

**ORDINANCE NO. __ SUPPLEMENTAL
AMENDMENT TO CODE OF ORDINANCES, CHAPTER 146, ARTICLE V,
SECTION 146-67, CREATION OF A
COMMERCIAL LINKAGE AFFORDABLE HOUSING PROGRAM:**

WHEREAS,

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD that Chapter 146, Article V, Section 146-67, be amended as follows:

Sec. 146-65. - Purpose and intent.

It is the purpose of this provision to promote the public health, safety and welfare by encouraging the expansion and upgrading of the City's housing stock while accommodating the expansion of housing and commercial opportunities in the City of Stamford; to provide for a full range of housing choices throughout the City for households of all incomes, ages and sizes in order to meet the City's goal of preserving diversity; to mitigate the impact of commercial development on the availability and cost of housing and particularly housing affordable to low and moderate income households; to increase the production of affordable housing units to meet existing and anticipated housing and employment needs within the City; to provide a mechanism by means of which commercial development can contribute in a direct and meaningful way to increase the supply of affordable housing in light of the influx of new employees in need of affordable housing brought about as a result of such commercial development, and to establish standards and guidelines for the use of such contributions from the application of inclusionary zoning provisions.

• **Sec. 146-66. - Definitions.**^[22]

For the purpose of this article, the following terms shall have the following meanings:

Affordable housing means housing for which persons and families pay thirty (30) per cent or less of their annual gross income, where such income is less than or equal to eighty (80) per cent of the area median income for the municipality in which such housing is located, as determined by the United States Department of Housing and Urban Development.

Affordable unit shall mean any dwelling unit for which the rent (including utilities) does not exceed thirty (30) per cent of the gross income of the renting household or for which the mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty (30) per cent of the gross income of the purchasing household or other standards as may be established pursuant to any municipal, state or federal housing program designed to assist low and moderate income households.

Commercial building shall mean any building, structure, or portion thereof that is devoted primarily or exclusively to a non-residential business or industrial use for the purpose of generating a financial gain or profit.

Commercial share means the portion of building permit fees determined by adding the totals for building permit fees paid on an annual basis for additions, repairs or alterations of commercial buildings in the City of Stamford, and for newly constructed mercantile, business and industrial buildings, divided by the total of the building permit fees collected on an annual basis by the Building Inspection Department of the City of Stamford.

Developer shall mean any individual, corporation, business trust, estate trust, limited liability company, partnership or association, or any other entity or combination thereof involved in the development of commercial construction projects.

Linkage share means that portion of commercial building permit fees collected annually in excess of a designated annual threshold established by this article.

Threshold means the amount of building permit fees collected annually by the City of Stamford Building Inspection Department for additions, repairs or alterations of commercial buildings or structures, and for newly constructed mercantile, business and industrial buildings, beyond which an annual linkage share will be assessed.

Sec. 146-67. - Creation of a commercial linkage affordable housing program.

To assist in the generation of financial incentives and resources to assist in the creation of affordable housing for persons and families of low and moderate income levels, a Commercial Linkage Affordable Housing Program is hereby created. Said program shall be administered by the City of Stamford Department of Land Use Administration in accordance with the provisions of Connecticut General Statutes, § 8-2i(b) and § C6-40-1 of the Stamford City Charter, as said sections may be amended from time to time.

A. Generation and calculation of commercial linkage fees for inclusion in Stamford Affordable Housing Trust Fund.

On an annual basis, a Linkage Share determined to be ~~ten (10)~~ fifteen (15) per cent of building permit fees collected by the City of Stamford Building Inspection Department for repair, additions, alterations and renovations to commercial buildings and for construction of new mercantile, business and industrial buildings, shall be deposited into the City of Stamford Affordable Housing Trust Fund. All funds generated by the Commercial Linkage Fees and deposited in the Affordable Housing Trust Fund shall be disbursed only in the manner prescribed in the Affordable Housing Trust Fund.

B. Authorized uses of linkage fees. The Commercial Linkage Fees generated pursuant to this article shall be utilized for the following authorized purposes:

1. *Creation of affordable housing units.* To encourage the development of affordable housing through a variety of means including, but not limited to, the provision of favorable financing terms to developers of affordable housing, or by means of the direct write-down of costs for non-profit developers of affordable housing, or to subsidize the acquisition of sites, existing structures or designated affordable housing units which comprise a

portion of a larger development containing housing which is not deemed affordable to persons of low and moderate income.

2. *Multi-family rehabilitation program.* To finance the rehabilitation, repair, renovation or alteration of existing and deteriorated multi-family residential properties in a manner that preserves the affordability of dwelling units within such properties through interest rate subsidies, loan guarantees or the direct write-down of project costs. Multi-family housing owned and operated by nonprofit entities that ensure maximum long-term affordability shall receive priority funding consideration.
3. *Limited Equity Cooperative or Condominium Conversion Properties.* To assist in the acquisition, rehabilitation, repair, alteration or renovation of residential properties deemed appropriate for conversion to a "common interest community" as defined pursuant to Connecticut General Statutes, § 47-202(7).
4. *Home ownership assistance.* To assist persons and families of low and moderate income with the financing of the purchase, repair or renovation of affordable housing through low interest loans or local grants. The administration of such loans or grants will be conducted by the City of Stamford Department of Community Development.

C. *Exemptions.*

Governmental projects. Any construction projects being developed by, or on behalf of, any federal, state or local governmental entity will be exempt from the calculation of Commercial Linkage Fees as set forth in subsection A above.