

TOWN OF SPRINGFIELD, NEW HAMPSHIRE

PROPOSED ZONING ORDINANCE AMENDMENTS

CONDITIONAL USE PERMITS

FOR

MARCH 2015

Amendment Version Date: January 9, 2015

SPRINGFIELD PLANNING BOARD

ARTICLE III. ZONING DISTRICTS

3.10 RURAL RESIDENTIAL DISTRICT

3.13 Requirements

E. Workforce Housing

1. The Rural Residential District shall allow workforce housing by application as provided in NH RSA 674:58-61 and by conditional use permit from the Planning Board provided all of the criteria listed below are met. Site Plan Review is required for multi-unit dwelling proposals.
2. The Planning Board ~~shall~~may relax dimensional requirements for workforce housing by conditional use permit as appropriate for the particular lot and if the applicant proves that a relaxation is needed to provide housing within a reasonable cost to provide workforce housing. Zoning Ordinance lot size requirements may be waived, but the lot size must meet State and Federal requirements. All other dimensional restrictions may be reduced by the Planning Board with consideration to environmental protection, water supply, sanitary disposal, traffic safety, and fire and life safety protection as provided ~~in Section 11.45~~conditional use permit criteria listed below are met.
3. Allow multi-unit dwellings of up to eight dwelling units per lot along Route 114 from the New London town line to Bowman Road, up to 1500' off Route 114 by conditional use permit. Proposals for multi-unit dwellings of more than eight dwelling units per lot must obtain a variance from the ZBA.
4. A workforce housing proposal shall be allowed by conditional use permit from the Planning Board provided all the following criteria are met:
 - a. The conditional use permit is subject to Section 11.45.
 - b. A workforce housing proposal shall be affordable according to NH RSA 674:58 as shall be documented by the applicant.
 - c. Open space shall be sufficient to accommodate the needs of the proposed occupants of the project.
 - d. Setbacks shall be sufficient to buffer and protect adjacent properties and the public road from encroachment.
 - e. Assurance of continued affordability:
 - i. Affordable units offered for sale and approved by the planning board as part of a subdivision or site plan and subject to RSA 674:58-61 shall require a restrictive covenant and lien granted to the Town of Springfield. The initial value of the lien shall be equal to the difference between the fair market value of the unit and its reduced affordable sale price, which is indexed according to the qualifying income standards. The Town of Springfield lien is indexed over time at a rate equal to a consumer price index identified in the restrictive covenant and lien document. Future maximum resale limits shall be

- calculated as the fair market value minus the adjusted lien value and a transaction administrative fee. Subsequent sales prices are not limited based on income targets, but on the housing unit's fair market value, minus the adjusted lien value. The restrictive covenant and lien shall be in a form approved by the planning board. Workforce housing rental units (i) shall limit annual rent increases to the percentage increase in the area median income, except to the extent that further increases are made necessary by hardship or other unusual conditions; or (ii) shall be subject to affordability controls imposed by a state or federal governmental entity.
- ii. Deed restrictions, restrictive covenants, or contractual arrangements related to dwelling units established under this Article must be documented on all plans filed with the town's Planning Board and with the Registry of Deeds.

ARTICLE XI. ZONING BOARD OF ADJUSTMENT

11.40 APPEAL CONDITIONS TO BE MET

11.45 Conditional Use Permits

~~In order for~~ Under the enabling authority granted by NH RSA 674:21 II, this Section shall provide for the granting of conditional use permits by the Planning Board. ~~Submittal criteria and process shall be that of the planning board. to grant a conditional use permit, it must find that the conditional use permit sought by the applicant is in fact permitted and specified in the Zoning Ordinance and that all of the conditions for the conditional use permit are met and that the action is in harmony with the Town Plan and its policies, goals, objectives, standards, and recommendations.~~

For the purpose of the ordinance, the following are established as general ~~conditions~~ criteria for the granting of all conditional use permits, subject to further conditions as may be defined elsewhere ~~herein in the Zoning Ordinance as to the uses concerned, namely:~~

~~A. The conditional use permit is in fact permitted and specified in the Zoning Ordinance.~~

~~B. All conditions for the conditional use permit are met and that the action is in harmony with the Town Plan and its policies, goals, objectives, standards, and recommendations.~~

~~A.C. The project shall be constructed in a manner that is harmonious with neighboring development and natural surroundings.~~

~~B.D. The project shall not harm or detract from either the ecological or visual qualities of the environment.~~

~~C. A workforce housing proposal shall be affordable according to NH RSA 674:58 as shall be documented by the applicant.~~

~~D.E. The project shall comply with all site plan and/or subdivision regulations that apply, other than those waived by the Planning Board during review under those regulations.~~

~~E. Open space shall be sufficient to accommodate the needs of the proposed occupants of the project.~~

~~F. Setbacks shall be sufficient to buffer and protect adjacent properties and the public road from encroachment.~~

~~G. Assurance of continued affordability:~~

- ~~1. Affordable units offered for sale and approved by the planning board as part of a subdivision or site plan and subject to RSA 674:58-61 shall require a restrictive covenant and lien granted to the Town of Springfield. The initial value of the lien shall be equal to the difference between the fair market value of the unit and its reduced affordable sale price, which is indexed according to the qualifying income standards. The Town of Springfield lien is indexed over time at a rate equal to a consumer price index identified in the restrictive covenant and lien document. Future maximum resale limits shall be calculated as the fair market value minus the adjusted lien value and a transaction administrative fee. Subsequent sales prices are not limited based on income targets, but on the housing unit's fair market value, minus the adjusted lien value. The restrictive covenant and lien shall be in a form approved~~

~~by the planning board. Workforce housing rental units (i) shall limit annual rent increases to the percentage increase in the area median income, except to the extent that further increases are made necessary by hardship or other unusual conditions; or (ii) shall be subject to affordability controls imposed by a state or federal governmental entity.~~

- ~~2. Deed restrictions, restrictive covenants, or contractual arrangements related to dwelling units established under this Article must be documented on all plans filed with the town's Planning Board and with the Registry of Deeds.~~