

Multi-unit study
Draft Regulatory Framework

Current Zoning

Dwelling: A building containing one (1) or more dwelling units and used for human habitation.

Dwelling Unit: A room or group of rooms designed and equipped exclusively for use as permanent, seasonal, or temporary living quarters for only one (1) family at a time, and containing cooking, sleeping, and toilet facilities. The term shall include mobile homes and rental units that contain cooking, sleeping, and toilet facilities regardless of the time-period rented. Recreational vehicles are not residential dwelling units. **(Effective October 15, 2009)**

Multifamily: A building containing 2 or more dwelling units (excepting accessory dwelling units), or a mixed use building containing 1 or more dwelling units. **(Effective February 12, 2005)**

Multiplex Housing: Multiplex housing is housing containing two (2) or more attached dwelling units, each of which has independent outside access. Multiple units may be arranged in a variety of configurations including side by side and/or back to back. A multiplex should have the look of large, closely spaced, single-family detached units with the essential feature being the small number of units attached in one building. Each individual building may contain no more than five (5) units with an average of not more than four (4) units per building for the entire project, except that the maximum and average number of units per building shall not apply in the Town Center District. **(Effective December 10, 2003)**

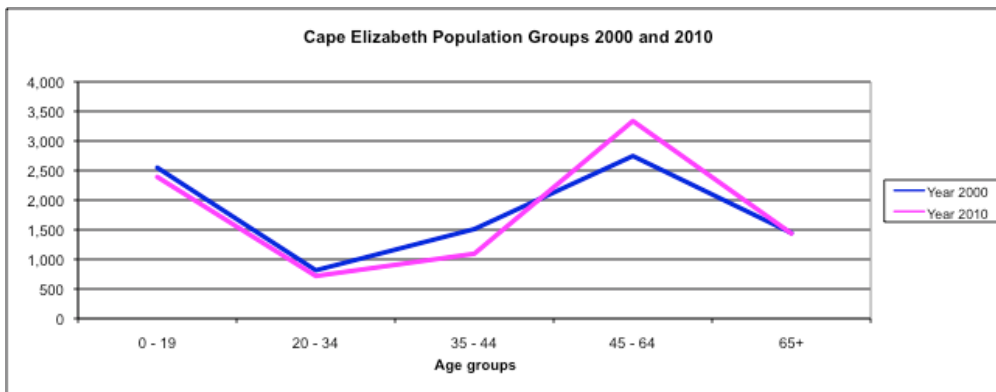
Multi-unit dimensional standards comparison with single family development									
Zoning District	Use Permitted	Minimum Lot Area		Density (sq. ft.)		Maximum units/building	Setbacks (ft.) ⁴		Height
		Single family	Multi-unit	Single family	Multi-unit		Single family	Multi-unit	
RA	Multiplex housing	none	10 acres	80,000	66,000	5	30/30/30	75	35'
RB ³	Multiplex housing	none	80,000 sq. ft.	60,000	60,000	5	30/30/30	75	35'
RC	Multiplex housing	none	5 acres	20,000	15,000	5	20/20/20	75	35'
TC ²	Multifamily dwelling unit ¹	none	7,500 sq. ft.	80,000	3,000	none	25-35/15/15	25-35/15/15	35'
BA ⁵	Multifamily dwelling unit ¹	none	15,000 sq. ft.	80,000	7,500	none	10-25/5/5	10-25/5/5	35'
¹ Only allowed as accessory to a nonresidential use ² Design requirements also apply; side/rear setback is 50' abutting residential district ³ See Sec. 19-7-2, Open Space Zoning ⁴ Setbacks are shown as front/side/rear. Front setback is shown based on local street classification. ⁵ Design requirements also apply; side/rear setback is 20' abutting residential district									

Policies for discussion

1. Treat residential and business district multi-units differently. Multi-family development in the residential districts will be in the form of condominium developments or a rental unit development. Multi-family units in the business zone are allowed only as part of a multi-use building, that is, a building that includes non-residential uses.

2. Evaluate the benefits of increasing the portion of new residential development that is constructed as multi-family housing. Incentivizing multi-family housing makes sense if the town agrees there is greater public benefit to multi-family housing. Public benefits could include:

a. Demographics - The average age of town residents is climbing. Further, Cape residents tend to stay residents for a long time. These two factors indicate that there will be a growing demand for multi-family housing as seniors choose to transition from single family housing and want to remain in town.



b. Variety of housing types. The Comprehensive Plan recommends the following:

The Town should promote a diversity of housing types to accommodate residents of all age groups and household sizes.

85% of housing is single family housing. Increasing the amount of multi-family housing available would increase housing options for underserved populations, such as young singles and seniors.

c. Option to advance other town goals. Multi-family design can use less land area than single family development to create the same number of dwelling units. This land efficiency can result in more preservation of open space, less costly public infrastructure and resultant service delivery.

Regulatory Framework

Density

Zoning District	Existing	Proposed
RA	66,000	66,000
RB	30,000*	15,000**
RC	15,000	10,000
TC	3,000	3,000 (no change)
BA	7,500	7,500 (no change)

*Multi-family density with public sanitary sewer

**Note that another recommendation is to increase density in the RB for single family housing to 20,000 sq. ft. per lot

- If these densities are acceptable, should they be allowed by right or only with an incentive. I would recommend basing the study on these densities and then backing into if the density can then support other requirements, such as supporting agricultural land preservation.

Dimensional Standards (height, setbacks)

Zoning District	Existing height	Proposed height
RA	35'	50' (estimate 5 stories)
RB	35'	65' (estimate 6-7 stories)
RC	35'	65' (estimate 6-7 stories)

Zoning District	Existing setbacks (front/side/rear)	Proposed setbacks
RA	75'/75'/75'	30' plus 10'/10' height
RB	75'/75'/75'	20' plus 10'/10'
RC	75'/75'/75'	10' plus 10'/10'

Open Space

Assuming all multi-family development will comply with the Open Space Zoning provisions, the open space requirement is 40% gross land area. Of that 40%, at least 30% should be "dry land." There is another Land Use package recommendation that the density and open space should be increased, with 40% increasing to 45%. To start this study, I would suggest we increase the open space by 5% for every story over 4 stories.

I would not include the agricultural TDR at this stage of the study, but definitely assess how that could be added as part of the required open space. For example, the town could require purchase of ag TDR rights as part of the open space requirement or to be able to add stories above 3-5.

Affordable Housing

I would recommend that the existing affordable housing requirements be used for the study. This is 5% of the development is affordable to low-income or 10% is affordable to moderate income. Also, we may want to limit affordability to low-income, as some market rate housing is close to the moderate income range.

Affordable Range	Income	Sale	Rent
Low	\$58,650	\$205,396	\$1,466
Moderate	\$109,969	\$385,118	\$2,749

Agricultural TDR proposal

Both the Comprehensive Plan and the more recent Future Open Space Preservation Committee have identified agricultural land as a high priority for preservation, typically as a subset of overall open space preservation goals. Recommendation 88 in the comprehensive plan states:

Create a Transfer of Development Rights Agricultural Bonus that increases the number of development units transferred from farm fields by one-third.

The concept generally is to amend the TDR provisions so that the amount of development rights transferred from active agricultural fields would be 1/3 larger than the number of actual development that could occur on the field. This increases the financial incentive for farm owners to preserve their farm fields by increasing the potential financial return from selling development rights. It also creates a funding mechanism for preserving open space (farms) that does not depend on public funding (taxation).

If the first cut of this study shows that multi-family developments can support added public benefits and still "pencil out," we should consider incorporating an agricultural TDR for taller multi-unit developments.

55+ housing

I am not sure the Planning Board is interested in recommending added density bonuses for 55+ housing. Their most recent discussion recognized that multi-unit housing could benefit more than one demographic. I would recommend putting on hold for the first part of this study added bonuses for 55+ developments.

Design Standards

Design standards for the building will be essential for this type of structure to achieve some acceptance in town. I would borrow the organization from the town center design standards, to some extent, but build standards that are residentially oriented.

Massing: This standard would require some thought to create a building base, middle and distinctive top. When possible, varied massing should be used to reduce the appearance of an overly large size. This may not be possible when the greatest number of stories is proposed. It is important to create design standards that are not the basis for opposing *any* 3+ story building.

Front entrance: The building should have a distinctive front entrance, which should include consideration of the location of the entrance on the facade of the building (center or off-center if prominent), a varied facade that may recess up to 5' or use a portico type structure.

Exterior materials: High quality, not smooth face concrete block, articulation of windows and roofline, etc.

Windows: Windows should be generously incorporated into the design, both in number and size. Should there be a minimum window/wall ratio?

Site design: Site design should include landscaping to break up parking areas, buffering with existing and/or proposed landscaping, minimal use of fencing to achieve buffering requirements, incorporation of pedestrian pathways to connect the development to the nearest town road, potential greenbelt connections, as well as within the development. At this time, I would not require amenities such as clubhouses, swimming pool, tennis court, etc in favor of open space that has wider public benefit.

Other Standards

Parking: Current standard for multiplex housing and multifamily dwellings is:

1 bedroom unit	1.5 spaces
2 bedroom unit	1.75 spaces
3 or more bedroom unit	2 spaces

Sanitary Sewer: A must for these types of development. Sanitary sewer capacity in Cape is good. Proximity to connect to sanitary sewer is poor in the RA District, mostly available in the RB and good in the RC. Cape's preponderance of ledge also makes sewer installation expensive. The permit fee to connect to the public sewer is \$4,000/unit, \$1,000 per affordable unit.

Performance Guarantees: The town does require a 100% performance guarantee, construction monitor, and inspection fees.