

Introduction to New London Zoning

New London, NH

2022

What is Zoning?



- A method to regulate development.
- The earliest forms of zoning in the US were utilized to separate noxious uses from residential areas and to regulate health and safety.
- Los Angeles first adopted zoning in 1904.
- New York City adopted its first comprehensive Zoning Ordinance in 1916.
- *Euclid v. Ambler Realty* – 1926 Landmark Supreme Court Case.
- *Euclid* was the first significant case that upheld the ability of local government to regulate land uses, building height and area.
- Zoning has been abused at times to create unfair circumstances for minorities.

Zoning in New London

- Zoning Adopted March 11, 1958
- 3 Zones – Residential District, Rural Agricultural District, Commercial District
- Minimum lot size in the Rural Agricultural District was **ONLY 35,000 square feet!!**
- Ordinance allowed for an early form of a special exception to build apartment houses in the residential and rural-agricultural district if proper sanitary protections were in place and it could accommodate one off-street parking space per unit.



The Basics

- Underlying principles & regulations
 - Definitions
 - Height Regulation
 - Home Occupation/Home Business
 - Accessory Dwelling Units
 - Telecommunication Towers
 - Solar
 - Wind

Components of a Zone

- Road Frontage
- Lake Frontage
- Setbacks
- Density
- Minimum Lot Size
- **USES**

Commercial

Road Frontage: Frontage should not equal less than the building onsite.

Density: 5,000 square feet of land per unit.

Setback:

Front: 30' or conform to yards of adjoining lots

Side & Rear: 10'

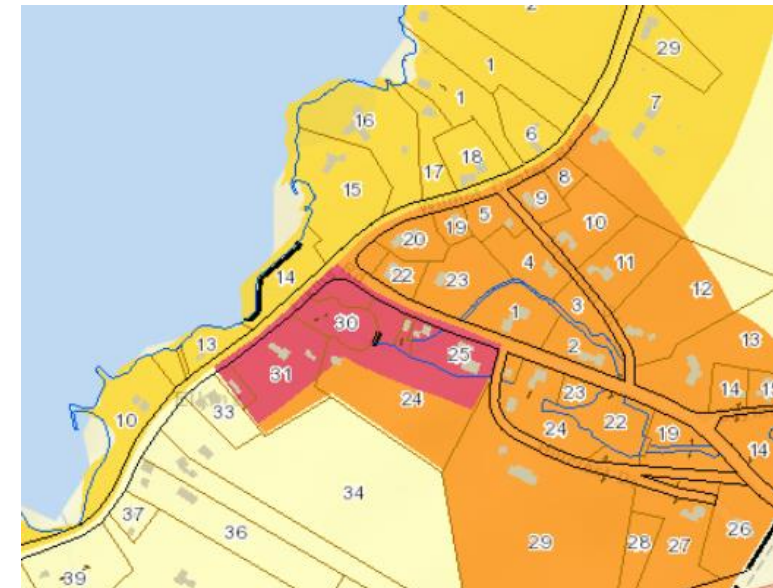
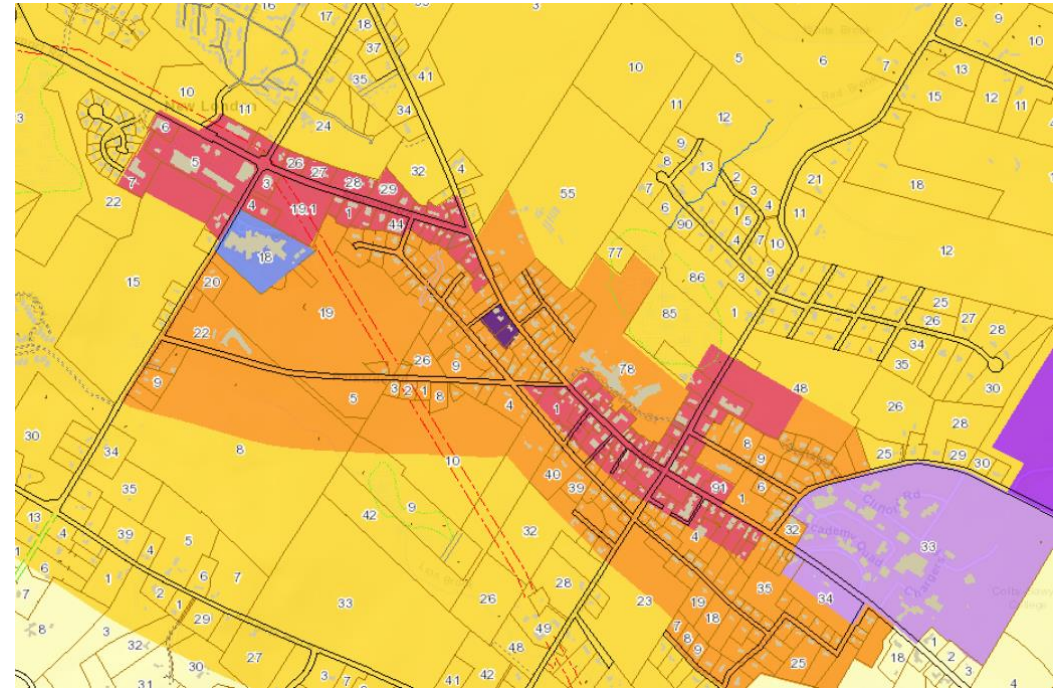
Lot Size: No minimum

Uses:

Residential: (single, two & multi-family)

Commercial: Hotels, inns, motels, retail, professional office, Restaurants, banks, greenhouses, funeral homes. (examples, not comprehensive)

Special Exceptions: filling stations, auto repair, car washes, light industry, wholesale establishments, theaters, halls, clubs, drive-in or drive-thru restaurants.



Urban Residential (R-1)

With Water & Sewer

Road Frontage: 100'

Density: 10,000 square feet of land per unit.

Setback: 25' front, 15' side & rear

Lot Size: 10,000 square feet

Residential: Single and two-family

Without Water & Sewer

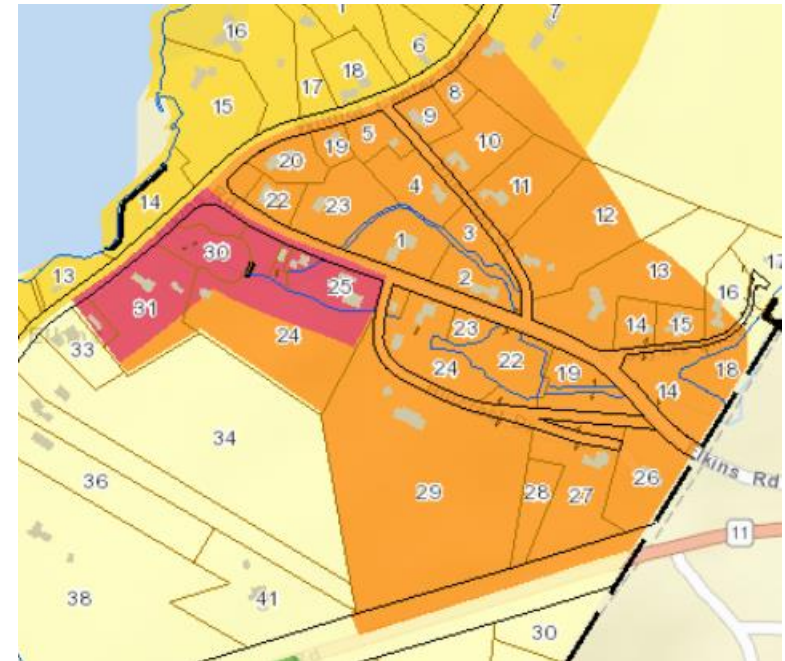
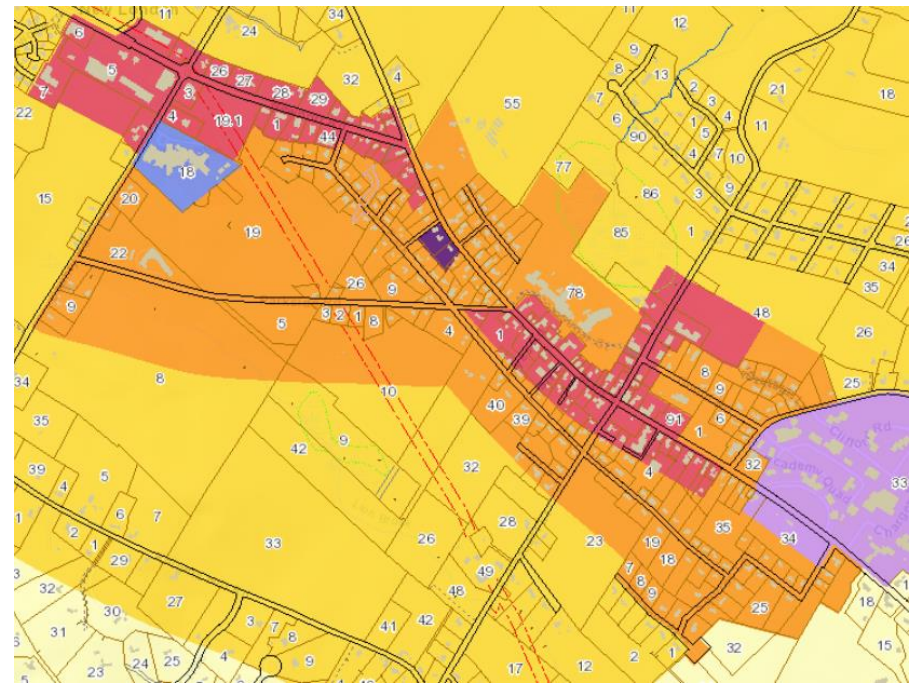
Road Frontage: 150'

Density: 1 acre of land per unit.

Setback: 25' front, 20' minimum with aggregate of 50' for both sides, 15' rear.

Lot Size: 2 acres

Residential: Single and two-family



Residential (R-2)

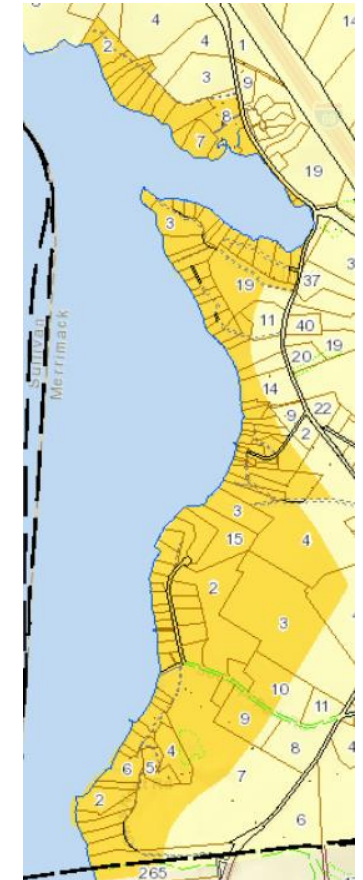
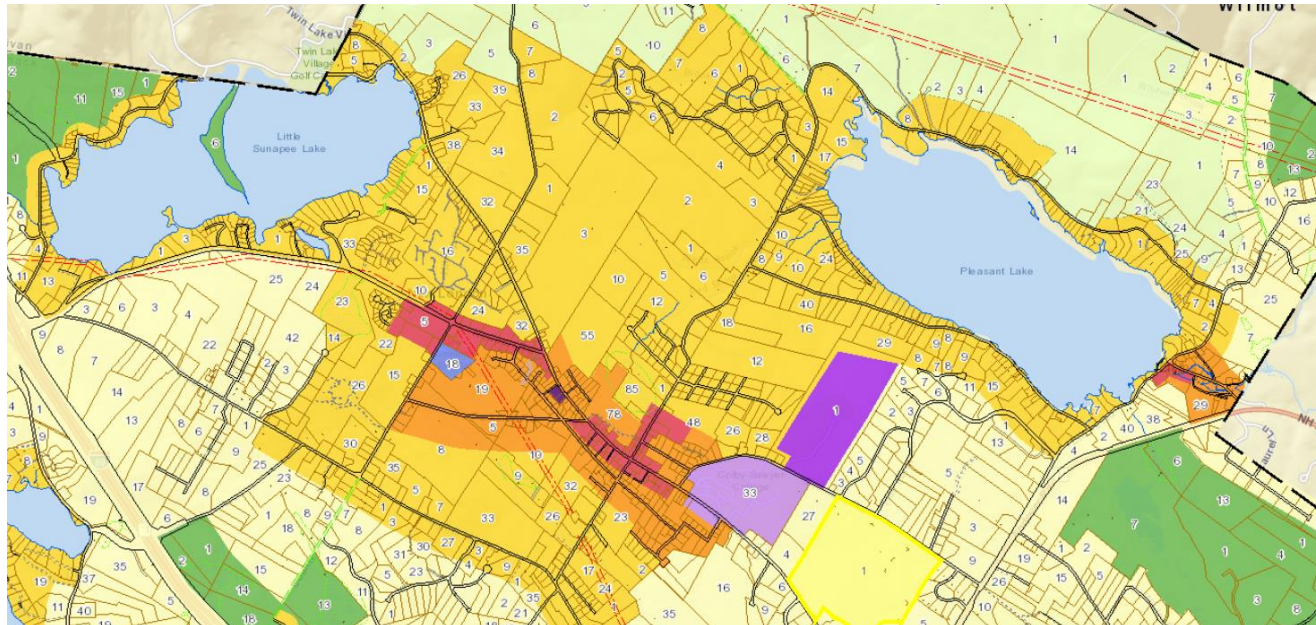
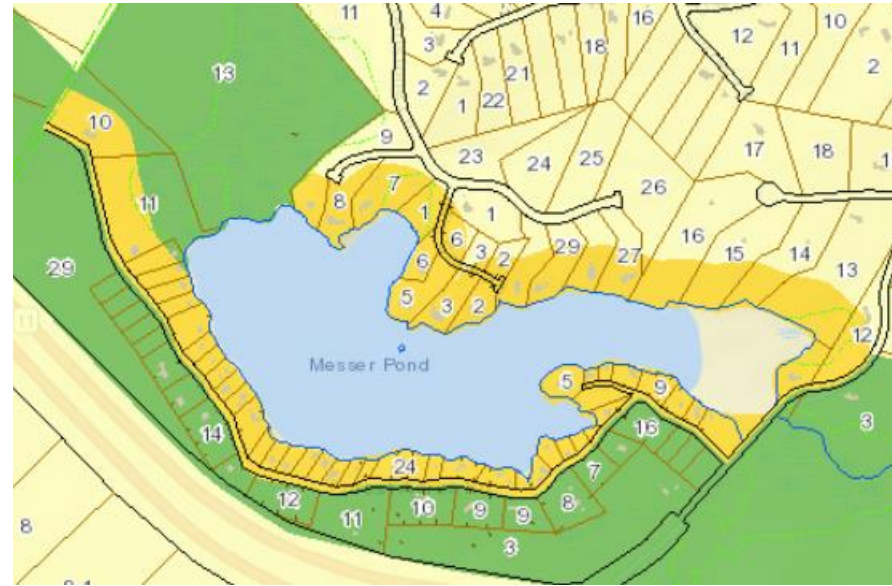
Road Frontage: 150'

Lake Frontage: 200'

Density: 2 acre of land per unit

Setback: 25' front, 20' minimum with aggregate of 50' for both sides, 15' rear

Lot Size: 2 acres



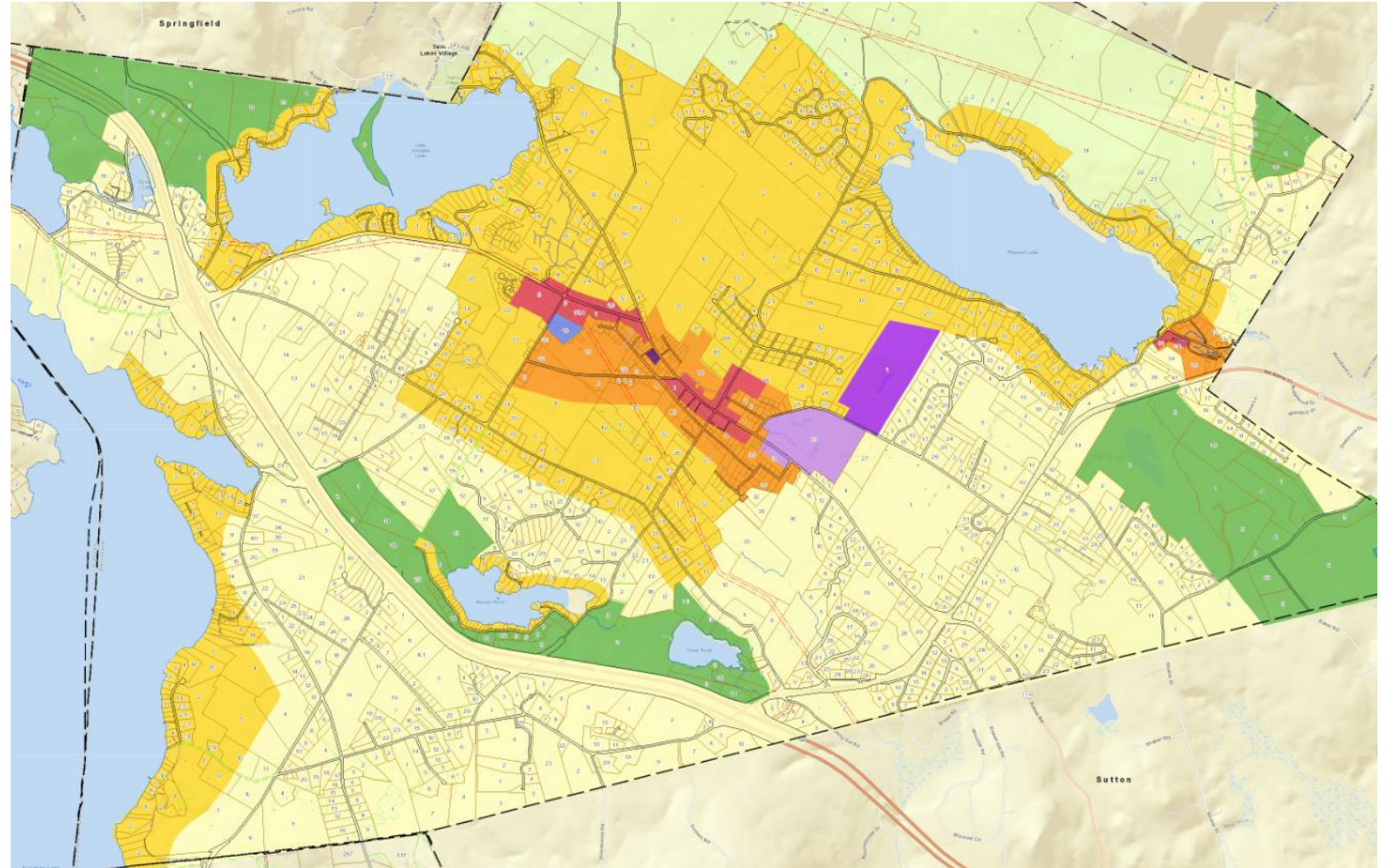
Agricultural Rural Residential (ARR)

Road Frontage: 200'

Density: 4 acre of land per unit

Setback: 50' front, 25' sides, 25' rear

Lot Size: 4 acres



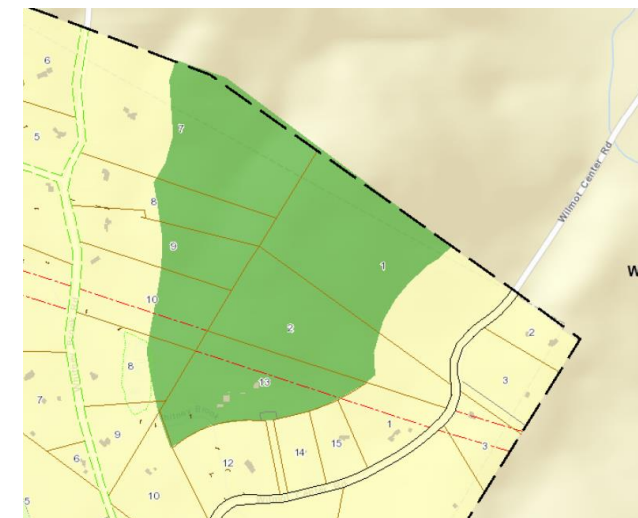
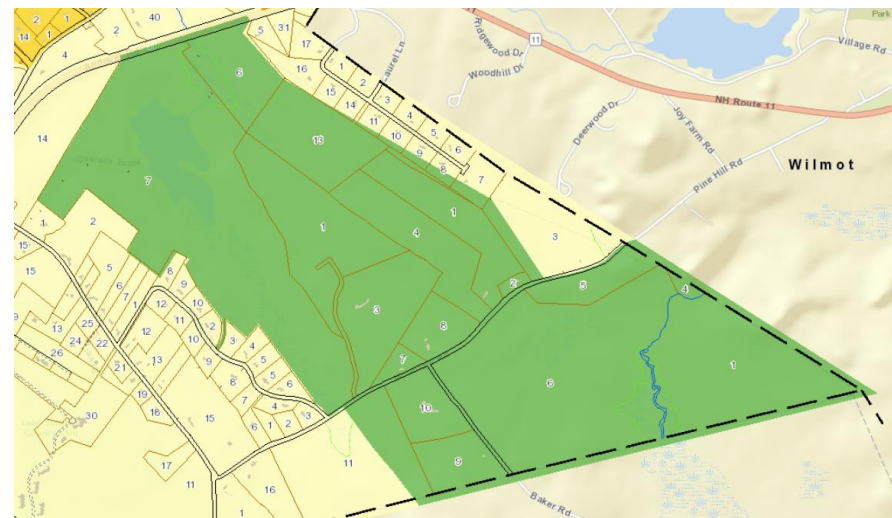
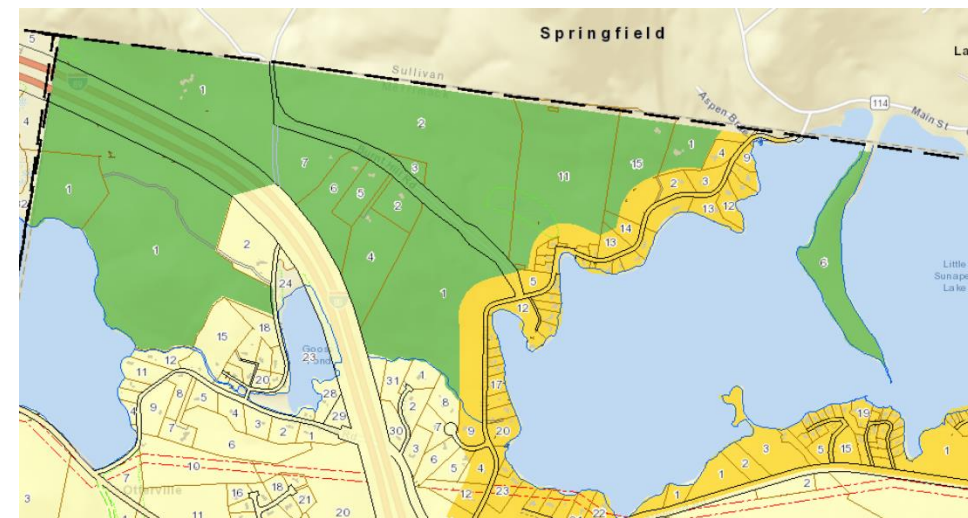
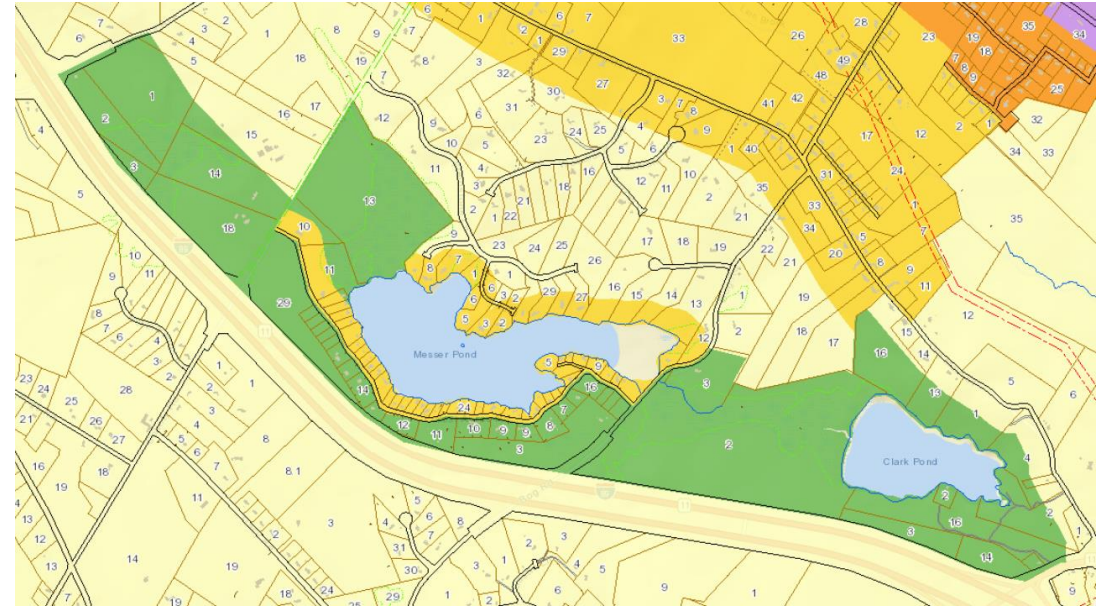
Conservation (CON)

Road Frontage: 200'

Density: 10 acre of land per unit

Setback: 50' front, 50' sides, 50' rear

Lot Size: 10 acres



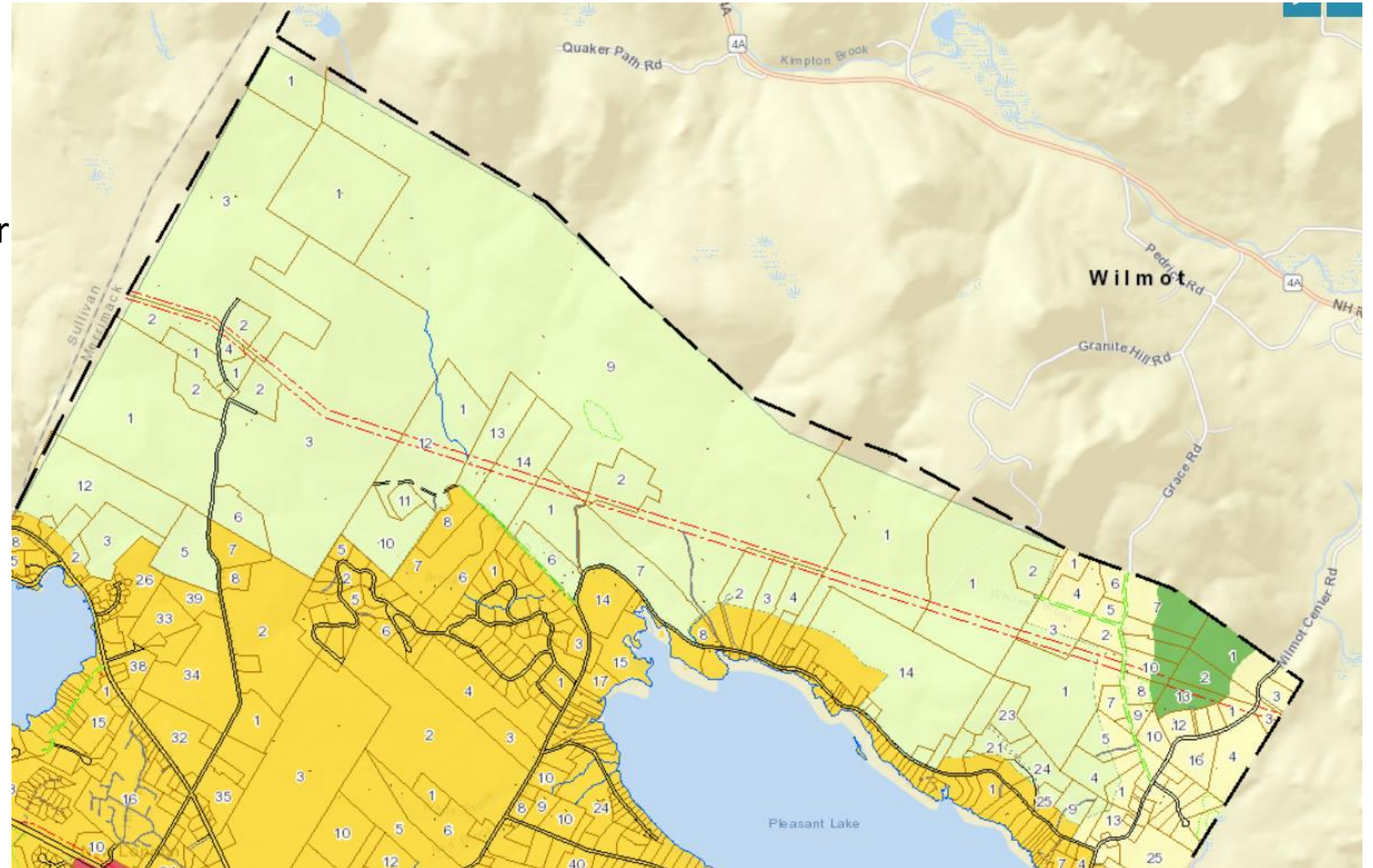
Forest Conservation (FOR)

Road Frontage: 400'

Density: 25 acre of land per unit

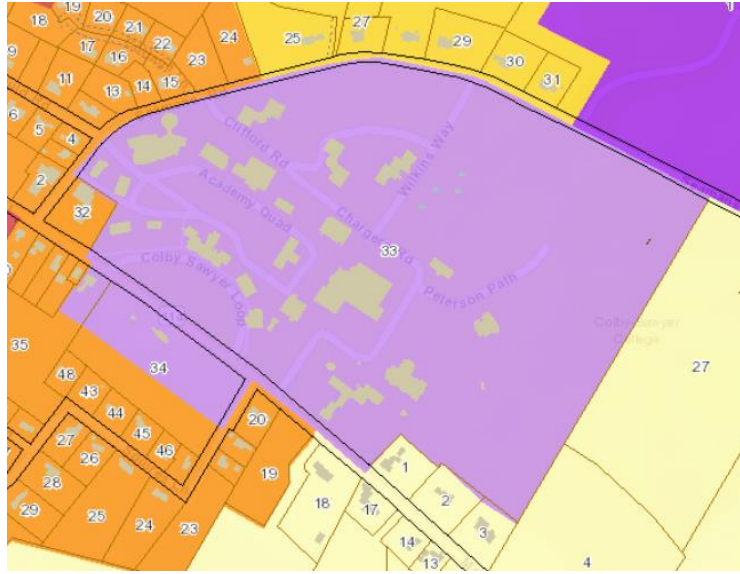
Setback: 50' front, 50' sides, 50' rear

Lot Size: 25 acres

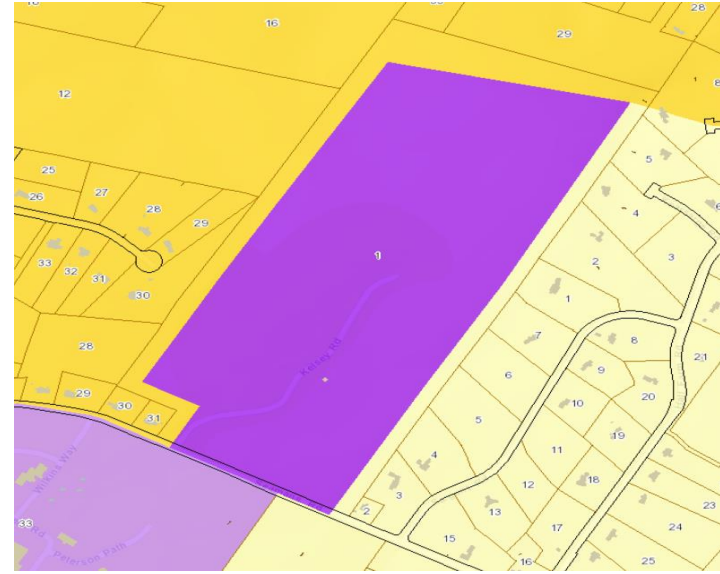


Institutional Zones

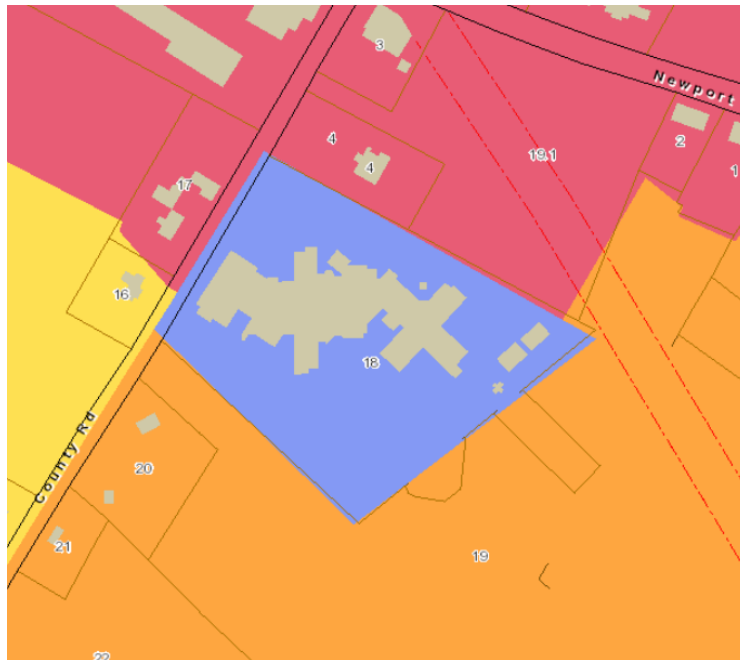
College



Recreational



Hospital



Theater

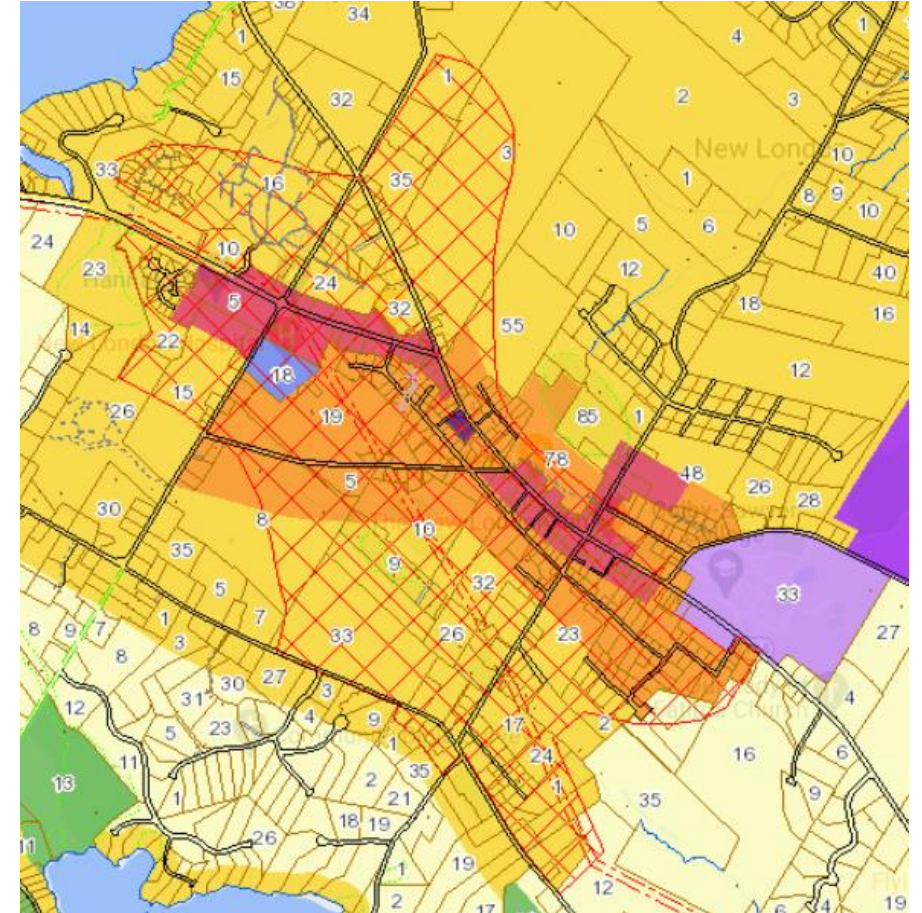


Zoning Overlays

- Shoreland – 250' from the reference line on lakes and major ponds
 - Provides additional protection for the waterbodies.
- Wetlands –
 - Provides additional protection for specific wetlands.
- Steep Slopes –
 - Limits development of steep terrain.
- Floodplain –
 - Restricts development within the FEMA flood hazard areas.

Planning Unit Development

- Must have 5 contiguous acres for the development.
- The number of units shall not exceed the underlying density.
- Owners own their individual unit with an interest in common areas, infrastructure and amenities.
- The PUD Overlay defines where a PUD can be developed.
- Ordinance provides criteria for lot size, setbacks/building separations, open space requirements, lot sizes and frontage requirements.
- Local examples include Hilltop, The Seasons, The Gallery

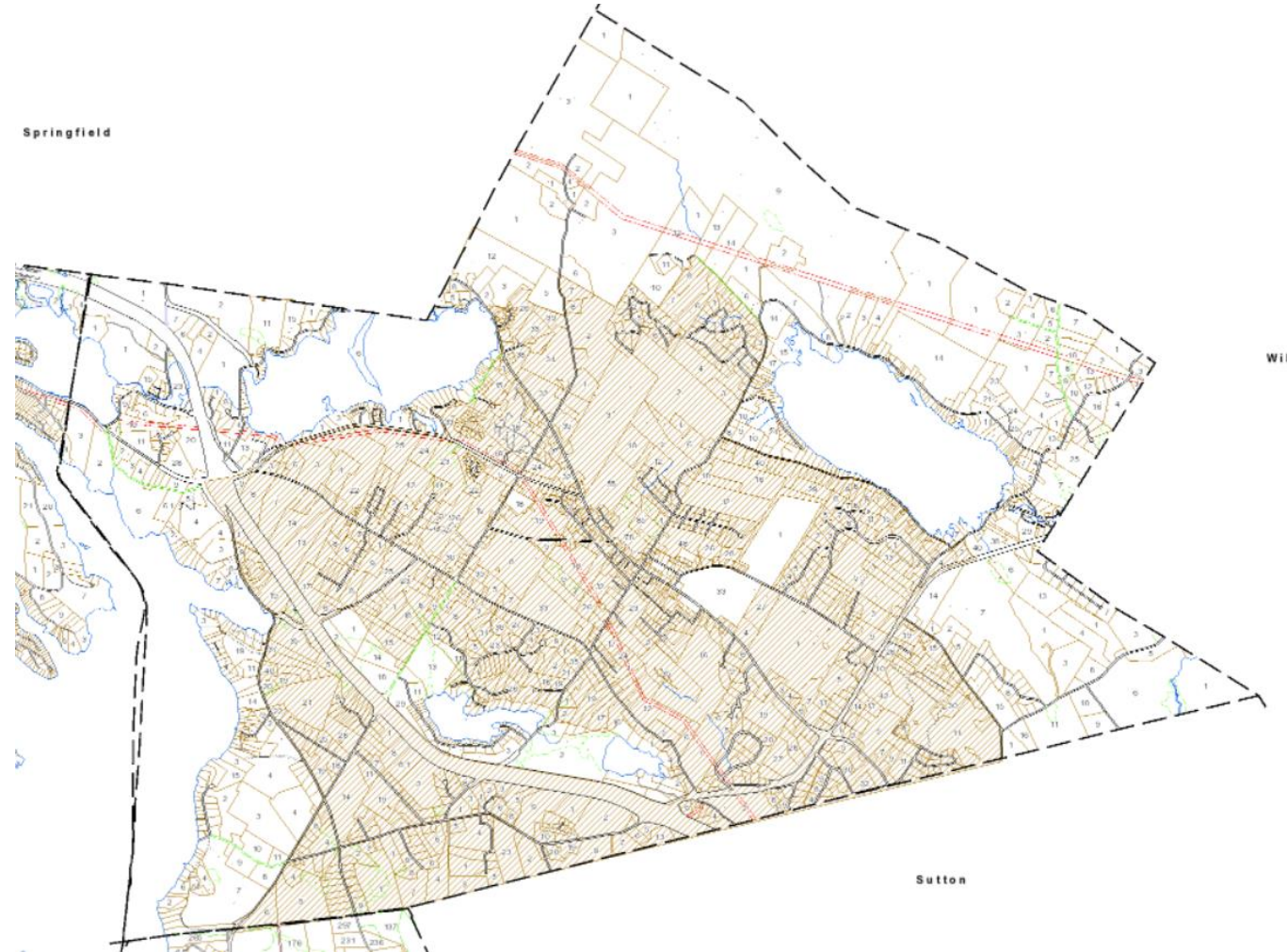


Cluster Development

- Must have 5 contiguous acres for the development.
- The number of units shall not exceed the underlying density.
- Owners own their individual property with an interest in common areas, infrastructure and amenities.
- Allowed in R-1, R-2, ARR and Conservation.
- Ordinance provides criteria for lot size, setbacks/building separations, open space requirements, lot sizes and frontage requirements.
- Local examples include Great Pines & Snow Crest.

Workforce Housing Overlay

- Adopted in March 2009 following the creation of RSA 674:58-61.
- Created an overlay district for Workforce Housing.
- The ordinance provides flexibility in density, lot size, road frontage, setbacks, and open space.
- Ordinance defines the process to assure the Town that the development continues to be affordable in the future.



Workforce Housing Overlay

- The ordinance provides flexibility for the types of residential uses permitted in zones.
- RSA 674:59 requires the Town must provide reasonable and realistic opportunities for workforce house, including rental multi-family .
- Workforce housing must be allowed in a majority of the land area that is zoned for residential uses.

Permitted Types of Residential Uses by Zone District				
Zone District	Single Family Dwelling	Manufactured Home	Two-Family Dwelling	Multi-Family Housing
Urban Residential (R-1)	X	X	X	X
Residential (R-2)	X	X	X	
Agricultural & Rural Residential	X	X	X	
Commercial				X

Legal Nonconforming Uses, Structures & Lots

- Article XX of the Zoning Ordinance governs uses, structures and lots that exist legally but do not comply with the current ordinance.
- Article XX defines the ability to alter, expand, repair or replace legally non-conforming structures.
- Existing lots of record that have been lawfully established, recorded and taxed, that do not meet the standards for size or frontage are deemed to be a conforming lot.

Amending the Zoning Ordinance

- All amendments must be approved by ballot at March voting.
- Amendments can be proposed by the Planning Board, Selectboard or by petition of 25 registered voters.
- A Public Hearing process is conducted between December and February to determine if/how the amendments will be presented to voters.



Questions?

Thank you!