

## **Proposed Multifamily Workforce Housing Overlay District**

This proposed provision would create a new Section within the Zoning Ordinance.

### **Section 311 Multifamily Workforce Housing**

#### **311.1 Authority and Purpose**

- A. Authority: This section is enacted in accordance with the provisions of NH RSA 674:21 I (k) (Innovative Land Use Controls – Inclusionary zoning), NH RSA 674:58-62 and NH RSA 675:1, II. The authority allows the Deerfield Planning Board (referred to as the “Board”) to grant conditional use permits, special use permits and waivers from specific requirements of this section in order to advance the purpose of this section.
- B. Purpose: The purpose of this multifamily workforce housing provision is:
- To implement the Deerfield Master Plan, which encourages the provision of safe and affordable housing opportunities for all ages and economic levels;
  - To provide an opportunity for rental workforce housing within an area of 0.5 miles from Deerfield Center with the center being the Deerfield Town Hall;
  - To enable the Town to comply with RSA 646:58 – 62, Workforce Opportunities; and
  - To further encourage and promote the attractive features of Deerfield Center.

#### **311.2 Definitions**

- A. Inclusionary zoning: Means land use control regulations which provide a voluntary incentive or benefit to a property owner in order to induce the property owner to produce housing units which are affordable to persons or families of low and moderate income. Inclusionary zoning includes, but is not limited to, density bonuses, growth control exemptions, and a streamlined application process. See NH RSA 674:21 IV (a).
- B. Multifamily building: For this section, means a residential building containing five (5) or more dwelling units not to exceed six (6) units per building. Each of the units shall have separate entrances and exits and shall be separated by a common fire wall.
- C. Multifamily workforce housing: Means rental housing which is affordable to a household with an income of no more than 60 percent of the median income for a 3-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. Housing developments that exclude minor children from more than 20 percent of the units, or in which more than 50 percent of the dwelling units have fewer than two bedrooms, shall not constitute workforce housing for the purposes of this subdivision. See NH RSA 674:58 IV.

### **311.3 Applicability**

Eligible area: The section is an overlay district and shall apply to the land area that is within 0.5 mile from Deerfield Center with the Deerfield Town Hall as the center point.

### **311.4 Design Standards and Requirements**

- A. Permitted Uses: In addition to those uses permitted by right and by special exception in Section 204 and 205 of the Deerfield Zoning Ordinance, this section permits multifamily buildings, multifamily workforce housing and accessory buildings in the eligible area defined in Section 311.3, provided that other provisions of this section are met and that the Board grants a Conditional Use Permit (CUP) for the proposed residential development.
- B. The maximum number of dwelling units allowed in a building will be determined by the combination of units such that no individual one-bedroom unit is less than 350 square feet, an individual two-bedroom unit no less than 750 square feet, and where there are more than four (4) dwelling units fifty (50) percent or more shall be two-bedroom units. Each dwelling unit shall have at least one (1) bedroom and not more than two (2) bedrooms.
- C. The number of workforce housing units in a multifamily building shall not be less than 90% of the total units.
- D. Defined Eligible Area: The defined eligible area includes that land area that is within a 0.5 mile radius from Deerfield Center with the Deerfield Town Hall as the center point. For lots that have a portion of their land area in the Defined Eligible Area, at least 50% of the lot's land area shall lie within the 0.5 mile radius to qualify.
- E. Land area: The minimum land area for a multifamily building lot shall be 3.0 acres, which shall consist of 1.5 acres of upland buildable soils, exclusive of wetlands and land with slope in excess of 25% and be of sufficient size to meet the dimensional requirements for residential use and meet all requirements of the NH Department of Environmental Services for subsurface waste water treatment system and setbacks from wetlands.
- F. Density: When utilizing this section, the minimum land area for a one bedroom dwelling unit located in a multifamily building shall have 10,000 square feet and each building shall not contain more than six (6) dwelling units. The minimum land area for each successive bedroom shall be 5,000 square feet.
- G. Frontage: The minimum frontage shall be fifty (50) feet on a town or state maintained road.
- H. Dimensional Requirements: There shall be a minimum of fifty (50) feet between multifamily buildings. All other dimensional requirements shall conform to those

- I. Utilities: The community wastewater disposal system shall serve no more than six (6) dwelling units and shall be approved by the NH DES. The community water supply system shall be approved by the NH DES.
- J. Parking: The multifamily building unit shall provide a minimum of 2 parking spaces per dwelling unit.
- K. Architectural design standards: The architectural design of multifamily buildings shall be consistent with the traditional type of architecture found in a New England village and in the Town of Deerfield.
- L. Design features: The site plan should incorporate trails and or walking paths to provide a connection with other areas of Deerfield Center.
- M. Energy efficient technologies: To the extent possible, the design of multifamily buildings shall incorporate Leadership in Energy Efficiency Design (LEED) design features and other energy and sustainable building practices.
- N. Buffer area: For multifamily buildings, when there is a potential for abutting incompatible land uses, the Board may require a buffer zone of fifty (50) to one hundred (100) feet between any structure and the perimeter of the tract. The intent of the buffer zone is to provide a visual screening from an incompatible land use and the multifamily housing development.
- O. Fire protection: The Board will seek comments and recommendations from the Town of Deerfield's Fire Chief regarding the proposed layout and design of the multifamily development as to its compliance with all appropriate National Fire Protection Association (NFPA) requirements.
- P. Waiver: The Planning Board may reduce any of the Design Standards if it finds that the purposes and objectives of this ordinance are not adversely affected by the reduction.

**311.5 Procedures**

- A. Planning Board Review: The Board shall review a proposal for multifamily workforce housing as a site plan and the Town's Site Plan Review Regulations and state regulations shall govern the review and approval process.
- B. Conditional Use Permit: Consistent with Section 311.1 Authority, the Board shall issue a Conditional Use Permit (CUP) for an application for a multifamily workforce housing proposal, the purpose for which is to ensure that all items in Section 311.4 have been addressed to the Board's satisfaction.

- C. Innovative land use control: The Board may grant a waiver for any of the Standards and Requirements contained in Section 311.4 provided the applicant provides a valid reason and the waiver request does not adversely impact the purpose of this provision

**311.6 Other**

- A. Assurance of workforce housing: The applicant, or his successor or assigns, shall verify that the multifamily workforce housing developments is occupied by tenants who meet the income definition as stated in Section 311.2 C. The applicant, or his successor or assigns, shall work with a non-profit housing organization or similar group acceptable to the town prior to entering into a rental agreement to ensure that only eligible tenants occupy a workforce housing unit. If an unqualified person or family occupies an approved workforce housing unit, the Town will consider such action to be a violation of the Deerfield Zoning Ordinance.
- B. Long term benefit: The applicant, or his successor or assigns, shall record a legal instrument with the Rockingham County Register of Deeds that states that the multifamily workforce housing development as approved under this section shall remain as such for a period of at least thirty (30) years from the date on initial occupancy permit.
- C. Maximum amount of workforce housing units: The total number of dedicated workforce housing units approved under this section shall not exceed two percent (2%) of the total number of dwelling units in the Town of Deerfield at the time application.

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