

# Provincetown Community Housing Council

Caucus Hall, Town Hall ☞

260 Commercial Street

**January 16, 2020**

**3:07 p.m.**

Members Present: Kristin Hatch, Paul Richardson, Jared Keasbey

Excused: Susan Cook

Staff: Community Housing Specialist Michelle Jarusiewicz

**Public Statements:** none

**Growth Management:** Summary provided by Housing Specialist Michelle Jarusiewicz, with explanation of options; see below and attached. Assistant Town Manager David Gardner expects to be tweaking the Inclusionary Zoning by law at the annual town meeting.

Jared Keasbey moves to recommend to allocate 550 gallons into each Category 1A, 1B and 1C, seconded by Paul Richardson and approved 3-0.

Meeting adjourned at 3:22 pm

*Submitted by:  
Michelle Jarusiewicz, Community Housing Specialist*

## **Growth Management By Law**

Community Housing Council Recommendation

1/15/20

The Annual Growth Management report required by Section 6600(3) of the Provincetown Zoning Bylaw requires a Public Hearing by the Select Board to be held in February 2020. The Annual Report evaluates the effects of growth on our resources over the past year, including but not limited to potable water supply, solid waste disposal, wastewater disposal, and the inventory of affordable housing.

Annually, during the Growth Management Review, the Board of Selectmen may allocate up to a specified number of gallons per day (gpd) for each of Categories 1, 2, 3, and 4, provided that the Board of Selectmen shall have made a finding that the Town is in compliance with the water withdrawal permit issued by the Department of Environmental Protection (“DEP”) pursuant to 310 CMR 36.00 and all applicable rules and regulations promulgated by DEP with respect thereto. The Selectmen shall have the flexibility with the General Use Category 1 to distribute up to the specified gallons [1650] amongst the Use Categories 1a, 1b, and 1c based on the recommendation of the Provincetown Community Housing Council.

### **Article 6 – Growth Management By Law [excerpt]**

#### **Section 6100 Purpose**

The purpose of this Article is to maintain the rate of development in the Town at a level which will allow the Town to provide in a planned and rational manner adequate public services and facilities to meet the needs of its current and future population without overburdening the Town's natural resources or the capacities of existing and planned public facilities, particularly with respect to provision of potable water, wastewater disposal, and solid waste disposal. The regulations provided in this Article are designed to effectuate the purposes of zoning in : - facilitating adequate provision of water, drainage, sewerage, and other public health safety and welfare requirements; - protecting and enhancing the character of the community and its historical and natural resources; and - ensuring that the rate of development does not overly burden the capacity of the Town to absorb the costs of meeting water, sewerage and waste disposal service demands in light of both fiscal constraints and limited availability of natural resources; while at the same time, encouraging affordable housing development and year-round economic development, and minimizing hardship to persons of limited incomes who live, or may choose to live, in the town.

#### **Section 6400 Priorities**

Growth Management Allocation Permits shall be issued on the basis of the order of use priorities listed within each General Use Category in the following Table, and within each use priority in order of the date of the completed applications. The first listed use within each General Use Category shall be the highest use priority within that General Use Category.

#### **Section 6500 Table of Use Categories and Priorities**

##### **GENERAL USE CATEGORY 1**

- 1a. Affordable Housing Units
- 1b. Median Income Community Housing Units
- 1c. Middle Income Community Housing Units

##### **GENERAL USE CATEGORY 2**

The non-affordable/community housing components of project consisting of:

- 2a1 Multi-family dwellings projects that consist of 50%-99% affordable housing and/or community housing
- 2a2 Two-family dwellings projects that consist of 50%-99% affordable housing and/or community housing
- 2a3 Single-family dwelling projects that consist of 50%-99% affordable housing and/or community housing
- 2b1 Multi-family dwelling projects that consist of 33%-49.9% affordable housing and/or community housing
- 2b2 Two-family dwelling projects that consist of 33%-49.9% affordable housing and/or community housing
- 2b3 Single-family dwelling projects that consist of 33%-49.9% affordable housing and/or community housing
- 2c. The creation of any deed-restricted, year-round rental unit or units, including accessory units
- 2d1 Any project that consists of 20%-32.9% affordable and/or community housing units; gallons shall be allocated in phases so that 1/2 of the total gallons are allocated the first year after a Special Permit is granted under the Inclusionary and Incentive Zoning Bylaw, and the remainder are allocated the second year
- 2d2 Any project that consists of 10%-19.9% affordable and/or community housing units; gallons shall be allocated in phases so that 1/3 of the total gallons are allocated the first year after a Special Permit is granted under the Inclusionary and Incentive Zoning Bylaw, the second 1/3 are allocated the second year and the remainder are allocated the third year

GENERAL USE CATEGORY 3

- 3a. Expansions or alterations to existing residential structures or uses that result in increased Title 5 flow, not to exceed the Title 5 Design Flow pursuant to 310 CMR 15.203(2). A total of 330 gallons per year will be reserved for one bedroom per year per applicant.
- 3b. Single-family dwelling on one lot;
- 3c. Two-family dwelling on one lot; two single-family dwellings on one lot;
- 3d. All other market rate residential projects without affordable housing components that result in increased Title 5 flow, except that no one applicant may gain access to 65% of allowable growth within this category within any given year.

GENERAL USE CATEGORY 4

- 4a Projects that receive an Economic Development Permit
- 4b Non-Profit or Community Service Uses which meet a critical community need as determined by the Select Board
- 4c Boarding, Lodging or Tourist Homes, Hotel, Motel, Inn, Camp, Cabin, Dormitory Housing
- 4d All other non-residential uses, expansions or alterations to existing structures or uses and any change in use or increase in posted occupant load that results in increased Title 5 Design Flow.

**Zoning By-Law Definitions:**

**Affordable Housing** Dwelling units subject to affordable housing restrictions based on the Barnstable County median income as is periodically defined by United States Department of Housing and Urban Development adjusted for household size, as further defined below.

(a) **Low Income Community Housing.** Dwelling units, subject to an affordable housing restriction, for a term of perpetuity or the longest period allowed by law, that limits rental rates, limits eligibility for occupancy and purchase, and provides a right of first refusal to the Town of Provincetown. Low Income Community Housing units shall be available for rental at a cost (including utility allowances) not exceeding 30% of annual income for a household at or below 50% of the Barnstable County median income; or, available for ownership at a cost (including mortgage interest, principal, taxes, insurance and common charges if any, but excluding utilities) not exceeding 30% of annual income for a household at or below 50% of the Barnstable County median income. Occupancy shall be limited to households whose income is **at or below 65% of Barnstable County median income.**

(b) **Moderate Income Community Housing.** Dwelling units, subject to an affordable housing restriction, for a term of perpetuity or the longest period allowed by law, that limits rental rates and resale prices, limits eligibility for occupancy and purchase, and provides a right of first refusal to the Town of Provincetown. Moderate Income Community Housing units shall be available for rental at a cost (including utility allowances) not exceeding 30% of annual income for a household at or below 65% of the Barnstable County median income; or, available for ownership at a cost (including mortgage interest, principal, taxes, insurance and common charges if any, but excluding utilities) not exceeding 30% of annual income for a household at or below 65% of the Barnstable County median income. Eligibility for occupancy shall be limited to households whose income is **at or below 80% of Barnstable County median income.**

**Community Housing:** Dwelling units subject to community housing restrictions based on the Barnstable County median income as is periodically defined by United States Department of Housing and Urban Development adjusted for household size, as further defined below.

a) **Median Income Community Housing.** Dwelling units, subject to a housing restriction, for a term of perpetuity or the longest period allowed by law, that limits rental rates and resale prices, limits eligibility for occupancy or purchase, and provides a right of first refusal to the Town of Provincetown. Median Income Community Housing dwelling units shall be available for rental at a cost (including utility allowances) not exceeding 30% of annual income for a household at or below 80% of the Barnstable County median income; or, available for ownership at a cost (including mortgage interest, principal, taxes, insurance and common charges if any, but excluding utilities) not exceeding 30% of annual income for a household at or below 80% of the Barnstable County median income. Eligibility for occupancy shall be limited to households whose income is **at or below 100% of Barnstable County median income.**

b) **Middle Income Community Housing.** Dwelling units, subject to a housing restriction, for a term of perpetuity or the longest period allowed by law, that limits rental rates and resale prices, limits eligibility for occupancy or purchase, and provides a right of first refusal to the Town of Provincetown. Middle income community housing dwelling units shall be available for rental at a cost (including utility allowances) not exceeding 30% of annual income for a household at or below 120% of the Barnstable County median income; or, available for ownership at a cost (including mortgage interest, principal, taxes, insurance and common charges if any, but excluding utilities) not exceeding 30% of annual income for a household at or below 120% of the Barnstable County median income. Eligibility for occupancy shall be limited to households whose income is **at or below 150% of Barnstable County median income.**