OUTLINE
Proposed Amendments to Growth Management Ordinance (Chapter 101)
8.1.24

1. Address inconsistencies throughout Chapter 101 regarding the use of "structure" versus "dwelling unit," which creates ambiguity as to whether a growth permit is needed for each structure built or each dwelling unit created. Examples:
   a. § 101-7(A)(3) ("The creation of each new multifamily dwelling **structure** shall require one growth permit."); § 101-7(C)(1)(c) ("No more than three growth permits [from the annual allocation] shall be issued for new multifamily dwelling **structures**."); § 101-7(C)(2) ("During each calendar year, no more than 45 growth permits shall be issued from the annual allocation to dwelling **structures** located in the Farm District….").
   b. § 101-7(C)(3) ("During each calendar year, no more than 20 of the growth permits available from the annual allocation shall be issued for **dwelling units** within any one subdivision or other development.); § 101-7(G)(7) ("If the Town Council determines a project to be eligible to receive growth permits from the reserve pool, the record owner of the property shall apply for a growth permit for each **dwelling unit** in accordance with Subsection D above."); § 101-9 (Enforcement) ("Any person who constructs, creates or places a **dwelling unit** within the Town of Windham without a growth permit required by this chapter or who owns or occupies a **dwelling unit** constructed, created or placed within the Town of Windham without a growth permit….")

   ACTION: To make the ordinance reflect current practices (growth permits issued for structures, not dwelling units), change the references from "dwelling unit" to "structure."

2. Create a tiered approach for issuing growth permits for multi-family dwelling structures:
   a. For multi-family structures with up to 20 dwelling units – one growth permit from annual allocation
   b. For multi-family structures with 20 or more dwelling units – one growth permit from annual allocation, then one growth permit for each 10 additional dwelling units.

   ACTION: Modify the language in § 101-7(A)(3) and add subparagraphs under that section.

3. Add new language to provide that growth permits expire 5 years after they are added to the pool.

   ACTION: Amend § 101-7(F)(2), which currently provides: "The growth permits in the reserve pool shall remain available until used, and unissued growth permits shall carry over from year to year.").

4. Add new requirement that developer of a multi-family dwelling structure (20 or more dwelling units) who requests for growth permits from the reserve pool must include conceptual rendering of proposed structure(s).
   a. Currently, § 101-7(G)(3) provides: "This request shall be in writing on forms provided by the Code Enforcement Officer and shall demonstrate how the project conforms to the requirements of this subsection.

   ACTION: Amend § 101-7(G)(3) to add requirement that the written request include a conceptual rendering of the proposed structure(s) that need the growth permits from the reserve pool.

5. Add language to change the approval of 3 multi-units to by the CEO to 5 Multi-units under the proposed tier system approval.