

The following is a proposed amendment to the Town of Mason Planning Ordinance of 1967.

Article XXI: Multi-Family Housing Overlay District Ordinance

Multi-family housing is defined in the New Hampshire RSA 674:58, Workforce Housing Definitions, as five (5) or more dwelling units within a single structure. RSA 674:59 states that a municipality must allow development of multi-family housing at some locations within its borders. The Institute of Transportation Engineers (ITE) Trip Generation, 6th edition, Average Vehicle Trip Ends (one way) per dwelling unit (Low-Rise Apartment /Multi-Family) average about seven (7) trip ends per day. A five (5) unit multi-family dwelling could therefore generate an average of 35 trips per day, either incoming or outgoing.

Consequently, the Multi-Family Housing Overlay District is located along State Highway 31 (NH 31), a state maintained roadway with a good line of sight along the portions within the Town of Mason.

A. Purpose and Intent

To provide a reasonable and realistic opportunity for affordable multi-family housing as required by New Hampshire RSA 674:58-61.

B. Authority

The Multi-Family Housing Overlay District Ordinance defines an overlay district which imposes additional permitted uses, requirements and restrictions to those of the underlying base district. It is established under the powers granted under NH RSA 674:21, Innovative Land Use Controls.

If any provision of this Ordinance is in conflict with other provisions of the Town of Mason Planning Ordinance or other Town ordinances or regulations, the more restrictive provision shall apply, except for any provision relating to standards for duplex or multiple family dwellings, lot size, frontage, or setbacks, in which case the provisions of this Ordinance shall apply.

C. Location

The Multi-Family Housing Overlay District overlays the General Residential, Agricultural, and Forestry (GRAF) District along both sides of NH State Highway 31, and is comprised of lots that meet the following frontage and size requirements:

1. The lot meets the minimum frontage requirement of the underlying zoning district and the minimum frontage used to meet this requirement is located along NH 31.
2. The lot meets the minimum lot size of the underlying zoning district.

Additional lot size requirements may apply as described in Section E.

D. Permitted Use

Multi-family residential units are permitted on lots that belong to the Multi-Family Housing Overlay District and meet the requirements of this Ordinance. A multi-family residential unit, for the purpose of this Ordinance, is defined as a single structure containing between two (2) and five (5) residential dwellings.

E. Requirements for Multi-Family Housing Units

1. The lot shall belong to the Multi-Family Housing Overlay District.

2. The lot shall contain one acre, exclusive of wetlands, steep slopes (25% or greater) or rock outcroppings, for each planned and existing residential dwelling.
3. A setback of 75 feet from all boundaries of the lot shall be required for any structure existing or to be constructed.
4. More than one multi-family structure may be located on one lot, provided all lot location, size, frontage and setback requirements are met. If multiple multi-family structures are to be located on one lot, the access way to residential structures must be constructed to Class V road standards as prescribed in applicable Town of Mason regulations.
5. The water supply or supplies shall meet all State design and permitting requirements and submitted plans shall carry the seal of a qualified NH licensed engineer/professional.
6. The septic disposal system or systems for the site shall meet all state design and permitting requirements and submitted plans shall carry the seal of a qualified NH licensed engineer/professional.
7. No residential structure shall be greater than 2 stories in height, to protect the safety of residents.
8. All structures must comply with the Town of Mason Building Code.
9. The site design shall take into consideration any natural, historic or cultural resources located on the lot.
10. The site design shall reserve areas for recreation and/or open space preservation for the benefit of the residents.
11. If a Site Layout Design Process has been incorporated into the Town of Mason Subdivision Regulations, the site shall be designed cooperatively with the Town of Mason Planning Board.
12. A site plan review is required.
13. Exterior design shall be compatible with Mason's rural New England village character.

dmillbrandt 1/13/10 7:04 PM

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