REVISED DRAFT LOCAL LAW
PUBLIC HEARING TO RECONVENE 5-14-14

<u>Section 1.</u> Add the following definition in proper alphabetical order to Section 213-3 of the Town Code:

AFFORDABLE AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH) UNIT –
A for-purchase housing unit that is affordable to a household whose income does not exceed 80% of the area median income (AMI) for Westchester as defined annually by the U.S. Department of Housing and Urban Development (HUD) and for which the annual housing cost of a unit including common charges, principal, interest, taxes and insurance (PITI) does not exceed 33% of 80% AMI, adjusted for family size and that is marketed in accordance with the Westchester County Fair & Affordable Housing Affirmative Marketing Plan.

A rental unit that is affordable to a household whose income does not exceed 60% AMI and for which the annual housing cost of the unit, defined as rent plus any tenant paid utilities, does not exceed 30% of 60% AMI adjusted for family size and that is marketed in accordance with the Westchester County Fair & Affordable Housing Affirmative Marketing Plan.

<u>Section 2.</u> Replace Section 213-22.I of the Town Code as follows:

213-22.I. Affordable Affirmatively Furthering Fair Housing (AFFH) Units and Middle Income Units

213-22.I.1. Required Affordable FFH Unit Component.

Within all residential developments of 10 or more units created by subdivision or site plan approval, no less than 10% of the total number of units shall be created as affordable AFFH units. In residential developments of eight to nine units, at least one affordable AFFH unit shall be created. No preferences shall be utilized to prioritize the selection of income-eligible tenants or purchasers for affordable AFFH units. Notwithstanding the above, all such affordable AFFH units, whether for purchase or for rent, shall be marketed in accordance with the Westchester County Fair & Affordable Housing Affirmative Marketing Plan. Multifamily developments in the CB-A, R-MF-A and R-MF-SS districts shall require additional AFFH units (pursuant to Sections 213-23.B, 213-22 and 213-22.4, respectively). All middle income units which have received Planning Board site plan approval, but not building permits, as of the effective date of this local law shall be subject to the provisions of this local law and constructed and marketed as AFFH units.

213-22.I.2. Maximum Rent and Sales Price

The maximum monthly rent for an affordable AFFH unit and the maximum gross sales price for a FAH unit shall be established in accordance with U.S. Department of Housing and Urban Development guidelines as published in the current edition of the "Westchester County Area Median Income (AMI) Sales & Rent Limits" available from the County of Westchester.

213-22.I.3. Time Period of Affordability

Units designated as affordable AFFH units shall remain affordable for a minimum of 50 years from date of initial certificate of occupancy for rental properties and from date of original sale for ownership units.

[NOTE: TOWN BOARD WILL NEED TO DETERMINE APPROPRIATE LENGTH OF TIME FOR AFFORDABILITY – TOWN BOARD PREVIOUSLY DISCUSSED "50 YEAR TERM" OR "IN PERPETUITY"]

213-22.I.4. Property Restriction

A property containing any affordable AFFH units shall be restricted using a mechanism such as a declaration of restrictive covenants in recordable form acceptable to the Town which shall ensure that the affordable AFFH unit shall remain subject to affordable regulations for the minimum 50 year period of affordability. The covenants shall require that the unit be the primary residence of the resident household selected to occupy the unit. Upon approval, such declaration shall be recorded against the property containing the affordable AFFH unit prior to the issuance of a Certificate of Occupancy for the development.

213-22.I.5. Unit Appearance and Integration

Within single-family developments, the affordable AFFH units shall also be single-family homes. Each such one-family home shall be located on a lot meeting the minimum lot area for the single-family homes in the development. All such units shall be similar and compatible in appearance, siting and exterior design to the other single-family homes in the development, to the furthest extent possible. Interior finishes and furnishings may be reduced in quality and cost to assist in the lowering of the cost of development of the affordable AFFH units.

Within multi-family developments, the affordable AFFH units shall be physically integrated into the design of the development and shall be distributed among various sizes (efficiency, one-, two-, three- and four-bedroom units) in the same proportion as all other units in the development. The affordable AFFH units shall not be distinguishable from other market rate units from the outside or building exteriors. Interior finishes and furnishings may be reduced in quality and cost to assist in the lowering of the cost of development of the affordable AFFH units.

213-22.I.6. Minimum Floor Area

The minimum gross floor area per affordable AFFH unit shall not be less than 80% of the average floor area of non-restricted housing units in the development and no less than the following:

Dwelling Unit Minimum Gross Floor Area (square feet)

Efficiency	450
1 bedroom	675
2 bedroom	750 (including at least 1.5 baths)
3 bedroom	1,000 (including at least 2 baths)
4 bedroom	1,200 (including at least 2.5 baths)

For the purposes of this section, paved terraces or balconies may be counted toward the minimum gross floor area requirement in an amount not to exceed 1/3 of the square footage of such terraces or balconies. As an alternative, the minimum gross floor area per affordable AFFH unit shall be in accordance with the standards set forth by the New York State Division of Housing and Community Renewal & the New York State Housing Trust Fund Corporation in Section 4.03.03 of the most recent edition of its joint Design Manual.

213-22.I.7. Occupancy standards

For the sale or rental of affordable AFFH units, the following occupancy schedule shall apply:

Number of Bedrooms	**Number of Persons**
Efficiency	Minimum:1 , Maximum:1
1 Bedroom	Minimum:1 , Maximum:3
2 Bedroom	Minimum:2 , Maximum:5
3 Bedroom	Minimum:3 , Maximum:7
4 Bedroom	Minimum:4 , Maximum:9

213-22.I.8. Affirmative Marketing

The affordable AFFH units created under the provisions of this section shall be sold or rented, and resold and re-rented during the required period of affordability, to only qualifying income-eligible households. Such income-eligible households shall be solicited in accordance with the requirements, policies and protocols established in the Westchester County Fair & Affordable Housing Affirmative Marketing Plan so as to ensure outreach to racially and ethnically diverse households.

213-22.I.9. Resale Requirements

In the case of owner-occupied affordable AFFH units, the title to said property shall be restricted so that in the event of any resale by the home buyer or any successor, the resale price shall not exceed the then-maximum selling price for said unit, as determined in this Section of the Town Code, or the sum of:

(i) The net purchase price (i.e. gross sales prices minus subsidies) paid for the unit by the selling owner, increased by the percentage increase, if any, in the Consumer Price Index for Urban Wage Earners and Clerical Workers in the New York- Northern New Jersey Area, as published by the United States Bureau of Labor Statistics (the "Index") on any date between (a) the month that was two months earlier than the date on which the seller acquired the unit and (b) the month that is two months earlier than the month in which the seller contracts to sell the unit. If the Bureau stops publishing this index, and fails to designate a successor index, the Westchester County Department of Planning shall designate a substitute index; and

(ii) The cost of major capital improvements made by the seller of the unit while said seller of the unit owned the unit as evidenced by paid receipts depreciated on a straight line basis over a 15 year period from the date of completion and such approval shall be requested for said major capital improvement no later than the time the seller of the unit desires to include it in the resale price.

Notwithstanding the foregoing, in no event shall the resale price exceed an amount affordable to a household at 80% of AMI at the time of the re-sale.

213-22.I.10. Lease Renewal Requirements

Applicants for rental affordable AFFH units shall, if eligible and if selected for occupancy, sign leases for a term of no more than two years. As long as a resident remains eligible and has complied with the terms of the lease, said resident shall be offered renewal leases for a term of no more than two years each. Renewal of a lease shall be subject to the conditions of federal, state or county provisions that may be imposed by the terms of the original development funding agreements for the development or to the provisions of other applicable local law. If no such provisions are applicable and if a resident's annual gross income should subsequently exceed the maximum then allowable, as defined in this chapter, then the renter may complete his or her current lease term, and at the end of that lease term, if a rental unit that is not an AFFH unit is available, the renter may be offered a lease for that rental unit that is not an AFFH unit, or if a rental unit that is not an AFFH unit is not available, he or she may be allowed to sign one additional one-year lease for the AFFH unit currently occupied but shall not be offered a renewal of the lease beyond the expiration of that additional one-year lease term.

213-22.I.11. Administrative and Monitoring Agency

The County of Westchester or its designated agency or delegate shall administer the requirements of this Chapter, and among other things, be responsible for monitoring the AFFH units during the units' periods of affordability and for monitoring compliance with the income and eligibility requirements and affirmative marketing responsibilities applicable to the AFFH units.

213-22.I.12. Middle income dwelling units. All existing Middle Income Units shall be subject to the following provisions:

(1) Distribution. Such units shall be available for resale or continuing rental only to middle-income families as defined in § 213-3 of this chapter.

(2) Occupancy standards. In renting or selling, the following schedule shall apply to middle-income dwelling units:

Number of Bedrooms	Number of Persons	
	Minimum	Maximum
Efficiency	1	1
1	1	2
2	1	4
3	2	6
4	4	8

(3) Maximum rent and sales price.

(a) Rental. The maximum monthly rent for a middle-income dwelling unit shall not exceed 1.8%, excluding utilities (gas, oil and electricity), or 2.0%, if utilities are included, of the maximum aggregate family income for a middle-income family as defined in § 213-3 of this chapter for the maximum size of family eligible for such unit as set forth in Subsection I.11(2) above.

(b) Sales. The maximum gross sales price for a middle-income unit shall not exceed two times the maximum aggregate family income for a middle-income family as defined in § 213-3 of this chapter for the maximum size of family eligible for such unit as set forth in Subsection I.11(2) above. In addition, a one-percent inflation rate per year of ownership (not compounded) may be added to original purchase price contingent upon the owner(s) demonstrating to the Housing Board that the MIU has been maintained in excellent condition. Application of the annual percentage increase shall be subject to the discretion of the Housing Board based solely upon the condition of the MIU.

(c) Mortgages. The applicant shall, if possible, obtain from the lending institution chosen for the development a commitment to provide, for all middle-income units, mortgages for up to 95% of unit cost, or for the maximum amount for which the mortgagor qualifies, whichever is less.

(4) Eligibility priority list; residency requirement.

(a) Eligibility priority list.

[1] For the purpose of these regulations, the minimum residency requirement is as follows:

[a] North Castle: two years.

[b] Westchester County: two years.

[2] Whenever the applicant qualifies in more than one category, the highest point value within each section applies. The point values of each section are then added together to arrive at the total point value. The "applicant" shall be defined as any individual member of a family whose income is included in the eligibility requirements of § 213-22 of this article.

[3] The priority list shall be as follows:

Section	Category	Point Value
1	North Castle Town resident	5
	North Castle head of family, minimum residency of 10 consecutive years	10
	Nonresident relative, over 62 years of age, of a qualified Town resident	3
	All others	1
2	North Castle municipal employee, full-time, minimum of 24 months	5
	North Castle municipal employee, full-time, minimum of 24 months, together with spouse who is also a North Castle municipal employee, full-time, minimum of 24 months	7 1/2
	Other persons employed in North Castle	2
	Other persons employed in Westchester County	1
3	A Town of North Castle school district employee, full-time, minimum of 24 months	5
	A Town of North Castle school district employee, full-time, minimum of 24 months, together with spouse who is also a North Castle school district employee, full-time, minimum of 24 months	7 1/2
4	North Castle Volunteer Fire Department member, minimum of 24 months consecutive service	5
	North Castle Volunteer Fire Department member, minimum of 24 months consecutive service, together with spouse who is also a North Castle Volunteer Fire Department member, minimum of 24 months consecutive service	7 1/2
	North Castle Volunteer Fire Department member, minimum of 60 months consecutive service	8
5	Veterans of United States Armed Services	3
6	Physically handicapped resident of North Castle, certified by Social Security Disability Insurance (SSDI).	4
	Physically handicapped relative of North Castle resident, certified by certified by Social Security Disability Insurance (SSDI).	3
7	Former resident of North Castle, minimum of 10 years	3
	Former North Castle MIU owner	2
8	Growing family, already in a North Castle MIU	5
9	Resident of Westchester County	2

(b) Owner to be resident. Each MIU shall be the only residence of its owner. All eligible applicants who are owners of any other residence shall satisfy the Housing Board of the purchase of an MIU. For the purposes of these regulations, real estate used by the applicant to derive income shall be excluded. Such income is to be calculated in determining the applicant's gross annual family income.

(5) Continued eligibility.

(a) Rental. Applicants for middle-income rental units referred to in this section shall, if eligible and if selected for occupancy by the owner or manager of the development, sign leases for a term of no more than two years. As long as a resident remains eligible and has complied with the terms of the lease, said resident shall be offered a two-year renewal of the lease. If a resident's annual gross income should subsequently exceed by more than 20% the maximum then allowable, as defined in § 213-3 of this chapter, and if there is at that time an otherwise eligible applicant within one of the categories in Subsection I.11(4) above, said resident may complete his current lease term and shall be offered a non-middle-income rental unit available in the development at the termination of such lease term, if available. If no such dwelling unit shall be available at said time, the resident may be allowed to sign one additional one-year lease for the middle-income dwelling unit occupied but shall not be offered a renewal of the lease beyond the expiration of said term. An MIU owner shall provide the Housing Board with a letter stating the owner's intent to make an MIU unit available for re-rental. Upon receipt of the letter, the Housing Board shall make an appointment to inspect the unit prior to the unit being advertised for rent. The purpose of the inspection shall be to evaluate and document the condition of the unit. In the event an MIU is not habitable or not in resale condition, the Housing Board reserves the right to require the MIU owner to make any necessary repairs.

(b) Sales.

[1] In the case of owner-occupied middle-income dwelling units, the title to said property shall be restricted, so that in the event of any resale by the home buyer or any successor, the resale price shall not exceed the then-maximum sales price for said unit, as determined in accordance with Subsection I.11.(3)(b) of this section, or the sum of the following, whichever is less:

[a] The amount of any principal payment made by the home buyer.

[b] The remaining principal on any mortgage(s).

[c] The value of any eligible fixed improvements, as permitted below, and not included with Subsection I.11(5)(b)[1][a] or [b] above.

Eligible fixed improvements for homeowners of middle-income units:

[i] In order to qualify as an eligible fixed improvement, each expenditure shall be approved conditionally in advance by the Town Housing Board.

[ii] The homeowner shall submit in advance to the Town Housing Board detailed plans for each proposed eligible fixed improvement and an itemization of the expected costs.

[iii] The Town Housing Board shall review the proposal and conditionally approve eligible fixed improvements within 30 days or shall indicate the reasons denying the proposal.

[iv] If an item wears out prior to the determined life expectancy as indicated in § 213-22.I.11(5)(b)[1][c][xii], approval from the Town Housing Board shall be obtained prior to the replacement of the item. Within 30 days after review of the fixed improvement request, the Town Housing Board shall notify the homeowner in writing whether or not the proposed expenditure is approved conditionally as an eligible fixed improvement.

[v] Within 60 days after a proposed eligible fixed improvement has been completed, the homeowner shall apply for final approval by the Town Housing Board for the eligible fixed improvement. Complete documentation demonstrating all costs of the improvement shall be submitted to the satisfaction of the Housing Board and include the following information:

[A] Written request for fixed improvement credit.

[B] Itemized original receipt or original bill of sale, complete with the seller's name, address, phone number and canceled check.

[vi] Within 60 days after the review of the fixed improvement request, the Town Housing Board shall notify the homeowner in writing about the eligibility of the fixed improvement credit.

[vii] If bartered goods or services were included in the cost, the homeowner shall submit an independent valuation of the

value of those goods or services to the satisfaction of the Town Housing Board. If labor of the homeowner, the homeowner's spouse, children or parents for construction work is included within the cost, a detailed account of the work and time spent on the work shall be submitted along with two current estimates of the value of that work by at least two construction contractors licensed by Westchester County to the satisfaction of the Town Housing Board.

[viii] The Town shall have the right to inspect the property at times that are mutually convenient to the Town and the homeowner to confirm that the eligible fixed improvements have been completed in a workmanlike manner and the reasonable value of the improvement. If the Town, in its reasonable discretion, is unsatisfied with the documentation provided by the homeowner, it may base its determination of the value of the improvements upon an estimation provided by an objective third-party professional.

[ix] At the conclusion of this process, the Town Housing Board shall send a written statement of determination regarding the fixed improvement status to the homeowner.

[x] Eligible fixed improvements shall not exceed a total of 0.5% of the original purchase price for the first complete calendar year during which the homeowner possessed the property if the homeowner purchased the property after September 10, 2008. Thereafter, the yearly limit shall be 1.0% of the original purchase price for each subsequent year of homeownership. The owner may include within the limit for eligible capital improvements an amount up to the total produced by adding together all of the yearly limits for each completed calendar year during which the owner has owned the property.

Fixed improvements shall not exceed a total of 0.5% of the original purchase price for the first complete calendar year after September 10, 2008. Thereafter, the yearly limit shall be 1.0% of the original purchase price for each subsequent year of homeownership. The owner may include within the limit for eligible capital improvements an amount up to the total produced by adding together all of the yearly limits for each completed calendar year subsequent to September 10, 2008.

[xi] Improvements eligible for fixed improvement credit are those items which:

[A] Add habitable rooms.

[B] Significantly reduce energy consumption.

[C] Replace old and deteriorated building components, such as the roof or furnace.

[D] Renovate a kitchen or bathroom to address health and safety issues.

[xii] The following improvements are normally considered to be of a fixed nature and may be added to the resale price (when they were not included in the original purchase price). The standard life expectancy is indicated in parenthesis:

[A] Homeowners' association costs. Homeowners' association (HOA) dues are not an eligible fixed improvement; however, eligible repairs or improvements made by the HOA to the housing unit may be eligible for fixed improvement credit. If the homeowners' association pays for an improvement, such as a worn-out roof over the middle-income unit, the total cost of the project may be prorated to determine the cost attributable to the roof over the middle-income unit. A receipt, with a written request, shall be submitted, as explained in § 213-22I.11(5)(b)[1][c][v], for review and approval.

[B] Room additions, completion of unfinished areas into living areas.

[C] Insulation.

[D] Upgraded replacement of single-pane and failed thermopane windows (15 years).

[E] Modifications needed to accommodate a person with a disability.

[F] Central air conditioning (20 years).

[G] Ceiling fan.

[H] Kitchen appliances (10 years).

[I] Permanent storage sheds.

[J] Replacement of worn bathroom vanities, built-in cabinets (20 years).

[K] Replacement of worn kitchen cabinets, built-in permanent cabinets (20 years).

[L] Repair of existing patios, porches and decks (20 years).

[M] Replacement of worn floor coverings (10 years).

[N] Siding replacement (20 years).

[O] Roof replacement (20 years).

[P] Furnace replacement (20 years).

[Q] Water heaters (10 years).

[xiii] Improvements considered to be nonfixed or cosmetic are not eligible. Additionally, luxury and high-end items chosen over standard grades will not be eligible for fixed improvement credits as determined by the Town Housing Board.

[d] Reasonable and necessary expenses incidental to the resale.

[2] The deed of ownership of any MIU shall contain a covenant and restriction that it is subject to the middle-income housing provisions of Chapter 213, Zoning, of the Code of the Town of North Castle, as amended from time to time, and that such provisions include restrictions on occupancy and resale. The covenants and restrictions imposed on an MIU shall be in form and content as to enable the same to be recorded with the County Clerk, Division of Land Records, Westchester County, and shall be satisfactory to the attorneys to the Town of North Castle.

[3] An MIU owner shall provide the Housing Board with a letter stating the owner's intent to make an MIU unit available for resale. Upon receipt of the letter, the Housing Board shall make an appointment to inspect the unit prior to the unit being advertised for sale. The purpose of the inspection shall be to evaluate and document the condition of the unit. In the event an MIU is not habitable or not in

resale condition, the Housing Board reserves the right to reduce the unit's selling price.

(7) Administration.

(a) The Town Board shall establish a Town Housing Board which shall be responsible for the administration of the middle-income housing requirements of this section as well as for the promulgation of such rules and regulations as may be necessary to implement such requirements.

(b) At the time of the issuance of a building permit, the Building Inspector shall send a copy of such certificate to the Town Housing Board, who shall then inform the applicant of the maximum rental or sales charge which may be established for the middle-income dwelling units in such development and the maximum annual gross family income for eligibility for occupancy of said units.

(c) The Town Housing Board shall certify as eligible all applicants for rental or sale middle-income dwelling units and shall annually reexamine or cause to be reexamined each occupancy family's income.

(d) On or before March 30 of each year thereafter, the Town Housing Board shall notify the owner or manager of each multifamily development containing middle-income units as to the rent, sales and income eligibility requirements for such units based upon figures derived from the Town budget for that year.

(e) The owner or manager of such multifamily development shall certify to the Town Housing Board on or before May 31 of each year that the current rental or sales prices of all middle-income dwelling units comply with the terms of this chapter.

(8) Appeals. The Town Board shall review and decide appeals from any determination of the Housing Board. Applicants requesting an appeal must do so, in writing, within 14 days of receipt of the determination of the Housing Board from which the appeal is filed. The Town Board shall hear the appeal within 30 days of the filing of the notice of appeal with the Town and shall render its decision within 15 days thereafter.

<u>Section 3.</u> Replace Section 143-5.C of the Town Code with the following text:

C. In all cases where a middle income unit or AFFH unit is developed, the recreation fee shall be $1,000 per dwelling unit for a multifamily development (or other form of residential development) requiring only a site plan or special permit approval.

<u>Section 4.</u> Replace Section A216-35.B of the Town Code with the following text:

B. In all cases where a middle income unit or AFFH unit is developed, the recreation fee shall be $1,000 per new building lot.

<u>Section 5.</u> Replace Section 213-22.A of the Town Code with the following text:

§ 213-22. Additional Multifamily Residence District regulations.

Multifamily (R-MF). In an R-MF District, all such uses shall be subject to site plan approval in accordance with Article VIII of this chapter.

A. Intent. This district is established in order to increase the supply of dwelling units suitable for smaller families or individuals, to preserve significant open space, to secure superior land planning and to increase the supply of moderate-cost housing. In addition, this district shall promote the creation of AFFH dwelling units in proximity to the downtown area in order to mitigate existing parking conditions and to promote business activity within the hamlet area. Site location shall conform to the standards set forth in the Town Development Plan.

<u>Section 6.</u> Replace Section 213-22.B(1) of the Town Code with the following text:

B. Allowable density.

(1) Maximum density. The maximum gross density shall not exceed one density unit, as defined in § 213-3 of this chapter, per 25,000 square feet of net lot area, as defined in Subsection B(2).

<u>Section 7.</u> Replace Section 213-22.1.B of the Town Code with the following text:

B. Applicability. All standards and requirements as set forth in § 213-22 above for the Multifamily (R-MF) District shall be likewise applicable to the R-MF-A District, except as follows:

(1) Allowable density. The average gross density shall not exceed one density unit, as defined in § 213-3 of this chapter, per 14,000 square feet of land area as defined in Subsection B(2) of § 213-22 above.

(2) Improved recreation area. Instead of the requirements of § 213-22F(4), all such uses shall comply with the requirements of Chapter 143 of the Town Code entitled "Parkland Reservations."

(3) Detached units. A property owner will be permitted to incorporate detached units as defined in § 213-3 at a percentage not to exceed 60% of the total proposed dwelling units, including attached, semidetached, detached and multifamily dwelling units, exclusive of AFFH units, provided that the previously approved number of AFFH units is increased by at least 100%.

<u>Section 8.</u> Replace Section 213-22.3.B(4) and (5) of the Town Code with the following text:

(4) The minimum floor area requirement shall be 800 square feet per one-bedroom unit and 1,000 square feet per two-bedroom unit, except that for AFFH unit minimum floor areas shall be as set forth in § 213-22.I.6 of the Town Code.

(5) Affordable Affirmatively Furthering Fair Housing (AFFH) Units shall be provided pursuant to § 213-22.I of the Town Code.

<u>Section 9.</u> Replace Section 213-22.4.A of the Town Code with the following text:

§ 213-22.4. Residential Multifamily-Single Structure (R-MF-SS).

A. Intent. This district is established in order to increase the supply of dwelling units suitable for smaller families or individuals, to secure superior land planning and to increase the supply of moderate-cost housing. In addition, this district shall promote the creation of AFFH dwelling units in proximity to the downtown area in order to mitigate existing parking conditions and to promote business activity within the hamlet area.

C. AFFH Units. A minimum of 35% of all units within the single structure shall be AFFH units provided pursuant to § 213-22.I of the Town Code.

<u>Section 10.</u> Replace Section 213-23.B(2)(c) of the Town Code with the following text:

(c) At least 20%, but not more than 40%, of the total floor area within the CB-A District shall consist of multifamily dwellings located on the second story. At least 20% of dwellings within the CB-A District shall be designated and set aside as AFFH pursuant to § 213-22.I of the Town Code.

<u>Section 11.</u> Replace Note #3 in Section 213-20 of the CB-A Zoning District Permitted Principal Uses with the following text:

3. At least 20%, but not more than 40%, of the total floor area within the CB-A District shall consist of multifamily dwellings located on the second story. At least 20% of dwellings within the CB-A District shall be designated and set aside as AFFH pursuant to § 213-22.I of the Town Code.

<u>Section 12.</u> Modify the Middle Income Dwelling Units text in Section 213-45.A of the Town Code as follows:

Middle-income dwelling units and AFFH units	1 for each dwelling unit, plus 1/2 for each bedroom

<u>Section 13.</u> Replace Note r in Section 213-19 of the Town Code with the following text:

r. Reserved

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