

Overview of proposed changes to Dennis ZBL § 4.9 to encourage Affordable Housing.

This document describes the proposed changes to Section 4.9 at this time. Many of the proposed changes are simply re-arranging, adding headers, removing obsolete words, and clarifying. There are also some substantive changes. NOTE: Sub-section numbers still need to be revised in the draft document from re-ordering.

CLARIFICATIONS:

- Reorganized sections to make more sense.
- Added statement clarifying different types of Affordable Housing enabled through Section 4.9. Added underlined bold headings for each sub-section.
 - For the purposes of creating Affordable Housing under this bylaw (4.9) there are several methods, some with slightly different requirements, for creating new units. These include:
 1. Affordable Housing Developments (§ 4.9.#);
 2. Affordable Housing Apartment(s) (§ 4.9.#);
 3. Affordable Housing Apartments Accessory to Commercial Uses (§ 4.9.#);
 4. Affordable Lots (4.9.#); and
 5. Municipally Sponsored Affordable Housing Projects (§ 4.9.#).
- Various Corrections/Clarifications:
 - Name change of DHCD to EOHLC;
 - State name of ZBL section with the section #; E.g. § 3.1 (Off-Street Parking...)
 - Eliminated words “Deleted” and “Modified Procedures” randomly in document.

SUBSTANTIVE CHANGES:

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- In addition to 25% Deed-Restricted Affordable units, **another 25% of all housing units** created under Section 4.9 (if the deed-restricted Affordable units are only 25%) **shall be year-round housing units that are affordable** (small a) per the guidelines **but which need not go through the State mandated deed-restriction and tenant selection process.** In order to make them comply with a less stringent process but make the units more affordable, one possibility is a recorded **Special Permit Contract** between the developer and the Town (similar to the CPC contract but recorded with the deed and noted in the Building Card). For lack of a better term at this time, these would be called “locally affordable units”.
- If there are more than 25% SHI units, then there may be less than 25% locally affordable units so long as the total of SHI listed and locally affordable is at least 50% of the units with at least 25% on the SHI.
- **At least 75% of all housing units** created under Section 4.9 **shall be year-round** housing units. **There shall be no Short-Term Rentals in the year-round housing units.**

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- 4.9.1.1 **PROJECT APPROVAL REQUIREMENTS:** Need more specific criteria and findings.
 - **Design standards:** Cited in §4.9 currently but what/where are they?
 - **Performance standards:** Cited in §4.9 currently but what/where are they?

- The **SPGA shall make a specific finding in its decision for each item under site development**; “...designed in its site allocation, proportions, orientation, materials, landscaping and other features as to provide a stable and desirable character complementary and integral with the site's natural features...”
- A **Certificate of Occupancy shall not be issued to any unit in a complex until the Affordable Restriction is approved and recorded** at the Registry of Deeds by the applicant and the Regulatory Agreement has been approved by EOHLC and the Town and signed by the applicant and recorded at the Registry of Deeds.

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- Added notice to Planning Department and Dennis Affordable Housing Trust to the Housing Authority for vacancies.
- Added/Adding Definitions.

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- The Planning Board shall have the discretion to permit a density of greater than one bedroom for every 10,000 square feet **if the project is connected to the Water Resource Recovery Facility (hereafter “sewer”) within the next five years or can handle the proposed septic without variance from the health regulations**.
- Limited reduction in parking requirements to only the affordable units in Affordable Housing Developments.
- Removed previous change of setback from 20 to 10 feet.

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- The Planning Board may by special permit allow the creation of Affordable Housing **Rental Apartments in commercial zoning districts or properties within a quarter mile of a commercial district that have been previously developed (or disturbed), are near transit and will either be on sewer within 10 years or can handle the proposed septic without variance from the health regulations**.
- ... following minimum areas (**Per 40B Guidelines VI.B.4.(3) unless the applicant has been approved for a waiver from such size requirements by the Executive Office of Housing and Livable Communities (EOHLC – formerly DHCD)**).
- Limited reduction in parking requirements to only the affordable units in Affordable Housing Apartments.

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- Added Cottage Colonies to Conversions of Hotels and Motels

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- Require Select Board vote for Municipally Sponsored projects to proceed to SPGA.