

**AMENDMENT TO CHAPTER 120 LAND USE  
RE: AFFORDABLE HOUSING DEVELOPMENT**

**1. §120-301 Definitions**

AFFORDABLE HOUSING DEVELOPMENT

A.

For rental housing, a development in which a household whose income does not exceed 80% of the area median income as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development ~~a majority of the units that the developer designates as affordable~~ without spending more than 30% of the household's monthly income on housing costs; and

B.

For owned housing, a development in which a household whose income does not exceed 120% of the area median income as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development ~~a majority of the units that the developer designates as affordable~~ without spending more than 30% of the household's monthly income on housing costs.

C.

~~For purposes of this definition, "majority" means more than half.~~

D.

For purposes of this definition, "housing costs" means:

(1)

For a rental unit, the cost of rent and any utilities (electric, heat, water, sewer, and/or trash) that the household pays separately from the rent; and

(2)

For an ownership unit, the cost of mortgage principal and interest, real estate taxes (including assessments), private mortgage insurance, homeowner's insurance, condominium fees, and homeowners' association fees.

**2. §102-415.1 Windham Center District (WC)**

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F. District standards.

(1) In addition to Article 5, Performance Standards, these standards shall apply to the following uses in the Village Residential District:

...

(l) Affordable housing. Affordable housing developments are eligible for increases in residential density and building height and reductions in lot size, frontage and parking requirements identified in Article 5, Performance Standards, if the development meets the applicable criteria in § 120-501.1.

**3. §102-415.2 Village Residential District (VR)**

...

**F. District standards.**

(1) In addition to Article 5, Performance Standards, these standards shall apply to the following uses in the Village Residential District:

...

(i) Affordable housing. Affordable housing developments are eligible for increases in residential density and building height and reductions in lot size, frontage and parking requirements identified in Article 5, Performance Standards, if the development meets the applicable criteria in § 120-501.1.

**4. §102-501.1 Affordable housing development.**

**A.** To encourage the availability of affordable housing to low- and moderate-income families in Affordable Housing Developments (as defined in § **120-301**) the following increases in residential density and building height and reductions in lot size, frontage and parking requirements shall be permitted in the Commercial District I (C-1), Commercial District I North (C-1N), Commercial District II (C-2), Commercial IV (C-4), Medium-Density Residential (RM), ~~and~~ Village Commercial (VC), Windham Center (WC) and Village Residential (VR) Districts; or other zoning districts when the development is served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system