), ground source heat pumps, or geothermal heat pumps,
 - generate at least 50% of their estimated energy demand through onsite renewable sources,
 - store at least two days of typical energy demand on-site.

- all dwellings meet Vermont Residential Energy Standards – 0 points

11.7.3 Offer Housing Choices (0-20 points). Consistent with Policy 5.2.3 of the *2016-2024 Williston Comprehensive Plan*, this criterion encourages each development 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 development 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 development is part of a mixed-use development, it must include dwellings 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 development does not contribute to housing diversity. – 0 points.

11.7.4 Provide Neighborhood Space (0-20 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 4.4 and 4.5 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 development provides developed neighborhood space that is easily accessible and useful to its inhabitants – 1-20 points, depending on the size, diversity of functions, and other characteristics of the space/s provided.
- The proposed residential development provides no such space, or inadequate space – 0 points.

11.7.5 Build Paths and Trails (0-10 points). This criterion favors proposed residential development that build their portion of the paths and trails called for by the *2016-2024 Williston Comprehensive Plan* (see Policy 9.5.3).

- The majority of the proposed dwellings are served by the town’s path and trail system, with the developer building all on-site segments – 1-10 points, depending on the length of the path or trail segment/s.
- no path or trail connection is built – 0 points

11.7.6 Conserve Open Space (0-10 points). While there are limited opportunities for open space conservation within the growth center, this criterion encourages the permanent conservation of any remaining lands identified in the Chapter 13 of the *2016-2024 Williston Comprehensive Plan*

or another open space asset acceptable to the Conservation Commission via dedication or conservation easement.

- the proposed development will protect open space lands identified in Chapter 13 of the *2016-2024 Williston Comprehensive Plan* or another open space asset acceptable to the Conservation Commission via dedication to the town or another public agency, or via a conservation easement – 1-10 points depending on the extent and the importance of the open space protected
- the proposed development will not provide permanent open space protection – 0 points

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

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

- The proposed development will provide five of the elements listed in 11.7.8- 10 points
- The proposed development will provide four of the elements listed in 11.7.8- 8 points
- The proposed development will provide three of the elements listed in 11.7.8- 6 points
- The proposed development will provide two of the elements listed in 11.7.8- 4 points
- 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

11.8 Evaluation Criteria for Proposed Residential Development that Have Sewerage but Are Not Within the Growth Center. The criteria the DRB will use to evaluate and rank proposed residential development in the Residential and Village zoning districts are summarized and weighted to create a 100-point scoring scale in the Growth Management Checklists. They are explained in detail below.

11.8.1 Conserve Energy (0-30 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 *2016-2024 Williston Comprehensive Plan*. Scoring will be based on the percentage of total dwellings that either meet enhanced energy efficiency standards or that generate renewable energy as part of the proposed development.

- 100% of all dwellings incorporate at least **two** of the following elements – 30 points:
 - meet Efficiency Vermont High Performance Level,
 - use cold-climate heat pumps (CCHPs), ground source heat pumps, or geothermal heat pumps,
 - generate at least 50% of their estimated energy demand through onsite renewable sources,
 - store at least two days of typical energy demand on-site.

- 100% of all dwellings incorporate at least **one** of the following elements – 20 points:
 - meet Efficiency Vermont High Performance Level,
 - use cold-climate heat pumps (CCHPs), ground source heat pumps, or geothermal heat pumps,
 - generate at least 50% of their estimated energy demand through onsite renewable sources,
 - store at least two days of typical energy demand on-site.

- 50% of all dwellings incorporate at least **one** of the following elements – 10 points:
 - meet Efficiency Vermont High Performance Level,
 - use cold-climate heat pumps (CCHPs), ground source heat pumps, or geothermal heat pumps,
 - generate at least 50% of their estimated energy demand through onsite renewable sources,
 - store at least two days of typical energy demand on-site.

- all dwellings meet Vermont Residential Energy Standards – 0 points

11.8.2 Offer Housing Choices (0-20 points). Consistent with Policy 5.2.3 of the *2016-2024 Williston Comprehensive Plan*, this criterion encourages each development 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 development 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 development is part of a mixed-use development, it must include dwellings 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 development does not contribute to housing diversity. – 0 points.

11.8.3 Provide Neighborhood Space (0-20 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 4.4 and 4.5 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 development provides developed neighborhood space that is easily accessible and useful to its inhabitants – 1-20 points, depending on the size, diversity of functions, and other characteristics of the space/s provided.
- The proposed residential development provides no such space, or inadequate space – 0 points.

11.8.4 Build Paths and Trails (0-10 points). This criterion favors proposed residential development that build their portion of the paths and trails called for by the *2016-2024 Williston Comprehensive Plan* (see Policy 9.5.3).

- The majority of the proposed dwellings 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 – 1-10 points, depending on the length of the path or trail segment/s.
- no path or trail connection is built or dedicated – 0 points

11.8.5 Neighborhood Design (0-10 points). This criterion does not include architectural design or the details of landscape design. Those subjects are addressed after an application for a discretionary permit is filed. Proposed residential development will be scored based their use of open space to both buffer and integrate the neighborhood, as well to manage stormwater, and on the siting of homes to encourage walking and social interaction among neighbors.

- Open space is used both creatively and to serve functional needs like buffering and stormwater management, while homes are sited so as to encourage walking and social interaction among neighbors – 0-15 points depending on how well this goal is implemented.
- Permanent protection of open space identified in the *Chapter 13 of the 2016-2024 Williston Comprehensive Plan* will result in the award of 1-5 additional points on this criterion, depending on the extent and quality of the open space resource being protected.
- Open space is not used creatively and/or site planning techniques do not encourage walking and social interaction – 0 points

11.8.6 Sustainable Transportation (0-10 points). Developments that will support transportation sustainability by providing publicly available facilities that allow for transit use, carpooling,

electric vehicle charging, car-sharing, or secure, covered bicycle storage will receive 1-10 points in addition to the points available for energy efficiency above.

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

- The proposed development will provide five of the elements listed in 11.8.8- 10 points
- The proposed development will provide four of the elements listed in 11.8.8- 8 points
- The proposed development will provide three of the elements listed in 11.8.8- 6 points
- The proposed development will provide two of the elements listed in 11.8.8- 4 points
- The proposed development will provide one of the elements listed in 11.8.8- 2 points
- The proposed development will not provide any sustainable transportation facilities- 0 points

11.9 Evaluation Criteria for Proposed Residential Development Outside the Sewer Service Area.

The criteria the DRB will use to evaluate and rank proposed residential development 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 (0-30 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.

- 100% of all dwellings incorporate at least **two** of the following elements – 30 points:
 - meet Efficiency Vermont High Performance Level,
 - use cold-climate heat pumps (CCHPs), ground source heat pumps, or geothermal heat pumps,
 - generate at least 50% of their estimated energy demand through onsite renewable sources,
 - store at least two days of typical energy demand on-site.
- 100% of all dwellings incorporate at least **one** of the following elements – 20 points:
 - meet Efficiency Vermont High Performance Level,
 - use cold-climate heat pumps (CCHPs), ground source heat pumps, or geothermal heat pumps,

- generate at least 50% of their estimated energy demand through onsite renewable sources,
- store at least two days of typical energy demand on-site.
- 50% of all dwellings incorporate at least **one** of the following elements – 10 points:
 - meet Efficiency Vermont High Performance Level,
 - use cold-climate heat pumps (CCHPs), ground source heat pumps, or geothermal heat pumps,
 - generate at least 50% of their estimated energy demand through onsite renewable sources,
 - store at least two days of typical energy demand on-site.
- all dwellings meet Vermont Residential Energy Standards – 0 points

11.9.2 Provide for Paths and Trails (0-20 points). This criterion favors proposed residential development that provide easements for primitive trails or build their portion of the paths called for by the *2016-2024 Williston Comprehensive Plan* (see Policy 9.5.3).

- The majority of the proposed dwellings are served by the town’s path and trail system, with the developer building all on-site segments – 1-20 points, depending on the length of the path or trail segment/s.
- no path is built or trail easement is provided – 0 points

11.9.3 Conserve Open Space (0-30 points). This criterion encourages the long-term protection of the open spaces identified in Chapter 13 of the *2016-2024 Williston Comprehensive Plan*. It awards points for the protection of lands identified there by dedication or conservation easement.

- the proposed development will protect open space lands identified in Chapter 13 of the *2016-2024 Williston Comprehensive Plan* or another open space asset acceptable to the Conservation Commission via dedication to the town or another public agency, or via a conservation easement – 1-30 points depending on the extent and the importance of the open space protected
- the proposed development will not provide permanent open space protection – 0 points

11.9.4 Minimize Visual Impact (0-20 points). This criterion encourages “rural” developments that are sited so as to disappear into the landscape.

- the proposed project will not be visible from public roads, except any new road built to provide direct access to the site – 20 points
- the proposed project will be minimally visible from public roads, except any road directly serving the site –10 points
- The proposed project will be visible from public roads – 0 points