

New London Housing Commission
Recommend Workforce Housing Zoning Changes
October 6, 2022

Article III Definitions

Add New Definitions:

Administrator: The third party responsible for administering, monitoring and enforcing the provisions of the Workforce Housing Overlay District for Workforce Housing projects approved under that article. Acceptable third parties include a local, state or federal housing authority or other non-profit housing trust or agency, **or a private group/agency with expertise in determining and qualifying the eligibility of the prospective owner/renter of a Workforce Housing unit.** The Administrator must be approved by the Planning Board, but secured and paid for by the **Applicant** developer.

Backlot: The subdivision of a lot under common ownership or control, resulting in the creation of one new lot. The lot shall be limited to one Workforce Housing single-family dwelling and shall be set back from the road. The Backlot shall have reduced frontage or area as prescribed in Article XXVI – Workforce Housing Overlay District.

Garden – multi-family housing: A residential building containing more than four units, not exceeding three stories in height with units located side by side and on top of each other with access provided by a common hallway.

Townhome: A single dwelling unit whose sidewalls are separated from other dwelling units by a fire wall or walls. Each unit in a row may be owned by a separate owner.

F. Over District Boundaries: *Amend Workforce Housing Overlay District to include Hospital land Lot 18 and Coby-Sawyer land Lot 33.*

G. Incentives for Workforce Housing 1, Density Increase:

In order to remove ambiguity to allowed Workforce Housing densities, the Housing Commission recommends detailing specific density increases, while also allowing the Planning Board to approve other development scenarios if deemed appropriate.

In addition, two new provisions have been added to address fractional outcomes when calculating the number of Workforce Housing units; as well as restricting multi-family Garden style buildings to three stories and 36 units.

- e. Fraction calculation: Any calculation of Workforce Housing or market rate housing units that does not result in a whole number shall increase to the next whole number. (Ex. Density/Workforce unit set aside results in a figure of 11.1, the number of units will increase to 12.)
- f. Multi-family Garden style buildings shall be limited to a maximum of three stories and 36 units.

4. Setback Reductions: Underlying zoning yard/setbacks shall apply unless waived by the Planning Board.

H. Assurance of Continued Affordability

A number of amendments are proposed in this Section, along with incorporating Eligibility requirements detailed in Section I into this Section. In order to encourage the development of owner occupied Workforce Housing units, the time the unit must remain a Workforce Housing unit has been reduced from 30 years to 20. Rental properties must remain affordable for 30 years.

I. (former J) Conditional Use Permit Application

This Section has been amended to clarify cost data that has to be submitted and removes cost saving details that are challenging to outline. In addition, the listing variances and other relief requirements has been deleted.

J. (former K) Conditional Use Permit Criteria

The principle CUP criteria has been amended to remove very subjective terms which are challenging to interpret, have many meanings and can be easily challenged in court. In addition, the 100 setback for multi-family homes has been deleted, along with the requirement that these units be served by public water and sewer, expanding locations where this use can be located. Also, sections 2- 7 add new CUP criteria.

~~The Planning Board must determine that the type and density of proposed Workforce Housing units is compatible with or provides a compatible transition to the Use and density of any neighboring residential areas and that the project will be designed in a manner that is harmonious with neighboring Developments, natural surroundings, and housing context (the housing type, density and land Use in the surrounding area).~~

The subject site is reasonably suited for the Workforce Housing use, and the site design represents to the extent practicable, preservation of natural resources, and open space.

L. Conditional Use Permit Procedure

Additional language is added to this paragraph to clarify the Planning Board's authority to relax zoning provisions for Workforce housing applications.

3b. The Planning Board may affirm, alter, or rescind any or all of the conditions or restrictions of approval after such meeting. **In order to provide for the reasonable and realistic opportunity for the creation of Workforce Housing units**, the Planning Board is authorized to consider relaxing or waiving one or more of the standards in the Town's land use ordinances and regulations. ~~to make the housing units in the project Affordable~~ **This flexibility is authorized in order to allow for the construction of Workforce Housing units** as provided in Paragraph G, Incentives for Workforce Housing.

M. Appeals Procedure

1. *With the addition of the Housing Appeals Board, applicants can bypass a superior court appeal. Advice from Town Council should be sought on this matter, as well as reviewing all recommended changes.*

N. Limitations on Improvements

This Section has been deleted. All Workforce Housing units, which is defined by State Statute, must meet the definition of Workforce Housing throughout their restrictive period. Any improvements to Workforce Housing units are undertaken at the owner's risk. A return on investment from property improvements is not guaranteed.

O. Administration, Professional Review, Compliance and Monitoring

Paragraph 1 has been deleted as the Planning Board, within the Site Plan Review and Subdivision Regulations and State Statute, has the authority to require third party review.

Paragraph 2 has been deleted, as this oversight is addressed in Section H.

Paragraphs 5 and 6 have been deleted, as these matters are addressed in Section H.