

Planning Board Proposed Zoning Bylaw Amendments to Section 6.10 (draft additions/changes are in red)
Voted to submit to the Chilmark Select Board on May 8, 2023

EXCEPTION FOR AFFORDABLE RENTAL HOUSING

Section 6.10

For the purpose of providing affordable rental housing in the Town of Chilmark on land owned by the Town or by a non-profit agency, land trust or other non-profit legal entity dedicated to affordable housing, the Town establishes this section as a limited exception to its zoning requirements. In order to come within this exception, all of the following conditions must be met.

Definitions:

Rental Structure is a structure containing one or more rental units.

Rental Unit is a single family dwelling contained in a rental structure..

A. Conditions

1. Rental Units may be rented only to tenants who qualify for affordable housing under the guidelines for affordable rental housing established by the Chilmark Housing Committee and approved by the Board of Selectmen, or in the absence of such guidelines then by the guidelines established by the Dukes County Regional Housing Authority.
2. The number of Rental Units on a property shall not exceed two ~~dwelling units~~ for each ~~three~~ acres.
3. The property on which the Rental Units are located must be dedicated to use for affordable housing in perpetuity, subject only to release by action of the Board of Selectmen and the Planning Board.

B. Rental Housing

Subject to the foregoing conditions, rental housing is allowed in the Town of Chilmark for affordable housing purposes provided:

1. Rental Structures shall be free standing single-family or multi-family structures not to ~~exceed~~ contain more than ~~three-family~~ Rental Units
2. No Rental Unit shall exceed 4 bedrooms. No ~~two-family-Rental-Structure~~ containing two Rental Units shall exceed a total of seven bedrooms and no ~~three-family-Rental-Structure~~ containing three Rental Units shall exceed a total of nine bedrooms.
3. ~~Buildings~~ Rental Structures may be clustered provided the remaining open space is not further developed, except for appropriate out-buildings.
4. All set back and height regulations shall apply. Road access to the property on which the Rental Units are located shall be adequate to provide for safe ingress and egress by emergency vehicles and shall meet the road requirements for Form C subdivisions under The Town of Chilmark's Rules and Regulations Governing Subdivision of Land.

NOTE RE: DRAFT REVISIONS TO BYLAWS SECTION 6.10 (Revised March 14, 2023)

As a matter of law, the number of units on a site would be guided not only by 6.10.A.2 but by the number of bedrooms allowed on a given site due to septic considerations. Typically, a standard septic system would allow 4 bedrooms per acre, enhanced septic systems can go up to 6 bedrooms per acre. If rental units averaged 2 bedrooms in size, then typically with standard septic, two dwelling units per acres would be allowed....with enhanced septic, three dwelling units would be allowed, the amount provided by the proposed by-law change.