

# Recommended Zoning Amendments for 2024 Town Meeting

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Economic Development Committee*

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## INTRODUCTION

### **Why make any changes at all? What's the problem?**

- Smaller and more affordable dwellings are one of the needs called out in the Master Plan;
- [Statewide Housing Needs Assessment](#) and [Regional Housing Needs Assessment](#) illustrate the significant housing need;
- A wide range of sources connect the inability to fill open jobs with the unavailability of housing - of any kind, but especially homes that would be affordable to median income earners and/or entry wage earners across occupational fields. This is a significant reason for slow economic growth or stagnation in the commercial sector;
- The initial draft of the *Housing Potential and Needs Analysis* being done as part of the InvestNH Housing Opportunity Planning Grant indicates that:
  - housing stock is increasing at a slower rate than the population;
  - housing prices are increasing at a faster rate than incomes; and
  - the current development trends in Hopkinton are unlikely to produce the number and type of housing units that are most needed.

### **Why these specific changes; why now?**

- It is a highly complex issue, but municipalities can play a part by changing zoning to proactively support housing at a feasible economy of scale *and* in keeping with their vision.
- Hopkinton has an opportunity to *use what we already have* for incremental, near-term changes (i.e. “low hanging fruit”).
- Using the tool of an overlay allows for flexibility:
  - the underlying zoning OR the overlay can be utilized
- Using the tool of an existing overlay allows for quick implementation:
  - Because the language for the overlay already exists in Hopkinton’s zoning ordinance, it can be applied to other areas more efficiently than rewriting new language and/or re-zoning an area.

## EXISTING COMMERCE AND COMMUNITY OVERLAY DISTRICT

### **Purpose, Intent, and Objectives**

(from [\*Hopkinton's Zoning Ordinance, 2023\*](#))

**PURPOSE AND INTENT** The purpose of the Commerce and Community Overlay District is to provide an opportunity for a range of residential housing choices and small-scale neighborhood retail and services in a planned development that incorporates open space.

**OBJECTIVES** The objectives of the Commerce and Community Overlay District are:

- (a) To promote the goals and objectives of the Hopkinton Master Plan.
- (b) To encourage a variety of housing choices that allows for age-friendly and multigenerational homeownership and rental opportunities that meet the affordability needs of all households that desire to live in Hopkinton while providing neighborhood conveniences, such as retail and services.
- (c) To introduce uses that will have positive long-term social and economic impacts.
- (d) To augment conventional underlying zoning and land use regulations where the modifications of use, dimensional, density and other requirements are appropriate.
- (e) To enable development that will be compatible with the surrounding site environment and neighborhood; and
- (f) To ensure that private development will be compatible and coordinated with public investment and improvements.

## RECOMMENDATIONS

### **RECOMMENDATION #1: Permit single-family dwellings in Commerce and Community Overlay District (CCOD)**

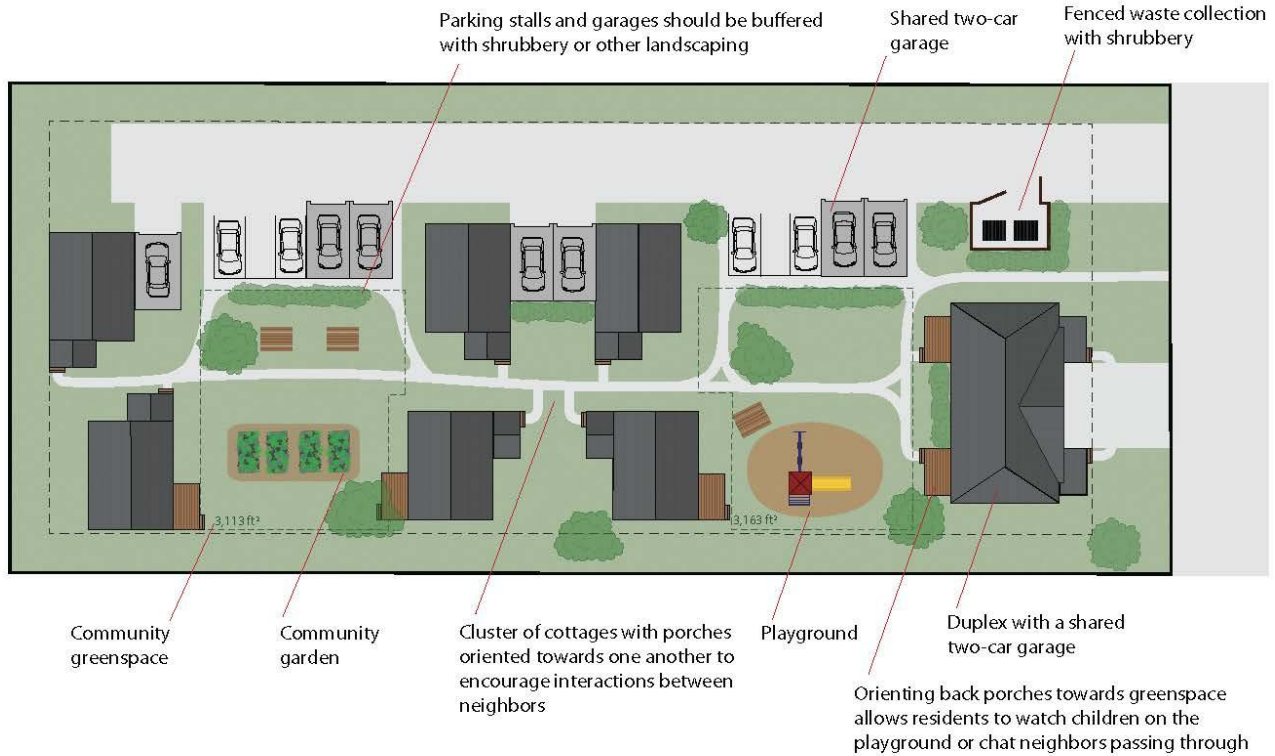
- Currently does not permit single-family detached dwellings
- **RECOMMENDATION:** allow single-family, detached dwellings at a minimum density of 4 per acre, up to 8 per acre (not intended to allow for low-density single-family development)
- **RATIONALE:** allows for a housing style that fits with the rural character of the town while enabling more efficient land use and increased value per acre
- Stylistic examples of what would be possible with this change: Bungalow or Cottage development<sup>1</sup>



<sup>1</sup> <https://opticosdesign.com/blog/missing-middle-housing-close-bungalow-courts>; Danielson Grove, Kirkland, WA; Jaquith Cottages, Moultonborough, NH



- Or these layout examples, which feature 8 units on approximately one acre.<sup>2</sup>



<sup>2</sup> [www.kirklandwa.gov/Government/Departments/Planning-and-Building/Housing/Cottages#section-2](http://www.kirklandwa.gov/Government/Departments/Planning-and-Building/Housing/Cottages#section-2)

## **RECOMMENDATION #2: Expand the existing CCOD at Hart's Corner**

- See map on [Page 8](#)
- Underlying B-1 (Commercial) Zone:
  - a) does not allow for single- or two-family dwellings (if using Affordable Housing Option, single family dwellings are permitted if served by water & sewer, which this area does not have);
  - b) does not allow for mixed uses (commercial and residential) on the same lot;
  - c) does not allow for multiple residential structures on the same lot;
  - d) does not incentivize open space or affordability.
- **RECOMMENDATION**: apply the CCOD to include the former paper mill/Bio-Energy property, and nearby properties, comprising 13 parcels and 55 acres.
- **RATIONALE**:
  1. Provides much-needed flexibility for landowners/developers;
  2. Allows for single- and 2-family clustered dwellings to accomplish a gentle density (not *only* larger multifamily structures);
  3. Provides incentives for affordable housing, elderly housing, and open space (Conservation Subdivisions are not permitted in the B-1 district);
  4. Allows commercial and residential uses to exist on a single lot;
  5. Aligns with underlying B-1 zoning for multifamily housing:
    - The first dwelling unit requires 15,000 sf, with 2,000 for each additional unit:
    - 1 unit: 15,000 (.34 ac)
    - 2 units: 17,000 (.39 ac)
    - 3 units: 19,000 (.43 ac)
    - 4 units: 21,000 (.48 ac)
    - Does not change much in terms of residential density for the B-1, but allows multiple residential structures and/or mixed use on a single parcel; includes density bonuses for elderly and affordable housing and open space (Conservation Subdivisions are not permitted in the B-1 district).
  6. The CCOD is very compatible with the intent of the Commercial District:
    - 3.5.5 Commercial (B-1): The intent of this district is to provide limited commercial, institutional, professional and personal service uses along with residential uses.*
  7. EDC also proposes to create an additional TIF District in West Hopkinton, similar to the existing [“Hart's Corner” TIF District](#) to overlap with this area (TIFs are approved by Town Meeting vote). The CCOD is highly compatible and complementary to the intent of TIF districts. In 2022, the NH legislature added language to the TIF enabling statute that expands the definition of “public use” within a TIF District to include “acquisition of real property to construct housing units which meet the definition of workforce housing.”

Workforce housing and “residential developments aimed at increasing the available housing stock within the municipality” are now an allowed purpose of a TIF district.<sup>3</sup>

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<sup>3</sup> [RSA 162-K](#) - TIF legislation changes:

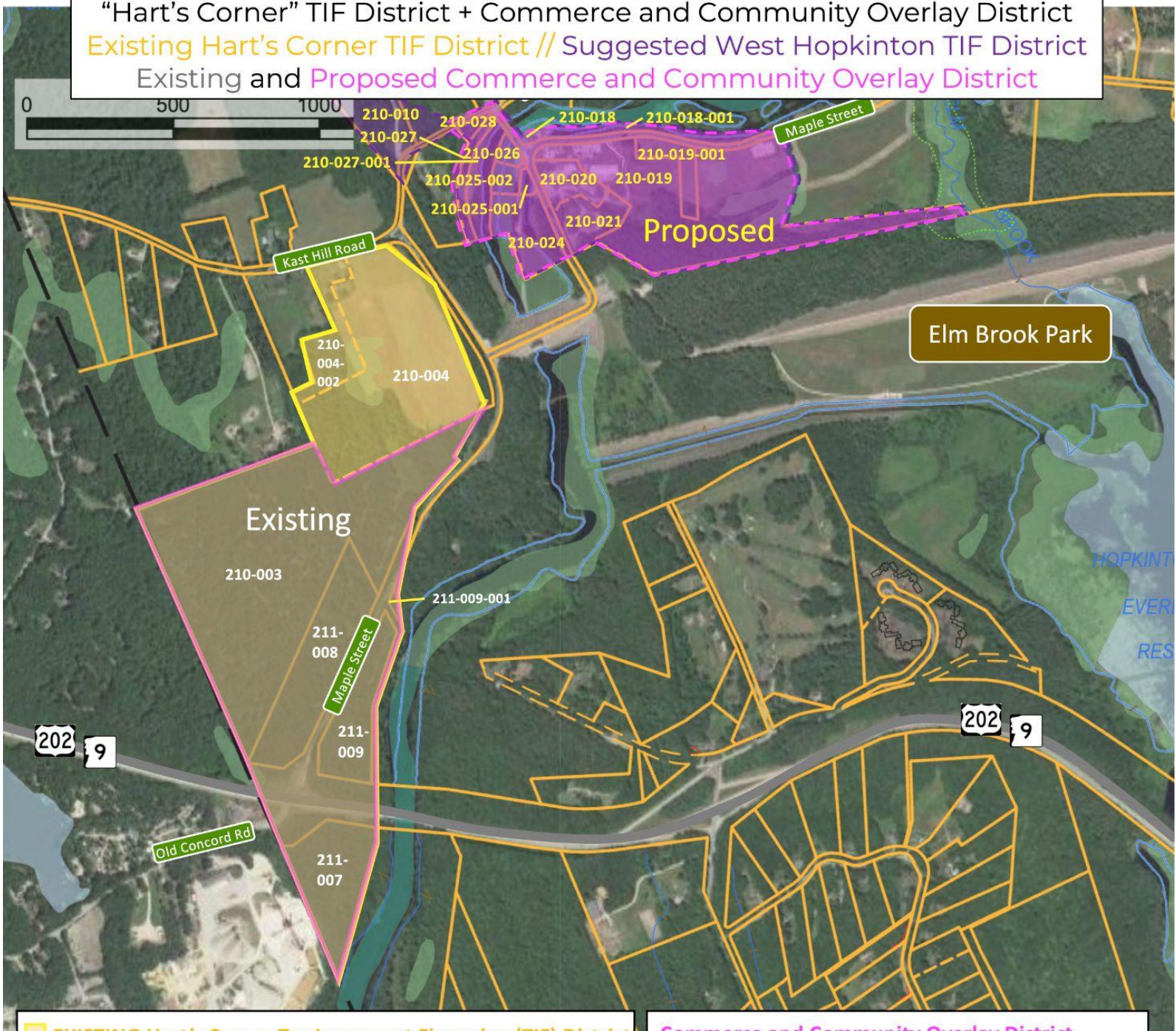
*Section 78: Acquiring Property for Workforce Housing – Expands the definition of “public use” under the Tax Increment Finance (TIF) statute, RSA chapter 162-K, to allow any party including a municipality to acquire real property – except by eminent domain – for the purpose of constructing housing units which meet the statutory definition of workforce housing. Said construction may occur either through private development or private commercial enterprise. This change goes into effect August 23, 2022.*

*Section 79: TIF Districts for Housing – Allows municipalities to designate municipal economic development and revitalization districts (TIF districts) for the purpose of acquiring, constructing, reconstructing, improving, altering, extending, operating, maintaining, or promoting residential developments aimed at increasing the available housing stock within the municipality. This change goes into effect August 23, 2022.*



# MAP: Hart's Corner Suggested CCOD

"Hart's Corner" TIF District + Commerce and Community Overlay District  
 Existing Hart's Corner TIF District // Suggested West Hopkinton TIF District  
 Existing and Proposed Commerce and Community Overlay District



## EXISTING Hart's Corner Tax Increment Financing (TIF) District

EXISTING: Map 210, Lots 3, 4, 4.02, Map 211, Lots 7, 8, 9, 9.01



## PROPOSED West Hopkinton TIF District – option A

PROPOSED: Map 210, Lots 10, 18, 18.1, 19, 19.1, 20, 21, 24, 25, 25.1, 25.2, 26, 27, 27.1, 28

## Commerce and Community Overlay District

EXISTING: Map 210, Lot 3; Map 211, Lots 7, 8, 9 and 9.01

PROPOSED: Map 210, Lots 18, 18.1, 19, 19.1, 20, 21, 24, 25, 25.01, 25.2, 26, 27, 27.1, 28



### **RECOMMENDATION #3: Apply the CCOD to Exit 6/Maple Street Area**

- See maps on Pages 12-15
- Underlying zoning is majority M-1 (Industrial), some R-2 (Medium Density Residential):
  - a) M-1 requires a Special Exception for single- and two-family residential and does not allow multi-family dwellings;
  - b) Hopkinton's "Affordable Housing Option" zoning ordinance is not permitted in the M-1;
  - c) Conversely, R-2 allows only single- and two-family residential, requires a Special Exception for multi-family up to 12 units/building, does not allow commercial uses nor multi-family more than 12 units per building.
- **RECOMMENDATION:** apply the CCOD to the land surrounding Exit 6 along Maple Street (and a short stretch of Dolly Road). It would apply to a total of 34 individual parcels comprising approximately 239 acres.
- **RATIONALE:**
  1. Provides much-needed flexibility for landowners/developers;
  2. Allows for single-, 2-family, and multifamily clustered dwellings to accomplish gentle density (not *only* larger multifamily structures);
  3. Provides incentives for affordable housing, elderly housing, and open space;
  4. Allows commercial and residential to exist on a single lot;
  5. Applying the CCOD would allow for greater flexibility in developing this area, specifically allowing for mixed uses. This is an appropriate location for more concentrated development because it is along the interstate and plans are moving forward to extend water and sewer service along Maple Street toward and beyond I-89.
  6. Economic, real estate, and development trends and needs indicate that housing is the most pressing demand, which can be efficiently achieved with economy of scale the CCOD would allow for. Hopkinton's existing "Affordable Housing Innovative Land Use Control" ordinance is not permitted in the M-1 district.
  7. The CCOD is highly compatible and complementary to the intent of TIF districts. In 2022, the NH legislature added language to the TIF enabling statute that expands the definition of "public use" within a TIF District to include "acquisition of real property to construct housing units which meet the definition of workforce housing." Workforce housing and "residential developments aimed at increasing the available housing stock within the municipality" are now an allowed purpose of a TIF district.<sup>4</sup>

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<sup>4</sup> [RSA 162-K](#) - TIF legislation changes:

*Section 78: Acquiring Property for Workforce Housing – Expands the definition of "public use" under the Tax Increment Finance (TIF) statute, RSA chapter 162-K, to allow any party including a municipality to acquire*

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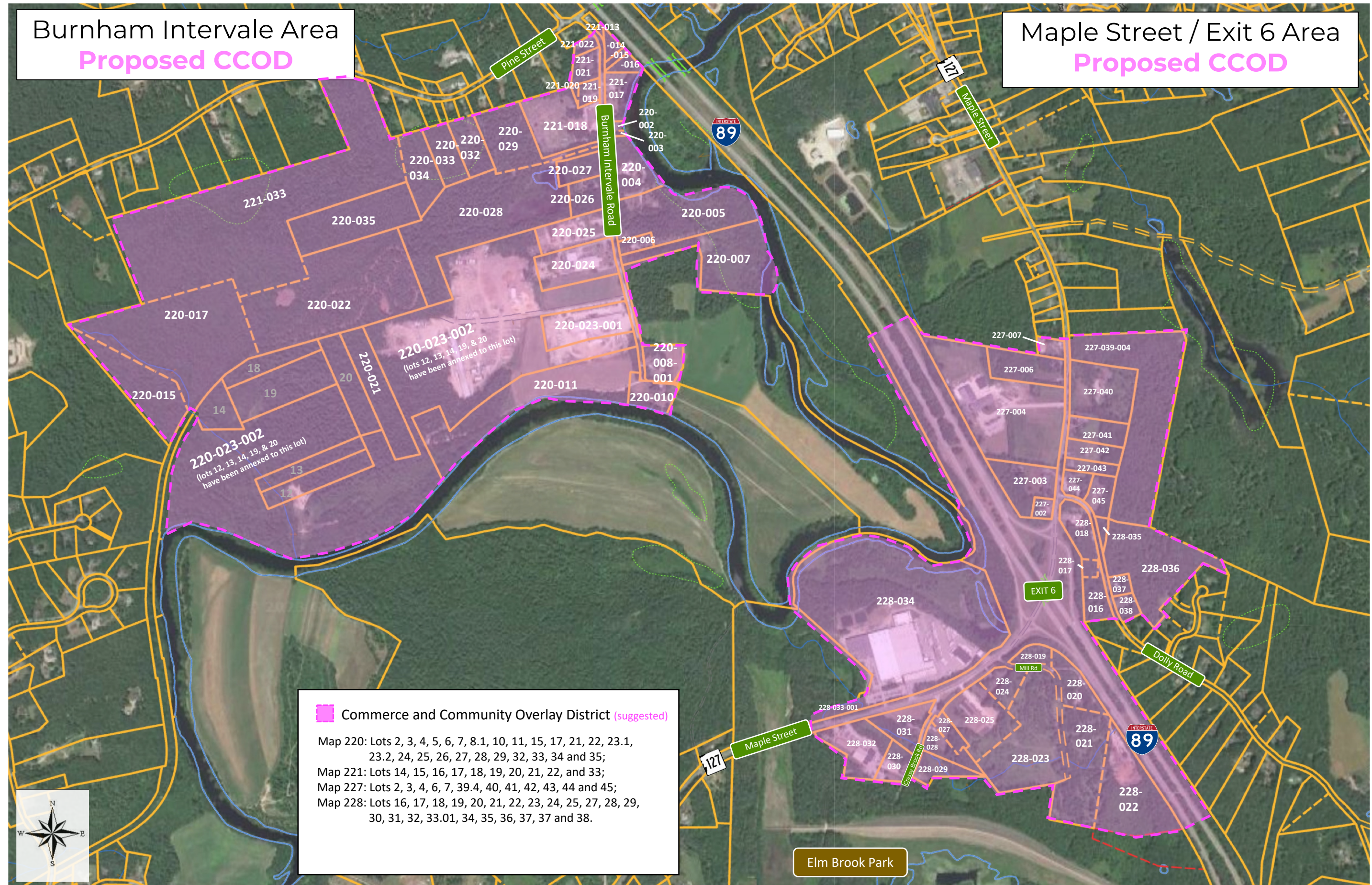
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**RECOMMENDATION #4: Apply the CCOD to the Burnham Intervale Area**

- Underlying zone is M-1:
  - a) M-1 requires a Special Exception for single- and two-family residential and does not allow multi-family;
  - b) Hopkinton's "Affordable Housing Option" zoning ordinance is not permitted in the M-1.
- **RECOMMENDATION:** apply the CCOD to the land off Burnham Intervale and Pine Street. It would apply to a total of 35 individual parcels comprising approximately 450 acres.
- **RATIONALE:**
  1. Provides much-needed flexibility for landowners/developers;
  2. Allows for single-, 2-family, and multifamily clustered dwellings to accomplish gentle density (not *only* larger multifamily structures);
  3. Provides incentives for affordable housing, elderly housing, and open space;
  4. Allows commercial and residential to exist on a single lot;
  5. Economic, real estate, and development trends and needs indicate that housing is the most pressing demand, which can be efficiently achieved with economy of scale the CCOD would allow for. Hopkinton's existing "Affordable Housing Innovative Land Use Control" ordinance is not permitted in the M-1 district.

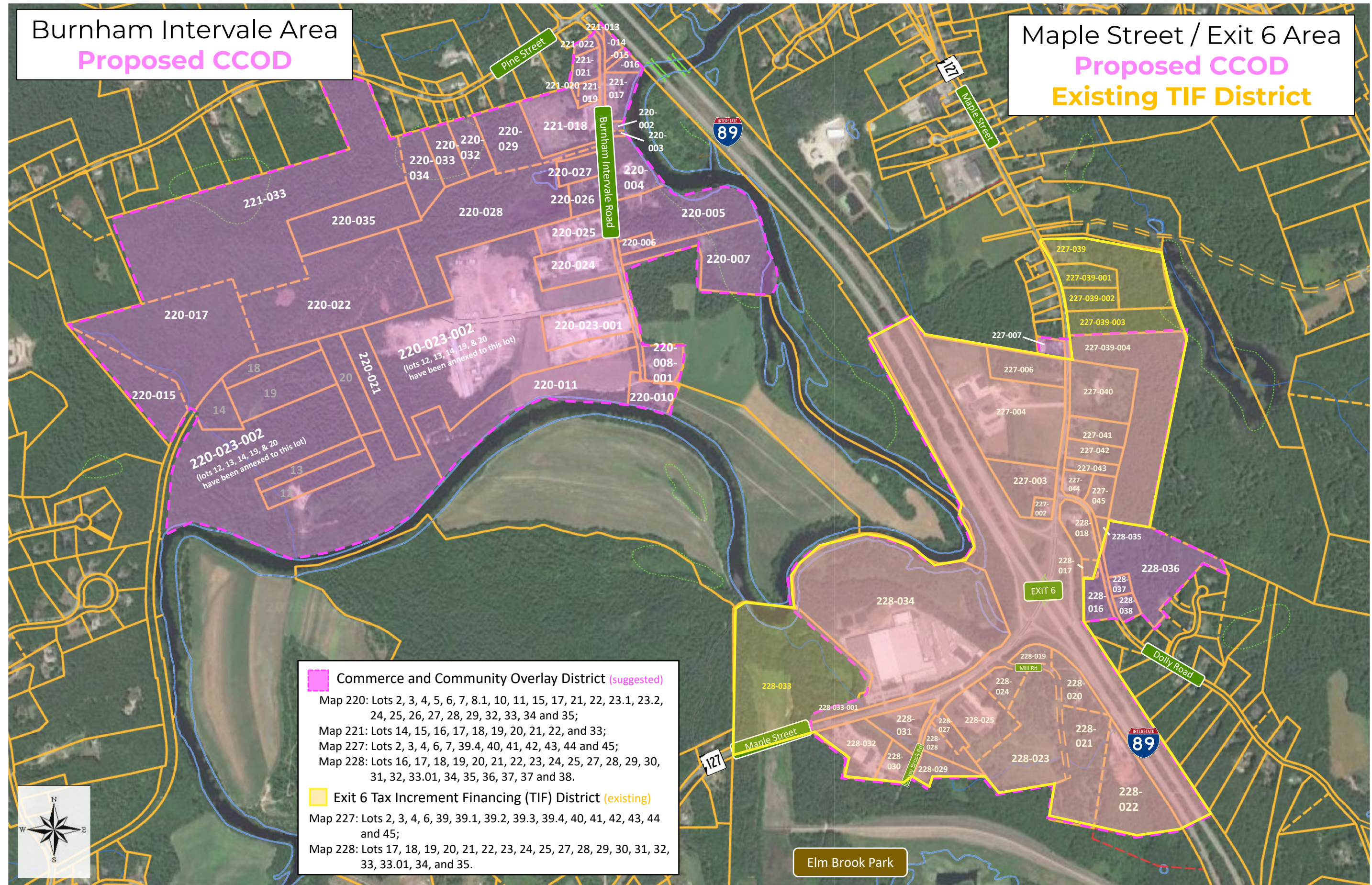


# Proposed Commerce and Community Overlay District



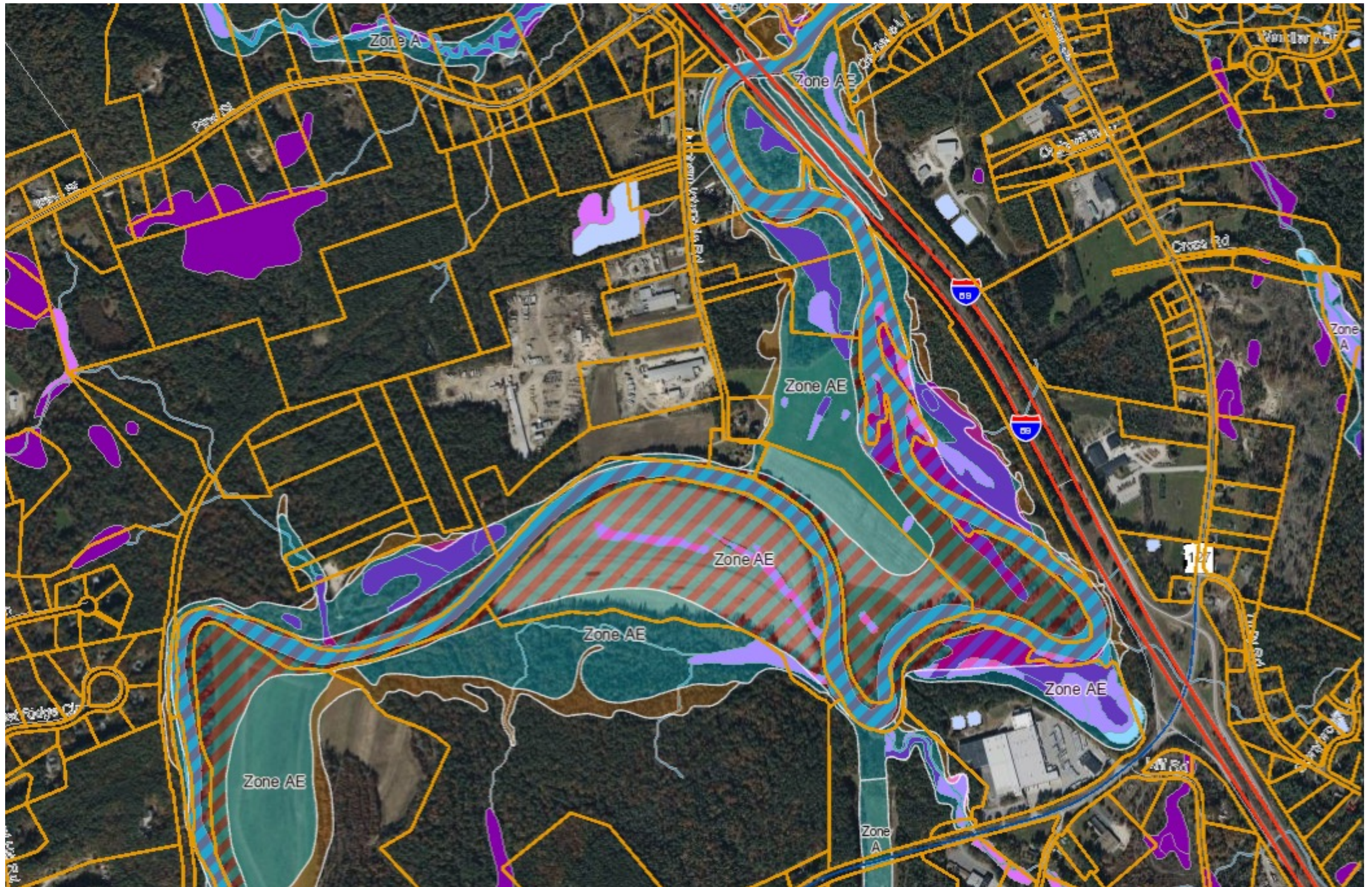


# Proposed Commerce and Community Overlay District + TIF





# Flood Zones





# Existing Zoning

