

Proposed Workforce Housing Zoning Ordinance
As Recommended by the Candia Planning Board on January 4th, 2023

Article III: Definitions

Workforce Housing: Housing which is intended for sale, and which is affordable to a household with an income of no more than 100 percent of the median income for a 4-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. "Workforce housing " also means rental housing which is affordable to a household with an income of no more than 60 percent of the median income for a 3-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. Housing developments that exclude minor children from more than 20 percent of the units, or in which more than 50 percent of the dwelling units have fewer than two bedrooms, shall not constitute workforce housing for the purposes of this subdivision

Section 5.07 Conditional Use Permit Standards:

Workforce Housing: A Conditional Use Permit for Workforce Housing may be issued by the Planning Board provided all the following general standards are met:

1. Any person applies to a board for approval of a development that is intended to qualify as workforce housing under this subdivision shall file a written statement of such intent as part of application.
2. **Residency Restrictions** -The applicant/developer shall provide deed restrictions, use limitations, covenants, or some other legally enforceable instrument, which shall permanently restrict occupancy of all the workforce dwelling units to persons who meet all applicable restrictions regarding income qualifications under the definition of workforce housing. All deed restrictions and instruments shall be subject to review of Town Counsel and shall be recorded at the Rockingham County Registry of Deeds prior to issuance of the Conditional Use Permit. The applicant/owner of the development shall also incorporate a written enforcement mechanism satisfactory to the Planning Board and Town Counsel whereby on an annual basis, a written income-based census of the existing Occupants shall be provided to the Board of Selectmen. Upon any change in ownership or tenancy, the income level of any new Occupants shall be provided to the Board of Selectmen within thirty (30) days of tenancy/occupancy changes.
3. **Maximum Amount of Workforce Dwelling Units** -The total number of dedicated workforce dwelling units in the Town of Candia shall not exceed ten (10) percent of the total number of existing dwelling units in the Town at the time of application acceptance by the Planning Board. The total number of existing dwelling units shall not include those dwelling units already set aside for workforce housing. Workforce housing shall be those dwelling units which meet the definition of workforce housing and are subject to permanent deed restrictions requiring the maintenance of the dwelling unit for exclusive

occupancy by individuals who meet the income limitations under the definition of workforce housing. The Planning Board will determine whether the number of dwelling units in a workforce housing project exceeds the maximum percentage described above.

4. **Architectural Design** -Architectural renderings showing the exterior facades of all sides of the proposed buildings shall be submitted and approved by the Planning Board. Building design and style shall be distinctly residential in character, drawing on historical design elements that are consistent with rural New England architecture such as pitched roofs, clapboard or shingle style siding, raised panel exterior doors and divided light windows.
5. **Landscaping** -All workforce housing developments shall be landscaped to enhance their compatibility with surrounding areas, with emphasis given to the utilization of natural features wherever possible. A detailed landscape plan with a planting schedule (identifying all landscaping quantities, sizes and locations) shall be prepared by a landscape architect and submitted for approval by the Planning Board. This plan may include typical unit landscape plan options for individual lots within the development. Prior to granting of a Conditional Use Permit, a performance security for all landscaping shall be submitted to the Board of Selectmen in a form acceptable to Town Counsel in accordance with Subdivision Regulations, Section IV: Standards for Subdivision Construction, Article 18. Administrative Provisions, Section 18.04 Performance Bond.
6. **Minimum Tract Area** -The minimum tract area or parcel for a Workforce Housing development shall be at least twenty (20) acres in size.
7. **Frontage** -All workforce housing developments shall maintain a minimum of two hundred (200) feet of frontage on an Arterial Street as defined by the Town of Candia's Zoning Ordinance.
8. **a. Maximum Density for Multi-Family** -The maximum number of dwelling units within a workforce housing development containing 3 or more dwelling units per building shall be based on the further radial extent of the property is from the commonly known "Four Corners" intersection of NH 27 and NH 43 as follows:

One mile or less buildable acre	1 dwelling unit per 1
Greater than one mile but less than two miles buildable acres	1 dwelling unit per 2
Greater than two miles buildable acres	1 dwelling unit per 3

Buildable shall be as defined in Article III, Definitions of this Zoning Ordinance.

b. Maximum Density for Detached Single-Family and Attached Duplex Single-Family Dwellings -The maximum number of detached single-family dwellings or

attached duplex single-family dwellings containing 1 or 2 dwelling units per building shall be based on the distance the further radial extent of the property is from the commonly known “Four Corners” intersection of NH 27 and NH 43 as follows:

One mile or less buildable acre	1 dwelling unit per 1
Greater than one mile but less than two miles buildable acres	1 dwelling unit per 2
Greater than two miles buildable acres	1 dwelling unit per 3

Buildable shall be as defined in Article III, Definitions of this Zoning Ordinance.

- 9. Maximum Number of Units per Building** -There shall be no more than six dwelling units per structure.
- 10. Minimum Lot Frontage** -In the case of Workforce Housing not under a condominium form of ownership, minimum lot frontage shall be 100 feet
- 11. Minimum Setbacks** -Minimum front, side and rear setbacks for buildings, internal roads, and parking lots from all external property lines shall be fifty (50) feet.
- 12. Lot Coverage** -Lot coverage, including roofs, roadways, sidewalks and parking areas shall not exceed 50% of the total lot area.
- 13. Maximum Number of Bedrooms** -No dwelling unit shall contain more than three (3) bedrooms.
- 14. Minimum Dwelling Unit Size** -Each dwelling unit shall contain at least eight hundred (800) square feet of living space.
- 15. Maximum Building Height** -All buildings shall be a maximum of 35 feet above grade in height.
- 16. Minimum Building Separation** -A minimum horizontal separation of one hundred (100) feet shall be maintained between all multi-family buildings.
- 17. Buffer** -A fifty (50) foot wide no cut buffer zone consisting in whole or in part of existing natural vegetation shall be provided and maintained along all sides of the proposed development abutting adjoining properties.
- 18. Parking** -Adequate on-site space shall be provided to allow *two* off-street parking spaces for each dwelling unit.
- 19. Roads, Access Drives, Parking Lots and Walkways** -All roads, access drives, parking lots and walkways shall be built according to Town standards and maintained by the

Homeowners' Association (as described in Section 5.06 28.). All parking areas, including driveways, shall be paved in accordance with Town regulations. Roads are encouraged to be curvilinear in design and looped as opposed to being dead ended at a cul-de-sac.

- 20. Pedestrian Access** -Provisions for pedestrian access (including amenities such as benches, street and path lighting) shall be provided within the development and, to the extent possible, to off-site community facilities.
- 21. Lighting** -Lighting shall be provided along access roads, parking areas, and walking paths that shall be appropriately sized and shielded for the residents of the development.
- 22. Signage** -All workforce housing developments shall comply in all respects with Article VIII: Sign Regulations of the Town's Zoning Ordinance.
- 23. Community Facility** -One common community facility to be used for Homeowners' Association meetings or general community activities shall be provided as part of one of the housing structures or as a stand-alone building.
- 24. Drainage and Snow Removal** -Adequate provisions for drainage and snow removal shall be provided in accordance with Town standards.
- 25. Water Supply and Wastewater Disposal** -The water supply and wastewater disposal systems, serving the residential dwelling units shall be owned, operated and maintained by a Homeowners' Association (as described in Section 5.06 28.). All residential dwelling units shall be sprinkled and shall be installed with a monitored fire alarm system. The applicant shall prove that adequate water supply and water capacity is available prior to Planning Board approval of a Workforce Housing development. Water supply and wastewater disposal systems shall be approved by the New Hampshire Department of Environmental Services.
- 26. Building Codes** -All dwelling units shall be built in accordance with applicable federal, state and local codes. Within any workforce housing development, a minimum of ten (10) percent of the dwelling units shall be compliant with current edition of International Building Code Type B dwelling.
- 27. Common Land/Open Space** -Common land/open space shall be set aside and covenanted to be maintained permanently as open space. The required amount of open space for all workforce housing developments shall be calculated as no less than forty (40%) of the gross area of development. In calculating open space, the following shall not be included: public rights-of-way, parking lots, the footprints of all structures and the area within fifty feet of the structures. In addition, no more than twenty (25%) of the open space, shall consist of very poorly drained soils, wetlands, water bodies, and slopes greater than 20%. Sixty (60%) of the common land/open space should be contiguous throughout the development

Use of common land shall be restricted to recreational uses such as parks, swimming pools, tennis courts, a common meeting facility, or conservation. If the buffer zone is

considered part of the common land, none of the above uses shall be allowed within the buffer zone nor any other uses that would disturb the natural vegetation within this zone. These restrictions of the use of open space (including the buffer zone) shall be stated in the covenants running with the land. Access to common land/open space shall be provided by a suitable trail or pathway within the development.

Open space, common areas, common facilities, private roadways, and other features within the workforce housing development shall be protected by covenants running with the land and shall be conveyed by the property owner(s) to a homeowners association, or each owner within the subdivision is to own an undivided interest in the common property so as to guarantee the following:

- a. The continued use of the land for the intended purposes.
- b. Continuity of proper maintenance for those portions of the development requiring maintenance.
- c. The availability of funds required for such maintenance.
- d. Recovery for loss sustained as a result of casualty, condemnation or otherwise.
- e. Creation of a homeowner's association with automatic membership and obligation of the residents of the workforce housing development upon conveyance of title or lease to single dwelling units. Homeowners association shall include lien provisions and shall be subject to review of Town Counsel and approval by the Planning Board.

28. Homeowners' Association -It shall be the responsibility of the developer/builder of each workforce housing development to establish a Homeowners' Association and to prepare and adopt appropriate Articles and By-Laws, which are to be submitted in advance to the Planning Board and Town Counsel for their review and approval. In preparing the Articles and By-Laws, particular consideration shall be given to accommodating the unique needs of the citizens and to ensuring that residents of such developments are guaranteed adequate and appropriate services. The creation of the Homeowners' Association and the Articles and By-Laws shall be at the sole expense of the developer/builder and the costs for the review by the Planning Board and Town Counsel shall also be borne by the developer/builder. Any association formed for the purpose of workforce housing must have stipulated in the By-Laws and Declaration of Covenants, that the Association will at all times be in compliance with current ordinances of the Town governing workforce housing.

29. Limitations on Approval -All requirements of conditional approval of Conditional Use Permits shall be met within one year. If all conditions are not met within one year of approval a new application may be required.