

## Section 14 Multi-Family Housing Overlay District

### Proposed revisions of MFHO Draft Bylaw 2023-07-17 - Planning Department 2023-08-17 for Discussion

#### 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 and the economy by encouraging a diversity of housing opportunities in the Town of Dennis in order to address the need for attainable housing;
- (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 in the years to come;
- (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-III Districts, with special attention to enhancing the visual landscape with good design and pedestrian-friendly "Complete Streets" using "Smart Growth" principles, 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 for any project utilizing the MFHO District Bylaw (regardless of underlying zone):

- 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 with impervious surface 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.

- 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 1.34 parking space per unit (rounded up). Parking for commercial uses in Mixed-Use Developments shall follow the Dennis Parking and Loading Requirements (§3.1).
- g) Maximum of twenty-five (25) dwelling units in any one building.
- h) Density Parameters,
  - a. up to twenty (20) residential units per acre with 25% of units deed-restricted affordable-Affordable to households earning no more than 80% of AMI with mixed-use (residential above commercial) development.
  - b. up to fifteen (15) residential units per acre with 25% of units deed-restricted Affordable to households earning no more than 80% of AMI (preferably a range of incomes) for residential development.
  - ~~b.c.~~ The Town desires projects developed under this bylaw should include a range in the number of bedrooms per unit with the average being no more than 2 bedrooms per unit.
- i) Units shall be evenly distributed in the development and across bedroom configurations.
- j) All units created shall be for year-round housing. There shall be no Short-Term Rentals of units, a condition which shall be restricted in the deed. All units shall be occupied for a minimum of twelve (12) consecutive months, with no subletting or assigning to occur and shall be prohibited from any use as rental units on a monthly, weekly or daily basis including, but not limited to, seasonal rental and rental through vacation rental services and websites.
- k) Front, Rear and Side Building Setbacks of a minimum of 20 feet, except along Route 134 where the setback shall be 50 feet. There shall be no construction or parking within the 10-foot setback which should be maintained as a vegetated buffer.
- l) Parking Setbacks:
  - a. Front 20 feet
  - b. Side and Rear 10 feet.

14.3.3 Design Guidelines: The Special Permit Granting Authority shall be responsible for ensuring that applicants consider the design guidelines below:

- a) **General:** For general guidance please see the Dennisport Village Center zoning (§8 of the Dennis Zoning Bylaws) and the Dennisport Village Center Site and Architectural Design Guidelines (March 7, 2005).
- b) **Smart Growth:** The Dennis Multi-Family Housing Overlay District Bylaw is premised on “Smart Growth” principles and development proposals utilizing the Dennis MFHO District Bylaw should abide by those principles. These include providing a mix of land uses and a range of housing opportunities; using compact design; creating walkable neighborhoods that foster distinctive, attractive communities with a strong sense of place; preserve open space and natural beauty; and provide for a variety of transportation choices.

- c) **Complete Streets:** Dennis is a Complete Streets Community. All new development should abide by the principles of Complete Streets and the Dennis Policy. A Complete Street is one that provides safe and accessible options for all travel modes, walking, biking, public transit and vehicles, among others, for people of all ages and abilities.
  
- d) **Open Space:** The 35% of the property that is not impervious surfaces should include passive undeveloped space such as a pocket park, town green, gardens, lawn, etc...
  
- e) **Sustainability:** Developments should include sustainable features such as solar panels on rooftops and collection of rainwater for use in the landscape. Proposals should include building and site designs that reduce the tenants' costs for energy and utilities and limit the project's environmental impact.
  
- f) **Universal Design:** Projects must consider accessibility standards such as a zero-step entrance and interior passage doors with a minimum width of two feet eight inches (2'8"). A minimum of five (5%) percent of any project's dwelling units (but no less than one unit) shall be accessible to and usable by people with mobility impairments; and two (2%) percent of the project's dwelling units (but no less than one unit) be accessible to individuals with hearing, vision, or other sensory impairments (i.e., hearing or vision impairments);

#### **14.4 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.

#### **14.5 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.