

Amend the Windham Zoning Ordinance provisions to comply with State law governing multi-family housing required under RSA 674:80 as follows:

- (a) Amend Section 604 - Neighborhood Business District by addition of the following new subsection:

604.1.15 - Multi-family housing as provided in Section 605.1.20 subject to the Sunset and Conformity provisions of Section 605.1.20.9

- (b) Amend Section 605 - Business Commercial District A by addition of the following new subsection:

605.1.20 - Multi-family housing subject to the Sunset and Conformity provisions in Section 605.1.20.9 below .

605.1.20.1 - Purpose and Intent - It is the purpose of this subsection to provide options for multi-family housing as required in RSA 674:80 while maintaining consistency with the character and capabilities of the Town of Windham. In the event of a conflict between requirements of this section and other requirements of the Windham Zoning Ordinance or any other Town regulations, the stricter requirements shall apply.

605.1.20.2 - Site Plan approval from the Planning Board shall be required for any such projects.

605.1.20.3 - Multi-family ~~residential~~ development structures shall consist of not less than five (5) units (RSA 674:58(II)) and not less than two (2) floors, and shall follow all ~~building height requirements and setbacks~~dimensional requirements of the ~~Residence B~~-zoning district per Appendix A-1 of the Windham Zoning Ordinance. Additionally, the minimum front yard setback from Rt. 111A and Range Road shall be 50 feet.

605.1.20.4 Multi-family ~~residential~~ development structures shall consist of not more than ~~eight twelve~~ (812) residential units.

605.1.20.5 .Multi-family ~~residential~~ development structures shall consist of units, at least one-third of which shall be single bedroom units and the remainder shall be two bedroom units.

605.1.20.6 - Multi-family ~~residential~~ development shall contain not less than fifty percent (50%) of the units qualifying as Workforce Housing as defined in State law.

605.1.20.7 - Multi-family ~~residential~~ development structures shall dedicate the ground floor space for:

- (i) Retail Sales, if allowed by the zoning district.
- (ii) Offices, if allowed by the zoning district.
- (iii) Personal Service Establishments, if allowed by the zoning district.
- (iv) Banks and ATM, if allowed by the zoning district.
- (v) Restaurants, if allowed by the zoning district.

605.1.20.8 - All other dimensional requirements for structures in the underlying zone shall be applicable.

605.1.20.9 – Sunset and Conformity Clause. The provisions of this subsection (605.1.20) remain in effect only so long as RSA 674:77 through 674:80, or substantially similar enabling legislation, remains in effect under New Hampshire law. If any portion of the referenced statutes is repealed or amended so as to alter municipal obligations, this section shall be deemed automatically repealed or amended.

- (c) Amend Section 614- Professional Business and Technology District by addition of the following new Subsection:

614.2.19 - - Multi-family housing as provided in Section 605.1.20 subject to the Sunset and Conformity provisions of Section 605.1.20.9

- (d) Amend Section 617 Business Commercial District B by addition of the following new Subsection:

617.1.7 - - Multi-family housing as provided in Section 605.1.20 subject to the Sunset and Conformity provisions of Section 605.1.20.9

- (e) Amend Section 618-Gateway Commercial District by addition of the following new Subsection:

618.2.12 - - Multi-family housing as provided in Section 605.1.20 subject to the Sunset and Conformity provisions of Section 605.1.20.9.