

HB 347 – AS INTRODUCED

2013 SESSION

13-0223
03/10

HOUSE BILL **347**

AN ACT authorizing cottage housing development as an innovative land use control.

SPONSORS: Rep. Shurtleff, Merr 11; Rep. Wall, Straf 6

COMMITTEE: Municipal and County Government

ANALYSIS

This bill authorizes cottage housing development as an innovative land use control.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT authorizing cottage housing development as an innovative land use control.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Subparagraph; Innovative Land Use Controls. Amend RSA 674:21, I by inserting after
2 subparagraph (n) the following new subparagraph:

3 (o) Cottage housing development.

4 2 New Paragraph; Innovative Land Use Controls. Amend RSA 674:21 by inserting after
5 paragraph VI the following new paragraph:

6 VII.(a) In this section, “cottage housing development” means an optional land use control
7 and subdivision regulation enacted as a means to provide additional housing opportunities for
8 smaller households; to encourage the efficient use of land by permitting a higher density of detached
9 single-family dwelling units through the use of smaller homes; and to encourage infill development
10 within existing neighborhoods.

11 (b) Cottage housing development regulations are intended (1) to ensure that the overall
12 size, including the bulk and mass, of both the individual cottage structures and the entire cottage
13 housing development remains smaller and incurs less visual impact and land disturbance than
14 conventional single-family dwellings and developments, with individual cottage dwelling units
15 typically being between 800 and 1,250 square feet in floor area, and cottage developments typically
16 containing between 4 and 12 single-family dwelling units; (2) to ensure that there is a variety in
17 building design but a consistency of architectural detailing of individual dwellings within a cottage
18 housing development; (3) to provide centrally located and functional common open space that fosters
19 a sense of community and a sense of openness in cottage housing developments; (4) to provide private
20 yard areas around the individual dwellings to enable diversity in landscape design and foster a sense
21 of ownership; (5) to ensure minimal visual impact from driveways, off-street parking, and vehicle
22 storage areas for residents of the cottage housing development as well as adjacent properties and
23 public streets; and (6) to maintain a single-family character along public streets.

24 (c) The submission and approval procedure for a cottage housing development shall be
25 the same as that for a subdivision, which may create individual lots or a condominium, and shall
26 require site plan or design review and approval. Municipalities may enact the following regulations,
27 requirements, and standards for cottage housing developments in general conformity with
28 subparagraph (b):

29 (1) Regulations pertaining to: minimum and maximum project area and number of
30 dwelling units per development; lot size; lot coverage; maximum building height; increased density;
31 reduced setbacks; common open space requirements; and landscaping, driveway, and parking

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1 requirements.

2 (2) Design standards pertaining to: single-family dwelling units, which may
3 establish maximum floor area, requirements for architectural elements such as porches, dormers,
4 bay windows, and other features that provide variety, visual interest, and a sense of human scale;
5 common and accessory structures; private yards, landscaping, and fences; site layout and
6 development; orientation of individual dwelling units to the common open space; and pedestrian
7 connectivity.

8 (3) Requirements for deed restrictions, covenants, or provisions included within
9 condominium declarations or bylaws to ensure long-term compliance with and maintenance of the
10 approved cottage housing development plans.

11 3 Effective Date. This act shall take effect 60 days after its passage.