Planning Lunches at Noon (PLAN) Monthly Webinar Services

Welcome to the PLAN Monthly Webinar Series!

The webinar will begin shortly.

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- Slides and recording of all completed webinars in the PLAN series
- Schedule for upcoming webinars
- A short, anonymous online survey to gather feedback and topics for future webinars

www.nh.gov/osi/planning/planning-training.htm

OVERVIEW OF THE 2021 MUNICIPAL LAND USE REGULATION SURVEY RESULTS

Noah D. Hodgetts, Principal Planner NH Office of Planning and Development

Alvina Snegach, Assistant Planner
NH Office of Planning and Development

September 15, 2022

Webinar Logistics

Presentation then Question and Answer session

- ► Type questions into Chat box
- ▶ Raise hand
- ► We will be **recording** the presentation portion of this webinar.



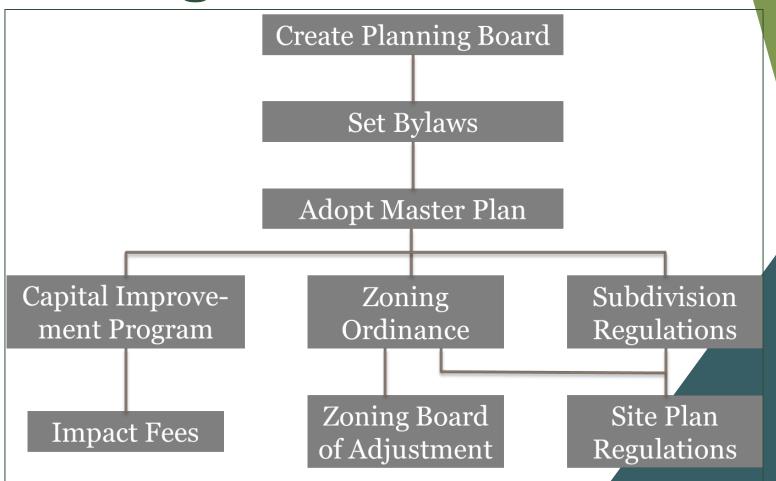
Agenda

- Noah Hodgetts, Principal Planner at the NH Office of Planning and Development.
- Alvina Snegach, Assistant Planner at the NH Office of Planning and Development.

Noah and Alvina will present the results of the 2021 Municipal Land Use Regulations (MLUR) Survey. The 2021 MLUR survey conducted by OPD and completed by all 234 municipalities includes information on land use regulations, local land use boards, master plans, economic development, planning and development techniques, and water and shoreland regulations. Noah and Alvina will also provide a tutorial on how to use the survey result's interactive map.

Question and Answer.

Municipal Land Use Regulation Process



Municipal Land Use Regulation Survey

- RSA 675:9 establishes the New Hampshire Office of Planning and Development (OPD) (former NH Office of Strategic Initiatives) as the state repository for all local land use regulations and documents
- RSA 675:9 authorizes OPD to conduct an annual survey of all municipalities in order to collect information pertaining to new and/or amended land use ordinances

2021 Survey Results

- Completed by all, but two of the state's 234 municipalities, 9 village districts with zoning authority, Coos County, and Pease Development Authority
- Coos County has zoning authority over 23
 unincorporated places in the North Country
- 128 jurisdictions submitted zoning amendment updates after their 2021 Annual Town Meeting

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Municipal Land Use Regulation Survey Topics

- Municipal PlanningOrganizational Structure
- Land UseRegulations/Documents
- Master Plan Topics
- Housing Information
- Building Code Information
- Economic Development
- Planning & Development Techniques
- Water & Shoreland Regulations
- Energy Information

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	Zoning Board of Adjust		SA 673:1)	1 1			Commissi			-	0.0.27					
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Broadband Committee					Historic District Commission (RSA 673:4, 674:46-a) Housing Commission/Committee (RSA 674:44-h)											
	Conservation Commission		Parks,	/Rec	reation C	ommiss	ion (RSA	35-	B:4)							
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Capital Improvements Plan																
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	Vision (required)	Cu	ltural & Historic Re	sour	ces		Natural Hazards				Transportation					
	Land Use (required)	Eo	onomic Developme	ent			Natural Resources				Utility & Public Servi	ice				
	Coastal Management	En	ergy				Neighborhood Plan				Other Topics**					
	Community Design	Ho	using					creation			(i.e. Climate Change/Adaptation,					
Community Facilities Implementation					Regional Concerns Public Health, etc.)											
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			Are Detached Al)U's F	ermitt	ted?			How Ar	e Al	OUs Permitted?					
	Accessory Dwelling Uni	Is Principal Dwel								t, By Conditional Use						
	Ordinance (RSA 674:72)	1	ADU Required To Be Owner-				upied?		Permit	Permit Or Special Exception)						

Please continue to next page

Workforce Housing

Multi-Family Overlay District

Regulate Short-Term Rentals

Workforce Housing Ordinance

Age-Restricted Housing

(RSA 674-58)

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nclusionary Zoning

Regulate Tiny Houses

(RSA 674-21)

2021 Highlights

- 128 jurisdictions adoptedzoning amendment updates
- 8 communities amended their Accessory Dwelling Unit (ADU) ordinances to allow detached units
- 5 communities adopted or expanded their workforce housing ordinances
- 8 communities adopted short-term rental regulations

- 11 communities adopted definitions for solar arrays or a solar energy systems ordinance
- 1 community adopted 79-E, which provides property tax relief to encourage investment in rehabilitation of underutilized buildings in downtowns and town centers

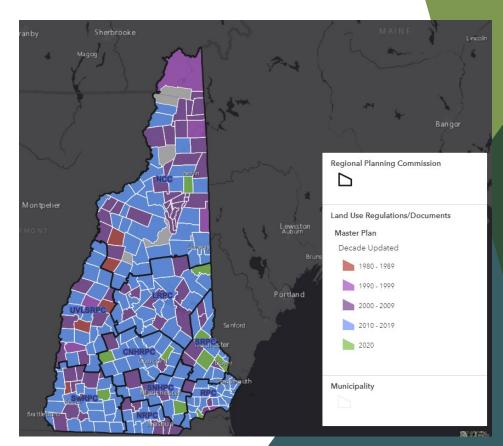
A Patchwork of Regulations & Planning Capacity

- 18 communities, located primarily in Grafton and Coos County, do not have traditional zoning ordinances, but 7 of these communities have a Board of Adjustment
- Only 2 communities at the far northern tip of the state,
 Pittsburg and Clarksville do not have a Planning Board established under RSA 673:1
- 57 communities have adopted historic district ordinances, but are all in the southern half of the state

- 197 communities have adopted a wireless telecommunications ordinance with the only communities that haven't clustered at the northern tip of the state or on the western edge
- 72 communities have full-time planning staff; 78 communities have part-time planning staff; 38 communities rely on planning consultants; 74 communities have no planning staff
- Regional Planning Commissions provide circuit rider planning assistance to 33 communities

Master Plans

- 41 communities have adopted master plan updates since the beginning of 2020
- An increasing number of communities are adopting master plan chapters which deviate from the master plan chapters enumerated in RSA 674:2



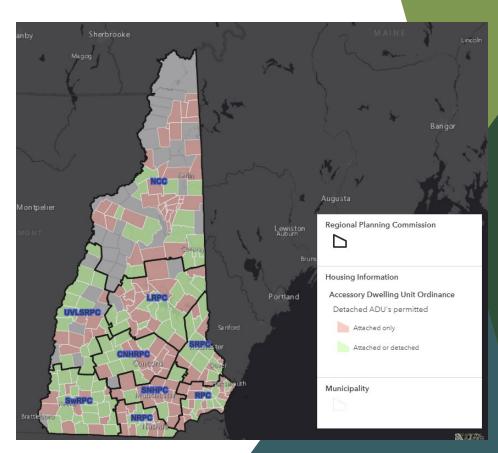
Housing Development Ordinances

- **75** communities have a workforce housing ordinance workforce housing multi-family overlay district in accordance with RSA 674:58-61
- Only 49 of these communities have an inclusionary zoning provision in their workforce housing ordinance
- 85 communities also levy impact fees and 22 communities have enacted growth management ordinances
- 80 communities employ age-restricted housing regulations

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Accessory Dwelling Unit Ordinances

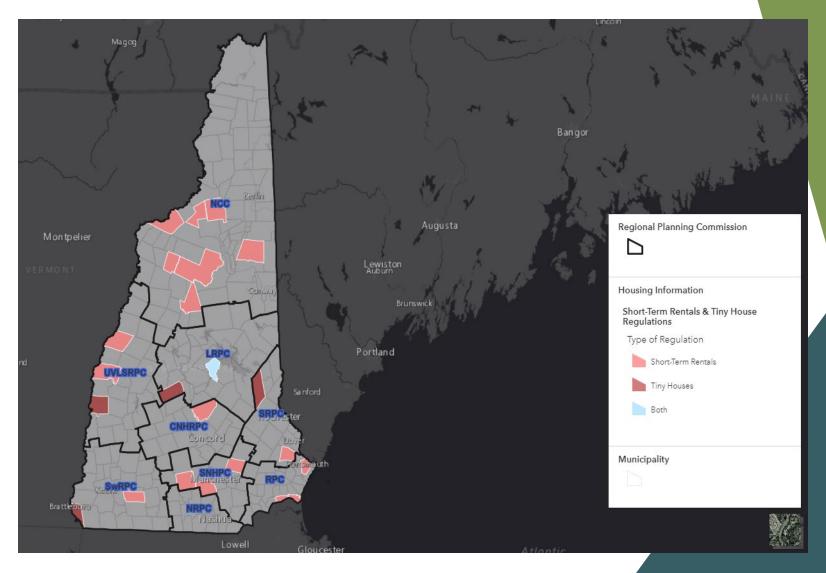
- 204 communities have adopted an ADU ordinance
- 173 communities require the principal dwelling unit or the accessory dwelling unit to be owner-occupied
- 104 communities allow accessory dwelling units in structures which are detached from the principal dwelling unit
- Just under half of the communities that regulate accessory dwelling units permit them as-of-right, while the other half require obtaining a conditional use permit or special exception



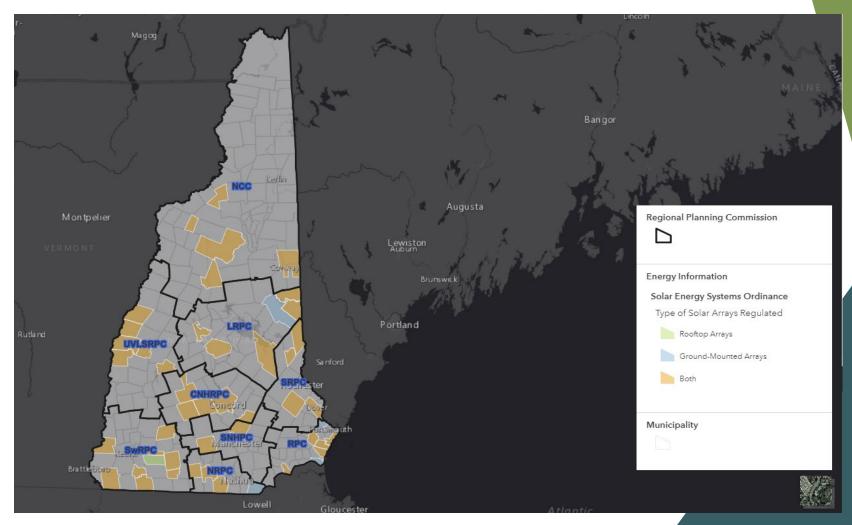
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Short-Term Rentals



Solar Energy Ordinances



Innovative Planning Tools

- Mixed-Use Zoning (143)
- □ Inclusionary Zoning (49)
- □ Density Bonus (70)
- Cluster Development (179)
- □ Form-Based Code (8)
- Accessory Dwelling Unit Ordinance detached (104)
- □ Planned Unit Development (43)
- □ Transfer of Development Rights (9)
- Village Plan Alternative Subdivision (5)

MLUR Survey Takeaways

- Many communities are utilizing innovative planning and zoning approaches
- Remaining Challenges
 - Making sure communities are aware that these innovative planning tools exist
 - Making sure communities have the necessary resources and adequate capacity to adopt and administer these tools
 - Making the development community aware that a community has adopted particular innovative planning tools
 - Encouraging the development community to utilize such tools

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Municipal Land Use Regulation Survey Data Products – *Coming Soon*

All 2021 MLUR survey data, analysis, and maps will be available by the end of September at:

https://www.nh.gov/osi/planning/services/mrpa/land-use-survey.htm

- * The State of Local Land Use Regulations in New Hampshire 2021 Update
- Interactive Map
- Community-By-Community Snapshot
- Table of Zoning Amendments/Land Use Regulations Adopted in 2021
- Subject Specific Tables

Summary Article

The State of Local Land Use Regulations in New Hampshire - 2021 Update

Noah Hodgetts, Principal Planner, NH Office of Planning & Development September 2022

RSA 675:9 establishes the New Hampshire Office of Planning and Development (OPD) within the Department of Business and Economic Affairs (BEA) as the state repository for all local land use regulations including master plans, zoning ordinances, historic district ordinances, capital improvement plans, building codes, subdivision regulations, historic district regulations, and site plan review regulations. RSA 675:9 also authorizes OPD to conduct an annual survey of all municipalities in order to collect information pertaining to new and/or amended land use ordinances. This article highlights the results of the 2021 survey, which was completed by all, but two of the state's 234 municipalities¹ as well as nine village districts with zoning authority, Coos County, which has zoning authority over 23 unincorporated places in the North Country, and the Pease Development Authority which has zoning authority over Pease International Tradeport in Newington and Portsmouth. In addition, this article summarizes zoning amendment updates submitted by 128 jurisdictions after their 2021 Annual Town Meeting.

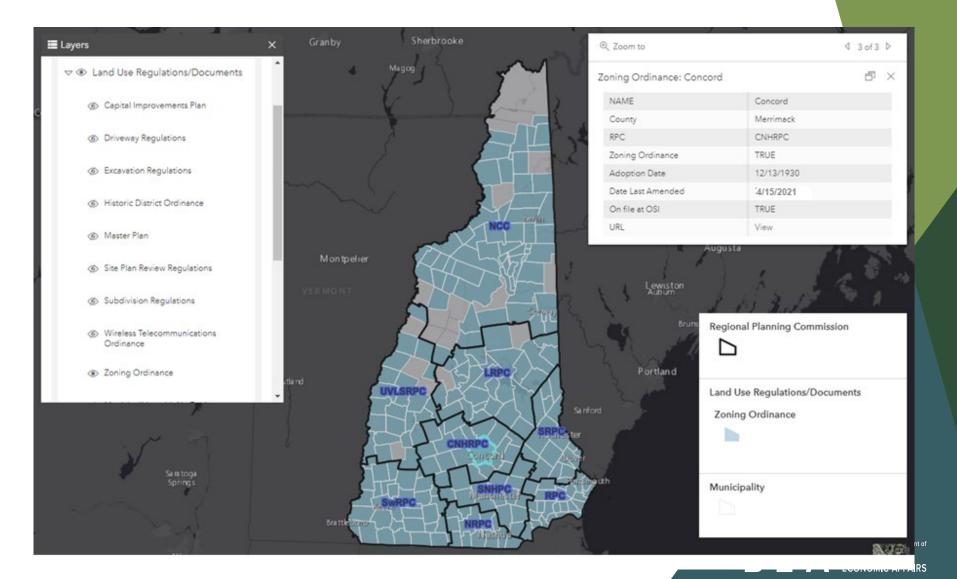
The survey includes those municipalities that lack traditional zoning ordinances, as several have other types of land use regulations including residential subdivision regulations, non-residential site plan review regulations, a wireless telecommunications ordinance, sign regulations, and/or a drinking water protection ordinance. Several of the municipalities that lack traditional zoning ordinances are also participating communities in the National Flood Insurance Program and have separate floodplain development ordinances, which are tracked by our office's State Floodplain Management Program, separate from this survey.

2021 Summary

Aside from the usual definition changes and other routine zoning amendments passed to make sure municipal zoning ordinances are consistent with recent state statute changes, in 2021 communities passed a slew of zoning changes ranging from open space subdivision/cluster ordinance updates to sign ordinance changes. Overall, 128 jurisdictions (57%) adopted zoning amendment updates, the vast majority of which were adopted through the Annual Town Meeting process. Of particular note, in 2021 8 communities amended their Accessory Dwelling Unit (ADU) ordinances to allow detached units, 5 communities adopted or expanded their workforce housing ordinances, 8 communities adopted short-term rental regulations, 11 communities adopted definitions for solar arrays or a solar energy systems ordinance, and 1 community adopted 79-E, which provides property tax relief to encourage investment in rehabilitation of underutilized buildings in downtowns and town centers.

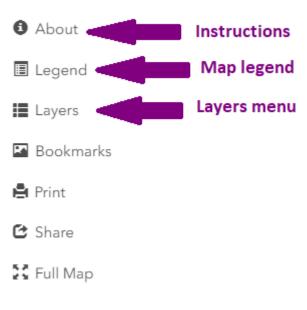
¹ For the two communities that did not return their 2021 survey, QPD reviewed their 2021 Annual Report and 2020 Town Meeting Warrant and added applicable information on their behalf to the survey results.

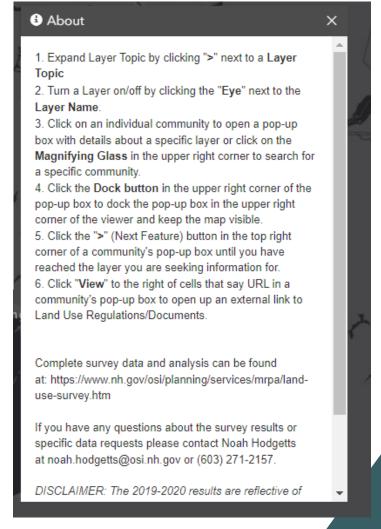
Interactive Map



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Interactive Map Instructions





Community-by-Community Snapshot

2021 Mu			l U	se Regul	atio							_		
Municipality Name Acworth							ate	C	ompleted	6/2/20	21	Reviewe	d ✓	
Municipality (Contact In	formation	ı											
First Name Goo								Li	ast Name	Bradt				
Title Administrative Assistant								P	hone:	835-687	9			
E-mail Address				Municipality https Website				https://www.acworthnhtownclerk.com/						
Mailing Address	PO Box 37					R	PC Region	UVLSRF	C					
Town/City		_			R	PC Member?	V							
State NH	03801-0037				ľ			021 Population				862		
Municipal Plan	nning Org	anization	al St	ructure										
Full-time Planning Staff									Part-Time Plan	ning Staff				
Planning Consultant								The Regional Planning Commission provides Circuit Rider planning assistance to the municipality						
✓ Planning Board (RSA 673:1)								☐ Energy Committee-Commission (RSA 38-D:2)						
✓ Zoning Board of Adjustment (RSA 673:1)								Heritage Commission (RSA 674:44-a)						
Agricultural Commission (RSA 674:44-e)									Historic District Commission (RSA 673:4; 674:46-a)					
✓ Broadband Committee									Housing Commission/Committee (RSA 674:44-H)					
Conservation Commission (RSA 36-A:2)									Parks/Recreation	on Commi	ssion (F	RSA 35-B:4)		
Land Use Regu	ulations/I	Document	s											
Regulation/Doo	cument	Last Amended	On File			Website Link								
Capital Improve	ments Plan	11/1/2020	V	https://www.acwo	rthnh.ne	net/_files/ugd/a327e9_ab0fe41dce194e02be78f9475451374c.pdf								
✓ Driveway Regula	ations	11/30/2012	https://docs.wixst	atic.con	m/ugd/a327e9_b164049b678442ebbaf123d2ab2f6f34.pdf									
Excavation Regu	ulations	https://docs.wixstatic.com						9 0	i0f1d2166de3462	2fae8c08fbf	d1fa7f6.	<u>pdf</u>		
Historic District	Ordinance							Ξ						
✓ Master Plan		10/1/2019	✓	https://8f46ecac-b	91c-43	1c-a6c	0-cct	38	77f4802.filesusr.d	com/ugd/a3	27e9 ff	424e1ee5de48f2	90d2b71	
Site Plan Regula	ations	5/27/2009	✓	https://docs.wixst	atic.con	n/ugd/a	327e	9 3	38d8d7fc592341f	791b2b28e	ab3aee	34.pdf		
✓ Subdivision Reg	gulations	7/22/2019 Inttps://8f46ecac-b91c-431						38	77f4802.filesusr.d	com/ugd/a3	27e9 3	22ffc84769e43aa	afb17e4	
Telecommun. O	https://www.acwo	ttps://www.acworthnh.net/_files/ugd/a327e9_98b934777d204530838784c391b5eb0c.pdf												
Zoning Ordinan	ce	3/8/2022	✓	https://www.acwo	rthnh.ne	t/ file	s/ugd	/a3:	27e9 98b934777	d20453083	6784c3	91b5eb0c.pdf		
Master Plan T	opics													
✓ Vision (required	Cultural/Historic Resources				Nat	Natural Hazards				✓ Tr	ansportation			
✓ Land Use (requi	Econom	6	Nat	Natural Resources				☑ Ut	ilities/Public Se	rvice				
Coastal Manage		Energy					Neighborhood Plan					her Topics (i.e. nange/ Adaptati		
Community Desi	ign	Housing		☑ R			ecreation					iblic Health, etc		
Community Faci		✓ Implementation ✓					Regional Concerns							
Specify: Population	on													
Housing Infor	mation													

Municipality Name Acw	Date Compl				6/2/20	121	Reviewed	ĭ ☑			
				Da	te Co.					l	
Regulate accessory dwelling units in zoning ordinance (RSA	✓ Det	tached ADU's	Permitted				allowed as o		as-of-right	Т	
674:72)	dwelling required	to be	owner-	special ex		milt of					
Workforce/ affordable housing ordinance (RSA 674:58)	e-affordable housir ily overlay district				sionary Z 674:21)	oning					
Age-Restricted Housing Regulations	lestricted Housing Regulate S ations (i.e. Airbnb						Regulate Tiny Houses				
Building Code Information											
Local enforcement of the state bu	ilding co	de (RSA 674:5	i1)	Buile	ding Co	de Adoption	/Amended I	Date			
On File? Website Link											
Economic Development											
☐ Economic Development Staff	opment Committee				Downtow	wn Revitalization Committee					
Community Revitalization Tax Relief Incentive Program (RSA	t? (i.e. downtown,	town			e						
Relief Incentive Program (RSA district, central business district, and/or historic district) Coastal Resilience Incentive Zone (RSA 79-E:4-a) Coastal Resilience/Cultural and Historic Reserve District (RSA 12-A:68)											
Coastal Resilience Incentive Zone (RSA 73-E:4-a) Coastal Resilience/Cultural and Historic Reserve District (RSA 12-A:68) Communications District (RSA 53-G:2)											
Tax Increment Finance (TIF) Distri		162-K)							•		
Public Water System				ublic	Sewer	System					
Planning/Development Tec	hnian	es									
Architectural Design Standards		Form-Based	Code			mance Standards 674:21)		Soi	il-Based Lot Size		
Cluster Development (Conservation/Open Space Development) (RSA 674:21)		Growth Management Ordinance (RSA 674:22)				d Developm 674:21)	ent	Steep Slope/ Ridgeline Protection			
Complete Streets	-	Impact Fees (RSA 674:21)				ed Unit Deve 674:21)	lopment	Stormwater Management Ordinance			
Conservation Zoning		Low Impact Development				ving Dark Outdoor Lig ance	hting		nsfer of Developr hts (RSA 674:21)	nent	
Density Bonuses		Mixed-Use Zo	oning	V	Sign R	Regulations		Sul	age Plan Alternat odivision (A 674:21)	ve	
Water and Shoreland Regul	ations										
Groundwater and/or Aquifer Prote	ection Or	dinance	Maximum imperv	rious	coverag	je (%)				_	
Shoreland Protection Ordinance	Primary building	setba	ck (feet	t)		100 feet	100 feet				
✓ Surface Water Protection Ordinar	Primary buffer di		_		(feet)	100 feet					
Wetlands Protection Ordinance		Wetland Buffer (f	eet)								
Watershed Protection Ordinance											
■ Well Water Testing Required for N	lew Cons	struction									
Energy Information											
Energy Efficiency and Clean Ener	gy Distric	et (RSA 53-F)									
			26 D.71								
Outdoor Wood-Fired Hydronic He	ater Ordi	marice (RSA 12	23-m./)								
Small Wind Energy Systems Ordi	nance (i.e	e. wind turbine	es) (RSA 674:63)								
Solar Energy Systems ☐ Ordinance Regulates ☐ Ordinance Regulates Ground-Mour Ordinance (RSA 674:17) Rooftop Solar Arrays											

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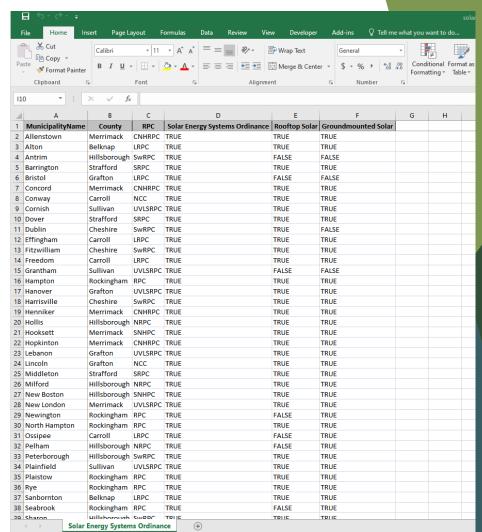
Subject Specific Tables

Municipal Planning Organizational Structure

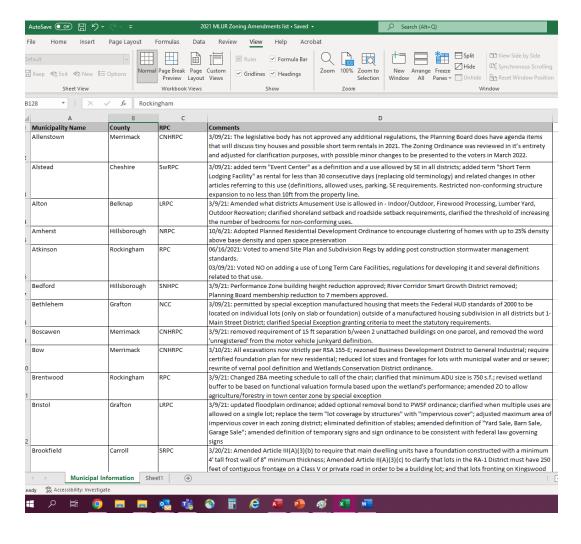
- Planning Staff (Excel workbook)
 - Planning Staff (CSV File)
- RPC Contractual Circuit Rider Planning Assistance (Excel workbook)
 - RPC Contractual Circuit Rider Planning Assistance (CSV File) and
- Planning Board (Excel workbook)
 - Planning Board (CSV File) sage
- Zoning Board of Adjustment (Excel workbook)
- Zoning Board of Adjustment (CSV File)
- Agriculture Commission (Excel workbook)
 - Agriculture Commission (CSV File)
- Conservation Commission (Excel workbook)
 - o Conservation Commission (CSV File)
- Energy Committee/Commission (Excel workbook)
 - Energy Committee/Commission (CSV File) say
- Heritage Commission (Excel workbook)
 - Heritage Commission (CSV File)
- Historic District Commission (Excel workbook)
 - Historic District Commission (CSV File) and
- Housing Commission (Excel workbook)
 - · Housing Commission (CSV File)
- Parks/Recreation Commission (Excel workbook)
 - Parks/Recreation Commission (CSV File)

Land Use Regulations/Documents

- Land Use Regulation Status (Excel workbook)
 - Land Use Regulation Status (CSV File)
- Capital Improvement Plan (Excel workbook)
 - Capital Improvement Plan (CSV File)
- Driveway Regulations (Excel workbook)
 - <u>Driveway Regulations (CSV File)</u>
- Excavation Regulations (Excel workbook)
 - · Excavation Regulations (CSV File)
- Historic District Ordinance (Excel workbook)
 - Historic District Ordinance (CSV File)
- Master Plan (Excel workbook)
 - Master Plan (CSV File)
- Site Plan Review Regulations (Excel workbook)
 - Site Plan Review Regulations (CSV File)
- Subdivision Regulations (Excel workbook)
 - Subdivision Regulations (CSV File)
- Wireless Telecommunications Ordinance (Excel workbook)



Subject Specific Tables: Zoning Amendments

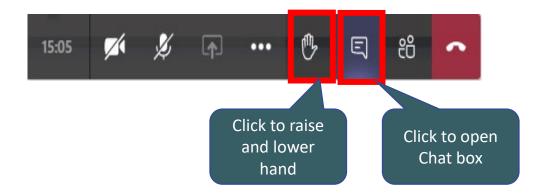


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Questions and Answer Section

 If you would like to ask a question, please either raise your hand and unmute yourself or type your question in the Chat box. If on the phone, lines have been unmuted



Contact Information

Noah Hodgetts, Principal Planner at NH Office of Planning and Development

Noah.D.Hodgetts@livefree.nh.gov

(603) 271-2157

Alvina Snegach, Assistant Planner at NH Office of Planning and Development

Alvina.Snegach@livefree.nh.gov

(603)-271-6651

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THANK YOU