

Section 14 Multi-Family Housing Overlay District

Proposed revisions of 12/5/2022 MFHO per PB discussion 2023-07-17 and 2023-09-11

14.1 Purpose.

The purpose of this section is to establish guidelines for a Multi-Family Housing Overlay District. The purposes are to:

- (1) Promote public health, safety and welfare by encouraging a diversity of housing opportunities in the Town of Dennis;
- (2) Create a range of housing choices for households of a range of incomes, ages and sizes and to meet existing and anticipated housing needs;
- (3) Provide a variety of housing types that respond to changing household sizes and ages (e.g., retirees, small families, single-person households);

14.1.1 Intent. To provide a variety of housing choices for households of a range of incomes, ages and sizes within portions of the Industrial and GC I Districts, with special attention to enhancing the visual landscape with good design and “Complete Streets”, providing access to services and transportation, and retaining the character of the town and the quality of a rural seaside New England Village. (Add to §2.1.5)

14.1.2 Any Special Permit issued for a MFHO development shall be subject to all state and local laws, rules and regulations promulgated, enforced, or otherwise within the jurisdiction of the Board of Health of the Town of Dennis. An applicant must follow all statutes, by-laws and regulations.

14.2 District

14.2.1 Establishment. The Multi-Family Housing Development Overlay District is shown on the Dennis Zoning Map and map inset 14-1 dated _____. This map is hereby made a part of the Zoning By-law and is on file in the Office of the Dennis Town Clerk

14.2.2 Underlying Zoning. All underlying uses of the districts remain in full force and effect except as allowed for Multi-Family Housing Developments in this Zoning By-law Overlay District.

14.3 Development Standards

14.3.1 Projects in this section shall be subject to Special Permit review under Section 1.4.2.1. The Special Permit Granting Authority shall be the Planning Board.

14.3.2 Intensity of Use

- a) Maximum height of forty (40) feet and three and a half (3.5) stories if consistent with the character and quality expressed in the Intent of this bylaw (14.1.1);
- b) Maximum building coverage of 40%;
- c) Maximum total site coverage of 65%;

- d) Minimum building separation of twenty feet.
- e) Minimum of 25% of the units created shall be restricted affordable in perpetuity to persons earning no more than 80% of area median income (AMI).
 - a. The second unit created and the appropriate 25% portion of units created thereafter, shall be deed restricted permanently affordable units, per applicable standards in Section 4.9.4. (Affordable Housing Restrictions).
- f) Minimum 1.534 parking space per unit (rounded up).
- g) Maximum of twenty-five (25) dwelling units in any one building.
- h) Density Parameters, up to: twenty (20) residential units per acre with 25% of units affordable to households earning no more than 80% of AMI.
- i) Units shall be evenly distributed in the development and across bedroom configurations.
- j) All units created shall be for year-round housing
- k) Front, Rear and Side Building Setbacks of a minimum of 20 feet, except along Route 134 where the setback shall be 50-75 feet and along Theophilus F. Smith Road where the setback shall be 50 feet.
- l) Parking Setbacks:
 - a. Front 20 feet
 - b. Side and Rear 10 feet.

14.3 Permitted Housing Types

Multi-Family Housing Developments may include:

Low Rise Residential - provides a transition between single family zoned areas and more intense multifamily and commercial areas. Low Rise Residential provides a mix of housing types such as small to moderate scale multifamily housing including apartments and townhouses.

Mixed-Use – Mixed-uses with residential above commercial or office which are compatible with a Village Center feel and which attract the public to live, work and shop in the district.

14.4 Relationship to Other Portions of the Dennis Zoning By-law

To the extent that Section 14 may conflict with any other portion of the Dennis Zoning By-law, in particular the minimum requirements otherwise applicable under Section 2.2, 2.3, 3.1, 4.2 and 4.5 the provisions of Section 14 shall supersede and apply.