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.

11.1 Purpose - Authority

11.1.1 Why does Williston limit the pace of residential development? The purposes of growth management review are to:

11.1.1.1 … ensure that residential growth does not exceed the capacity of the town's existing infrastructure and support planning for the expansion of municipal facilities and services; and

11.1.1.2 … given the limited capacity of the town's infrastructure, to encourage residential subdivisions that successfully implement the goals of the *Town Plan*.

11.1.1.3 More specifically, the residential growth management system adopted here supports the development of a compact, pedestrian-friendly mixed-use center in the Taft Corners growth center by encouraging housing construction in close proximity to that center, 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 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.

11.2 Applicability

11.2.1 Which developments are subject to growth management review? Growth management review is required before a proposed residential subdivision or the residential portion of a proposed mixed-use development may apply for a discretionary permit.

11.2.2 Are there any exceptions to growth management review? There is a full exemption for the construction of a single dwelling on certain existing undeveloped parcels. The DRB has authority, but is not required, to provide a partial exemption for proposed minor residential subdivisions.

11.2.2.1 Existing Lots. One dwelling may be constructed on any undeveloped parcel on which dwellings are permitted by this bylaw that was, and has continued to be, in separate ownership since the town adopted its first growth management system in 1990. It is important to review the lot merger requirements of this bylaw (see WDB 2.4) before determining that an existing parcel qualifies for this exception.

11.2.2.2 Minor Subdivisions. The DRB may, after having evaluated and ranked all proposed residential subdivisions as provided in this chapter, allocate as many as four dwelling units each fiscal year to proposed minor residential subdivisions, regardless of their score on the evaluation standards established in WDB 11.6, 11.7, or 11.8. The parent parcels of residential subdivisions must have a base lot area of the parent parcel of less than 10 acres and the applicant must be requesting no more than two units of allocation to be considered as a minor subdivision.

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

11.2.2.3 Affordable Housing. Dwellings meeting the town's requirements as perpetually affordable at 80% or less than the Area Median Income (AMI) as defined in WDB 46.3.9 may receive all of their required allocation separate from the number of allocation units specified by the Residential Growth Target provided in WDB 11.3. For units proposed in the sewer service area, the discretionary permit must include a finding that adequate sewer treatment capacity is available pursuant to WDB 11.5.1.6. For units proposed outside of the sewer service area, projects must meet the on-site sewage disposal requirements of WDB 15. l7.

11.3 Residential Growth Target

11.3.1 What is the town's annual residential growth target? Section 5.1.2 of the *Town Plan* sets a residential growth target of 80 dwelling unit equivalents, as defined in WDB 46.3.46, per fiscal year.

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

11.3.3 Is there a geographic component to the growth target? Yes. Section 5.1.3 of the *Town Plan* provides for 80 dwelling unit equivalents which will be distributed as follows:

11.3.3.1 … in the sewer service area, in the designated growth center, 50 dwelling unit equivalents;

11.3.3.2 … in the sewer service area, outside the designated growth center, 20 dwelling unit equivalents, and

11.3.3.3 … outside the sewer service area, 10 dwelling unit equivalents.

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

11.3.3.5 Accessory Dwellings. Accessory dwellings permitted by WDB 20.1 are not dwelling unit equivalents for the purposes of this chapter.

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

11.4 Growth Management Procedure

11.4.1 At what point in the development review process does growth management review occur? Growth management review follows pre-application review. All proposed residential subdivisions 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 subdivision has not cleared pre-application review by December 31 of a given year, it will not be reviewed during the following year.

11.4.2 How is growth management review conducted?

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

11.4.2.2 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 subdivision receives an allocation of dwelling units.

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

11.4.2.4 Evaluation and Ranking. Following the public hearing required by WDB 11.4.2.3, the DRB shall evaluate and rank the proposed residential subdivisions using the evaluation criteria established in this chapter. These criteria guide the DRB in awarding points to proposed residential subdivisions based on their implementation of specific goals and objectives of the *Town Plan*.

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

11.4.2.6 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 Allocation Rules

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

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

11.5.1.2 Number of Units. The DRB may allocate only the number of dwelling unit equivalents allowed by the residential growth target adopted in the *Town Plan*. This does not mean that the DRB allocates 80 dwelling unit equivalents each fiscal year. It does not. The number of dwelling unit equivalents 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 dwelling units 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.

11.5.1.3 "Rolling Allocation" The DRB 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 will have a consistent 10-year "horizon" over which it can make allocations, within the rules of WDB 11.5.1.5 and within the limits of sewer treatment capacity as discussed in WDB 11.5.1.6.

11.5.1.4 Partial Allocations. The DRB may make partial allocations to help create an equitable division of the dwelling units available among proposed residential subdivisions that have equal or essentially equal rankings. The DRB may also, due to the limited availability of dwelling units and the rules adopted here, including WDB 11.5.1.5's limit on allocations to any one proposed residential subdivision, allocate fewer units to a proposed residential subdivision than were requested in its pre-application or on its growth management checklist.

11.5.1.5 Maximum Allocation. There are limits on the number of units of allocation that may be allocated in any of the allocation years. No more than 75% of the units available in a given fiscal year and in any of the three 'allocation areas' established by WDB 11.3.3 may be allocated to any one proposed residential subdivision. In addition, no more than 50% of the number of allocation units in any of the allocation areas 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 units in any of the allocation areas may be allocated one year prior to the fiscal year the allocation becomes available.

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

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

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

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.

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

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 are available beginning on July 1 of a particular year (the start of the town's fiscal year). 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. 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.

After the initial five-year allocation period, residential developments may continue to obtain necessary administrative permits to construct any of the remaining dwellings at the following pace:

Developments with 1 to 9 dwelling unit equivalents – one dwelling unit equivalent per year
Developments with 10-19 dwelling unit equivalents – up to two dwelling unit equivalents per year
Developments with 20 + dwelling unit equivalents – up to four dwelling unit equivalents per year

11.7 Evaluation Criteria for Proposed Residential Subdivisions in the Growth Center. The evaluation criteria the DRB will use to evaluate and rank proposed residential subdivisions 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 **(0-10 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.

- 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

11.7.2 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 three levels: what is affordable at 120%, 100%, and at 80% of the median income. The units affordable at the 100% and 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

- 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

11.7.3 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 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.

11.7.4 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 – 1-10 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.

11.7.5 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 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

11.7.7 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 – 1-10 points depending on the effort made to ensure compatibility

- the proposed development is not in scale and not compatible with its context – 0 points

11.7.8 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 Dwelling Unit equivalents (DUe) 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 Subdivisions that Have Sewerage, but Are Not Within the Growth Center. The evaluation criteria the DRB will use to evaluate and rank proposed residential subdivisions 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. **(0-10 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.

- 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

11.8.2 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 three levels: what is affordable at 120%, 100%, and at 80% of the median income. The units affordable at the 100% and 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

- 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

11.8.3 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 – 1-10 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 – 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

11.8.6 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. Focal points include the intersection of any of the public streets and Williston Road in the VZD, the Town Hall and the Dorothy Alling Memorial Library.

11.8.8 Neighborhood Design (0-5 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 subdivisions 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 – 0-5 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

11.8.9 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 Dwelling Unit equivalents (DUe) 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

11.9 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. **(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.

- 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 three levels: what is affordable at 120%, 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

- 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

11.9.5 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

11.9.6 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