

PROPOSED Brookline Multi-Family Overlay District (For discussion during a presentation at the October 04, 2018 Forum)

Purpose. The purpose of this ordinance is to provide an opportunity for multi-family residences within the Town of Brookline consistent with the Town's single-family character. The intent is to identify ideal areas for commuters residing within the town of Brookline where multi-family residences shall be permitted in addition to the permitted uses of the underlying zoning district. This Ordinance was established in order to meet the goals related to the provision of a diverse supply of housing set forth in the **Brookline Master Plan**, as amended. Additionally, NH statute requires communities to provide a reasonable opportunity for affordable Workforce Housing, including **Multi-Family Residences**, in accordance with RSA 674:58-61.

District Boundaries. FOR DISCUSSION WITH THE BOARD, RESIDENTS, DURING THE PUBLIC FORUM ON THURSDAY, OCTOBER 04 2018.

The development of Multi-Family Residences, in accordance with the provision of this ordinance, is permitted within the following locations:

- a) All parcels within the Residential-Agricultural District along NH Route 13, from xxx location to xxx location (or entire R-A and C-I Districts length on Route 13?)
- b) The following parcels: xxxxxx xxxxx xxxxx (other locations other than Route 13 within the R-A District?)
- c)

Site Plan and Subdivision Review. In each case where construction of a building for multi-family use, or alteration and rehabilitation of an existing structure for multi-family use, and/or the subdivision of land or property, the building inspector shall refer the applicant for a building permit to the Planning Board for site plan and/or subdivision review in accordance with the Site Plan Review and Subdivision Regulations in effect at the time of application. The Planning Board, after holding one or more public hearing(s) upon each application for site plan review, shall approve, approve with modifications, or disapprove said site plan and/or subdivision plan. When modifying or disapproving a site plan and/or subdivision plan after review, the Board shall enter its reason for the modification or disapproval into its records.

Performance Standards. Multi-family residential units shall be compatible in character, scale and design with existing homes in close proximity and abutting the proposed development. Building design shall maintain the existing single-family character of the neighborhood. Applicants must submit building elevations and landscaping plans to the planning board for review as part of their Site Plan Application.

Availability of Municipal Water and Waste Water Systems. ~~Where available, applications for multi-family housing are required to connect to existing municipal water supply and/or waste water systems. Where a connection is not possible to municipal water, a Applicants must demonstrate how they will meet current building code requirements for multi-family residential sprinkler systems. Where a connection is not possible to municipal waste water systems, a Applicants must demonstrate full compliance with the NH Department of Environmental Services' Env-Wq 1000 Subdivision and Individual Sewage Disposal System Design Rules.~~

Permitted Uses. In the interest of providing a reasonable opportunity for a mix of affordable housing, multi-family residences are permitted, under the following terms of this Ordinance, in addition to the uses permitted within the underlying zoning districts.

Lot Requirements.

Minimum Lot Requirements ¹					
Zones	Frontage (feet)	Setback Front ²	Setback Rear	Setback Side	Area (acres) ³
Residential-Agricultural Single Family Dwelling	200 feet	30 feet	15 feet ⁴	15 feet ⁴	2 acres
Residential-Agricultural Two-Family Dwelling	200 feet	30 feet	15 feet ⁴	15 feet ⁴	4 acres
Residential-Agricultural Workforce Housing	80 feet	30 feet	15 feet	15 feet	1 acre ⁴
Residential-Agricultural Back Lot Single Dwelling	30 feet	30 feet ⁵	15 feet	15 feet	5 acres ⁵
Residential-Agricultural Back Lot Two-Family Dwelling	30 feet	30 feet ⁶	15 feet	15 feet	10 acres ⁶
Multi-Family Residential Overlay Dist.	200 feet	50 feet	20 feet	20 feet	2 acres ⁷
Open Space Development	80 feet ⁸	15 feet ⁸	15 feet ⁸	15 feet ⁸	1 acre ⁸
Commercial-Industrial District	150 feet	30 feet	15 feet ⁹	15 feet ⁹	1 acre ¹⁰

Notes:

(1 acre = 43,560 square feet)

1. This table includes the minimum dimensional requirements for the Town’s Zoning Districts. Additional provisions and requirements may apply.

2. Applies to BOTH the front lot line and all public rights of way.

3. Minimum contiguous dry lot size

4. Refer to Section 626.00 for additional general requirements for workforce housing units.

5. Building shall be erected at least 100 feet from an existing public road. Minimum 2 acres of contiguous dry land.

6. Building shall be erected at least 100 feet from an existing public road. Minimum 4 acres of contiguous dry land.

7. **Two acres minimum for 3 dwelling units. An additional 5,000 square feet of contiguous dry lot area shall be provided for each additional dwelling unit.**

8. Refer to Section 1500 for additional dimensional requirements for Open Space Development.

9. 25 feet for a corner lot.

10. Minimum lot size and dimensions are subject to Planning Board approval based on sewage disposal requirements, soil types, topography, vehicular access, intended use and compatibility with adjacent land uses and existing conditions, but shall in no cases be less than one (1) contiguous dry acre.

Density and Area. There shall be a maximum of six (6) dwelling units in any one building and density of 2.5 dwelling units per acre. There is no limit to the number of structures permitted per parcel so long as the application does not exceed the maximum density.

a. ***Building Envelope/Buildable Area.*** *The minimum contiguous area that is unencumbered by floodplain (FEMA FIRM 100-year Flood Hazard Zone), any setbacks, any right-of-way (R.O.W.), and/or any restrictive easements shall be 1.2 acres (52,272 ft²) for multi-family residences. NOTE: The intent is to allow sufficient area for locating the principal dwelling unit and have ample area for yards and gardens, and additions and/or accessory structures (i.e. garage, shed, pool, patio, porch, etc.).*

Fences. All fences must be six feet (6') or less in height and the finished side of the fence must face the abutting property.

Building Height. Maximum building height is thirty-five (35) feet calculated from the average finished ground level adjoining the building at all exterior walls.

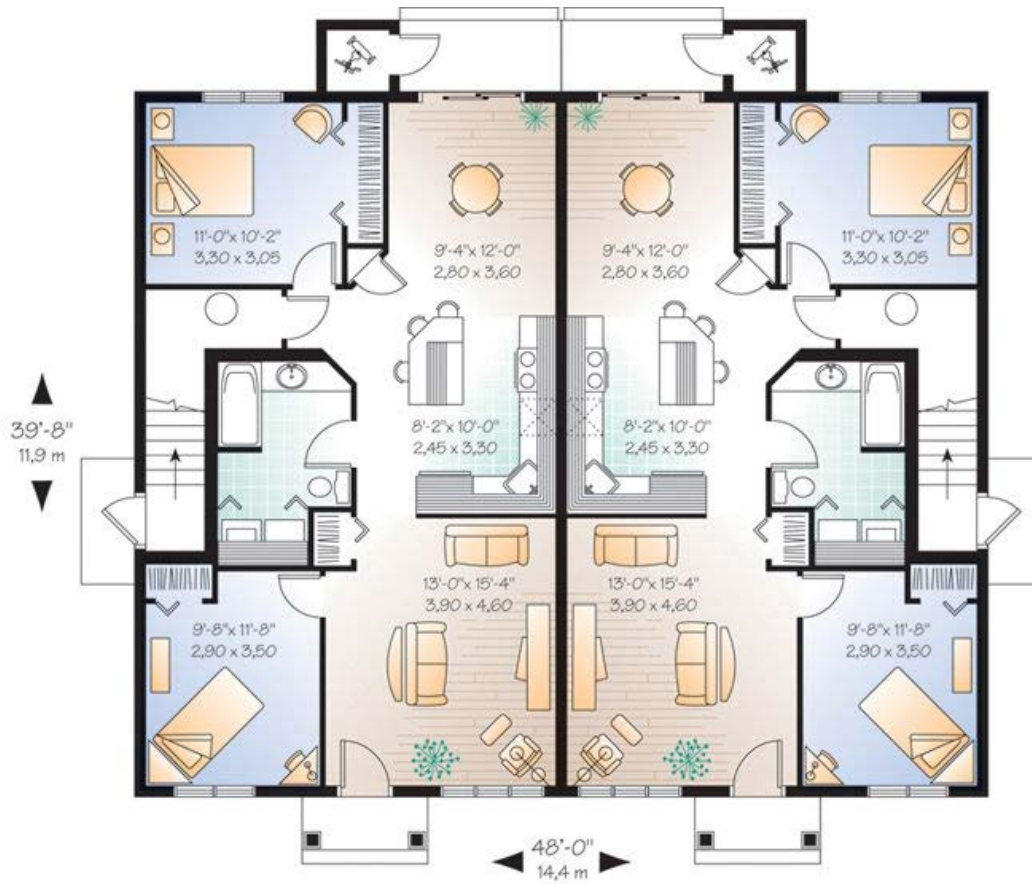
Conflict and Severability. If any section of this Ordinance is found to be in conflict with any other section of the Ordinance or with any local, state, or federal regulation, the more stringent standard shall apply. The invalidity, unconstitutionality or illegality of any Section or provision of this Ordinance or of any zoning district boundary shown on the zoning map shall not have any affect upon the validity, constitutionality or legality of any other Section, provision or zoning district boundary.

-NOTE- This section should also be added as a new paragraph to Section 100.00, Preamble, of the Brookline Zoning and land use Ordinance.

➔ See illustration below



See example of floor plans below.



First Floor



Second Floor