

Committee Report

REGULAR CALENDAR

April 29, 2019

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on Municipal and County Government to which was referred SB 43,

AN ACT establishing a commission to study barriers to increased land development in New Hampshire. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Laurel Stavis

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

Committee:	Municipal and County Government
Bill Number:	SB 43
Title:	establishing a commission to study barriers to increased land development in New Hampshire.
Date:	April 29, 2019
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2019-1520h

STATEMENT OF INTENT

As amended, this bill facilitates a statewide discussion by those more closely associated with the housing needs of New Hampshire presently and in its future. The lack of affordable housing is recognized to be at a crisis point. Enduring policy is at times ill served by crisis response and better informed by engagement across a broad spectrum of those with expertise on these matters.

Vote 13-7.

Rep. Laurel Stavis
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

SB 43, establishing a commission to study barriers to increased land development in New Hampshire. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Laurel Stavis for the **Majority** of Municipal and County Government. As amended, this bill facilitates a statewide discussion by those more closely associated with the housing needs of New Hampshire presently and in its future. The lack of affordable housing is recognized to be at a crisis point. Enduring policy is at times ill served by crisis response and better informed by engagement across a broad spectrum of those with expertise on these matters. **Vote 13-7.**

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE:

Muni + County Govt

BILL NUMBER:

SB43

TITLE:

establishing a commission to study barriers to increased land development in NH

DATE:

4/23/19

CONSENT CALENDAR:

YES

NO

OUGHT TO PASS

OUGHT TO PASS W/ AMENDMENT

INEXPEDIENT TO LEGISLATE

INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

1520 h

STATEMENT OF INTENT:

This bill facilitates a statewide discussion by those most closely associated with the housing needs of New Hampshire's present and its future. The lack of affordable housing is recognized to be at a crisis point, and enduring policy is at times ill-served by crisis response and better informed by engagement across a broad spectrum of those with expertise on these matters.

COMMITTEE VOTE:

13-7

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep.

Carol Stovall

For the Committee

Rep. Dolan, Rock. 5
April 17, 2019
2019-1520h
10/05

Amendment to SB 43

1 Amend RSA 4-C:8-a, I as inserted by section 1 of the bill by inserting after subparagraph (q) the
2 following new subparagraph:

3

4 (r) The president of the NH Planners Association, or designee.

5

6 Amend RSA 4-C:8-a, II(f) as inserted by section 1 of the bill by replacing it with the following:

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8 (f) Consider preservation of open spaces and maintaining elements of rural character.

9 (g) Consider methods of enforcement of the shared community responsibility of

10 workforce housing under RSA 674.

11 (h) Recommend any proposed legislation resulting from the work of the commission.

REGULAR CALENDAR

April 29, 2019

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Municipal and County Government to which was referred SB 43,

**AN ACT establishing a commission to study barriers to increased land development in New Hampshire. Having considered the same, and being unable to agree with the Majority, report with the following resolution:
RESOLVED, that it is INEXPEDIENT TO LEGISLATE.**

Rep. Max Abramson

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee:	Municipal and County Government
Bill Number:	SB 43
Title:	establishing a commission to study barriers to increased land development in New Hampshire.
Date:	April 29, 2019
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

Members of the minority noted that we were contacted by many members of local land use boards and concerned inhabitants who didn't like the wording of the commission, specifically implying that local zoning laws were merely, "barriers to increasing the density of land development." The minority of the committee expressed concerns that the commission appears to advocate for replacing existing, traditional New England town centers and bedroom towns with, "minimum standards of residential development density" and, "tax incentives to promote residential development density." Rather than merely build additional small houses for those who work in our communities, but who may lack reliable automotive transportation, the intent seems to be yet another repeat of "smart growth" efforts to replace tradition New England character and history with "stack and pack" low income apartments, even hinting at the same public housing, "transit oriented development," and poorly maintained apartment complexes found in Lawrence, Springfield, Lynn, Chelsea, North Adams, and other towns near our southern border, which have recently become overrun with illegal drug trafficking, violent gangs, crime, and run down housing. The very strong emotions and vocal opposition to high density, low income apartments, overrun communities, loss of the ability of kids to safely walk to school, and subsidized blight are completely understandable. Having seen what's happened to parts of Manchester and Nashua already, so many recent study commissions that promote more high density apartments and urban blight ought to get the axe.

Rep. Max Abramson
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

SB 43, establishing a commission to study barriers to increased land development in New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Max Abramson for the **Minority** of Municipal and County Government. Members of the minority noted that we were contacted by many members of local land use boards and concerned inhabitants who didn't like the wording of the commission, specifically implying that local zoning laws were merely, "barriers to increasing the density of land development." The minority of the committee expressed concerns that the commission appears to advocate for replacing existing, traditional New England town centers and bedroom towns with, "minimum standards of residential development density" and, "tax incentives to promote residential development density." Rather than merely build additional small houses for those who work in our communities, but who may lack reliable automotive transportation, the intent seems to be yet another repeat of "smart growth" efforts to replace tradition New England character and history with "stack and pack" low income apartments, even hinting at the same public housing, "transit oriented development," and poorly maintained apartment complexes found in Lawrence, Springfield, Lynn, Chelsea, North Adams, and other towns near our southern border, which have recently become overrun with illegal drug trafficking, violent gangs, crime, and run down housing. The very strong emotions and vocal opposition to high density, low income apartments, overrun communities, loss of the ability of kids to safely walk to school, and subsidized blight are completely understandable. Having seen what's happened to parts of Manchester and Nashua already, so many recent study commissions that promote more high density apartments and urban blight ought to get the axe.

Original: House Clerk

Cc: Committee Bill File

Heather Ebbs

From: Max Abramson <MaxAbramson@gmx.com>
Sent: Wednesday, April 24, 2019 4:28 PM
To: Heather Ebbs
Subject: Re: RE: SB43 minority report

ITL

Members of the minority noted that we were contacted by many members of local land use boards and concerned inhabitants who didn't like the wording of the commission, specifically implying that local zoning laws were merely, "barriers to increasing the density of land development." The minority of the committee expressed concerns that the commission appears to advocate for replacing existing, traditional New England town centers and bedroom towns with, "minimum standards of residential development density" and, "tax incentives to promote residential development density." Rather than merely build additional small houses for those who work in our communities, but who may lack reliable automotive transportation, the intent seems to be yet another repeat of "smart growth" efforts to replace tradition New England character and history with "stack and pack" low income apartments, even hinting at the same public housing, "transit oriented development," and poorly maintained apartment complexes found in Lawrence, Springfield, Lynn, Chelsea, North Adams, and other towns near our southern border, which have recently become overrun with illegal drug trafficking, violent gangs, crime, and run down housing. The very strong emotions and vocal opposition to high density, low income apartments, overrun communities, loss of the ability of kids to safely walk to school, and subsidized blight are completely understandable. Having seen what's happened to parts of Manchester and Nashua already, so many recent study commissions that promote more high density apartments and urban blight ought to get the axe.

Rep. Max Abramson

Municipal & County Government Committee
Free Chad Evans, wrongly convicted in 2001

"The problem isn't that Johnny can't read. The problem isn't even that Johnny can't think. The problem is that Johnny doesn't know what thinking is; he confuses it with feeling." --Thomas Sowell
"It is better to take refuge in the Lord than to trust in man." --Psalms 118:8

Sent: Wednesday, April 24, 2019 at 10:46 AM
From: "Heather Ebbs" <heather.ebbs@leg.state.nh.us>
To: "Carson, Clyde" <Clyde.Carson@leg.state.nh.us>, "Max Abramson" <MaxAbramson@gmx.com>
Subject: RE: SB43 minority report

Hi -

With what it is for a motion that he is wanting as well please?

Heather

From: Carson, Clyde
Sent: Wednesday, April 24, 2019 10:45 AM
To: Max Abramson <MaxAbramson@gmx.com>
Cc: Heather Ebbs <heather.ebbs@leg.state.nh.us>
Subject: RE: SB43 minority report

Voting Sheets

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on SB 43

BILL TITLE: establishing a commission to study barriers to increased land development in New Hampshire.

DATE: April 23, 2019

LOB ROOM: 301

MOTION: (Please check one box)

OTP ITL Retain (1st year) Adoption of Amendment # 1520 h (if offered) Interim Study (2nd year)
Moved by Rep. Dolan Seconded by Rep. Porter Vote: 20-0

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # 1520 (if offered) Interim Study (2nd year)
Moved by Rep. Dolan Seconded by Rep. Titus Vote: 13-7

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # (if offered) Interim Study (2nd year)
Moved by Rep. Seconded by Rep. Vote:

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # (if offered) Interim Study (2nd year)
Moved by Rep. Seconded by Rep. Vote:

CONSENT CALENDAR: YES NO

Minority Report? X Yes No If yes, author, Rep: Abramson Motion: ITL

Respectfully submitted: [Signature] Rep Timothy Josephson, Clerk



2019 SESSION

Municipal and County Government

 Bill #: SB 43 Motion: amend AM #: 1520 Exec Session Date: 4/23/19

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Carson, Clyde J. Chairman	20		
Tatro, Bruce L. Vice Chairman	1		
Porter, Marjorie A.	2		
Treleaven, Susan GS	3		
Gilman, Julie D.	4		
Josephson, Timothy Clerk	5		
Meador, David R.	6		
Dargie, Paul P.	7		
Maggiore, Jim V.	8		
Mombourquette, Donna M.	9		
Stavis, Laurel	10		
Belanger, James P.	11		
Migliore, Vincent Paul	12		
Abramson, Max	13		
Dolan, Tom	14		
Kittredge, Derek MacMillen	15		
MacDonald, John T.	16		
Perreault, Mona	17		
Piemonte, Tony	18		
Pratt, Kevin M.	19		
TOTAL VOTE:	20 - 0		



2019 SESSION

Municipal and County Government

Bill #: SB 43 Motion: OTR-A AM #: 1520 Exec Session Date: 4/23/19

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Carson, Clyde J. Chairman	13		
Tatro, Bruce L. Vice Chairman	1		
Porter, Marjorie A.	2		
Treleven, Susan GS	3		
Gilman, Julie D.	4		
Josephson, Timothy Clerk	5		
Meador, David R.	6		
Dargie, Paul P.	7		
Maggiore, Jim V.		1	
Mombourquette, Donna M.	8		
Stavis, Laurel	9		
Belanger, James P.	10		
Migliore, Vincent Paul		2	
Abramson, Max		3	
Dolan, Tom	11		
Kittredge, Derek MacMillen		4	
MacDonald, John T.	12		
Perreault, Mona		5	
Piemonte, Tony		6	
Pratt, Kevin M.		7	
TOTAL VOTE:	13 - 7		

Rep. Dolan, Rock. 5
April 17, 2019
2019-1520h
10/05

Amendment to SB 43

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9 (g) Consider methods of enforcement of the shared community responsibility of
10 workforce housing under RSA 674.

11 (h) Recommend any proposed legislation resulting from the work of the commission.

Hearing Minutes

Cluster development is usually utilized when preserving open space? (Yes, we are lucky to have the Lincoln Institute nearby in Mass) We have a cluster development in our community and have preserved open and green space for the community. Would tax incentives be helpful? (Yes, it says in here, to look at tax incentives. The commission established will get these committee hearing notes [hi everyone! -- clerk] so they know what)

- i. Q: Maggiore: What work can be done with communities to update their master plan? I'm thinking of my town of North Hampton and we live by the Master Plan. Would this address that? (This is very broad language. Line 6 page 2, "review current patterns of land development" -- it would lead to questions about Master Plans. We don't know what will come out of this commission, whatever they recommend)
- j. Q: Porter: Happy to see this bill. I know that younger people are preferring different types of housing than what we were looking for. That's what I've been seeing and hearing. This would allow us to look for ways to utilize the space we have within the town centers of communities, am I right? (Yes, the issue of centers of communities vs. sprawl. Sprawl raises costs on the community because it's more expensive for municipal services. The trend is for more mixed use development. There are most cities and towns in NH that have strict zoning, but given your comments about young people it would be important to provide education to local communities on zoning and mixed use and things to appeal to younger people)
- k. Q: Kittredge: I notice that this amendment to RSA 4-c:8a replaces the 8a completely and says there is already a commission to study density. What is the purpose, to add more stakeholders? (I don't seem to have in my file the info about the amendment)
- l. Q: Stavis: Would it be advisable to add to the responsibilities of the commission to arrive at definitions of "workforce housing" or "affordable housing"? Because they are loose and in Lebanon we have had developers taking advantage of what "affordable" is? (Would be better to review existing definitions and suggest redefinitions to the current statute. What is density zoning? The maximum houses per acre that can be built in a particular area. Typically for subdivisions but also for town centers. Limit development by limiting land use density. Greater density = more units on one plot of land but can increase profitability for developers. This is not to open the door to more high-end residential without a balance to provide more affordable and workforce housing) We have struggled in our community to what "affordable" housing means. It means different things to different people (We worked really hard to do away with the stigma of "low-income" or "affordable" housing. I would agree with you that they are perceived differently, so how do we work that out to achieve what we want?) There is room in this commission to do that? (Yes, given that the underlying intent of this is to find underlying pathways in NH to find more ways for workforce housing. People are saying "my children can't afford to live here" so we are driving them out of communities where we want to keep them. One other issue was all these over-55 living communities, but what have we done for young families? The other side is the the school cost and increasing school populations. In most places we see declining school populations. This is one piece of that)
- m. Q: Belanger: Do you feel that this commission of 20 members is going to be able to do anything? Difficult for a committee of 20 House members to work together sometimes (yes, because the question of workforce/affordable housing is critical going forward.) You don't think 20 members is too many? (no)

Ben Frost - NH Housing Authority - supports bill

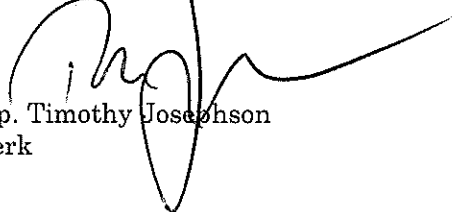
- n. Senator Fuller Clark did a great job explaining it, but I will focus on some of the questions I heard

- o. In reply to Rep Dolan asked about QoL and preservation. That is essential to this commission and reflected in the language. Page 2 line 16-17 refers to this commission, but it was eliminated in 2011, so hopefully the commission will see merit in reinstating it.
- p. In reply to Rep Mombourquette asked about cluster housing. Hollis was a leader in cluster development. That would be essential to this commission as it is recognized among planners and planning boards to provide opportunity for development along with open space preservation.
- q. Question about tax incentives -- page 2 line 18-19.
- r. There is more the state to do to help with local master plans and broader assistance. Most local planning offices don't have professional staff and can't devote time on the Master Plan and we rely on consultants
- s. In reply to Rep Kittredge - it is repealing itself after the final report of the commission and the commission ceases to exist. [Mr. Frost explains the process of study commissions to Rep Kittredge]
- t. Q: Kittredge: how will you apply this report once it's done? (That will be up to the legislature to decide and recommendations may be taken or not)
- u. In reply to Rep. Stavis and "affordable" or "workforce" housing -- there are many definitions and it has to do with funding programs and sources. There is no consensus because all housing is affordable to "someone" -- but in regards to "workforce" housing there is a clear definition of workforce housing (RSA 674:58-61) -- it's not the fault of the planning board, but may have to do with developers using buzzwords. However, if it's something the planning board can legally enforce then they should clarify and codify that. If they can't, they need to call out the developers to say what they can and can't say
- v. Q: Dolan: With the workforce housing requirements and the way it's been interpreted, certain communities have done that, but there is some chatter among those communities that see others that have done nothing. At one point is enough and those towns do their fair share? Am I correct to think that the only enforcement is that a builder has to bring a civil suit against a community? (What you're talking about is probably beyond the scope of this commission. Yes, some communities are doing a great job of recognizing regional need. Londonderry is a great example -- once one of the most exclusionary communities in the state, but they came up with things to allow workforce housing and it is working. Their neighbors may not be doing that. There's nothing that Londonderry can do about that. Yes, a civil suit may be the only way. Developers don't want to go to court because it's expensive and time consuming. There are opportunities out there)
- w. Q: Gilman: I'm looking at the makeup of the commission and it says "NH Assoc of Realtor" but my big question is, one rep from NH Assoc of Regional Planning Commissions, is that enough? What about NH Planning Assoc? (it would be great to have the NH Planning Association involved as well)
- x. Q: Porter: one of the issues that we seem to run across about "affordable" or "workforce" housing is people mistaking it for Section 8 or subsidized housing -- NIMBYs. I'm wondering, is that perception changing? Not low income housing, but housing that all people can afford? Is that getting better understood in the state? (I think it is, it has taken a while, but what we recognize over the past few years is that the discussions that have gone on in the popular press about housing and the need for housing has substantially shifted from "we should" to "wow we really need this". We have now many tens of thousands of jobs open that can't be filled. If this is not resolved in some way, there will be an impact. It is a limiting factor on economic development. When a developer builds something called "workforce housing" looks good, those people are working locally. If you look at the income standards

associated with the "workforce" standards in the law, people need to be able to work to afford the rent. They are occupied by people active in the workforce. Housing Authority administers housing vouchers, and 2/3 of those people are elderly or disabled, but 1/3 are working.)

- y. Q: Piemonte: As average daily membership increases (ADM) and considering property tax incentives, what types would be in there? (not many other than a bill being heard later this afternoon. You allude to ADMs increasing, but overall in the state it's decreasing. There is a common misunderstanding that denser housing means more kids in schools. We looked at the impact of residential development on school age population. Based upon detailed analyses, the numbers that are generated are far lower than you might anticipate)
2. **Elissa Margolin - Director of Housing Action NH -- supports bill**
- a. We were one of the partner organizations who put on this stakeholder group in June 2018 to identify what solutions are needed
 - b. Density was one of the top identified problems
 - c. Lots of eager people wanted to bring in bills, but overall a study commission would be best to streamline
 - d. See Business NH Feb 2019 issue
 - e. At a BIA luncheon the top recruiter for DHMC says that a large number of medical residents had to decline going there because of unaffordable housing
 - f. There is also the vulnerable community - lower income, post-recovery, etc
 - g. I understand the concern of the large number of people on the board but this allows for subcommittees with specialties
3. Chair asks Rep Dolan to draw up an amendment to address his questions about open space/conservation and Rep Gilman's suggestion about NH Planners Assoc

Respectfully submitted,


Rep. Timothy Josephson
Clerk

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON SB 43

BILL TITLE: establishing a commission to study barriers to increased land development in New Hampshire.

DATE: April 16, 2019

ROOM: 301

Time Public Hearing Called to Order: 10:00

Time Adjourned: 10:55

(please circle if present)

Committee Members: Reps. Carson, Tatro, Josephson, Porter, Treleven, Gilman, Meader, Dargie, Maggiore, Mombourquette, Stavis, Belanger, Migliore, Abramson, Dolan, Kittredge, MacDonald, Perreault, Piemonte and Pratt

Bill Sponsors:

Sen. Fuller Clark
Sen. Chandley

Sen. Hennessey
Rep. Gourgue

Sen. Levesque

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

see electronic

SB43 -- establishing a commission to study barriers to increased land development in New Hampshire

1. Senator Martha Fuller Clark (Sen 21) - prime sponsor, supports the bill
 - a. Genesis of this bill:
 - i. About a year ago, there was a conference to look at the barriers to affordable housing
 - ii. Density requirements in communities make it difficult to be able to build enough units so you can reduce the price and offer more affordable housing
 - b. This bill looks at barriers in relationship to increased density for land development
 - c. Bill calls to look at (see part II of the bill)
 - d. There is a tension between density in communities and municipal cost and overdevelopment
 - e. We need to look at these barriers
 - f. Q: Belanger: I understand that this is a study commission, could this result in a bill that would abolish 2 and 4 acre minimum lot sizes in some communities? (I don't think so, but there may be a process of education where communities can look at other ways to incentivize more affordable housing. It would surprise me to see us supercede the local zoning powers)
 - g. Q: Dolan: In some rural communities there are residents nervous about losing the quality of life with more density. In this study, could you give us some assurance that the committee will also look at the trade off of how to exchange this type of zoning with open spaces in the same communities so you can do both? (That's an important issue that needs to be looked at. There's overlap between conservation and affordable housing. I don't see any language in here right now but we would not object to this by adding some language about rural character and open spaces so that is taken into consideration)
 - h. Q: Mombourquette: I was wondering if the term "cluster development" was used in this? (Not specifically, but we have put into statute standards related to smart growth, and certainly cluster housing was one of the principal recommendations) Cluster development is usually utilized when preserving open space? (Yes, we are lucky to have the Lincoln Institute nearby in Mass) We have a cluster development in our community and have preserved open and green space for the community. Would tax incentives be helpful? (Yes, it says in here, to look at tax incentives. The commission established will get these committee hearing notes [hi everyone! -- clerk] so they know what)
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2. Ben Frost - NH Housing Authority - supports bill
- a. Senator Fuller Clark did a great job explaining it, but I will focus on some of the questions I heard
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- i. Q: Dolan: With the workforce housing requirements and the way it's been interpreted, certain communities have done that, but there is some chatter among those communities that see others that have done nothing. At one point is enough enough and those towns do their fair share? Am I correct to think that the only enforcement is that a builder has to bring a civil suit against a community? (What you're talking about is probably beyond the scope of this commission. Yes, some communities are doing a great job of recognizing regional need. Londonderry is a great example -- once one of the most exclusionary communities in the state, but they came up with things to allow workforce housing and it is working. Their neighbors may not be doing that. There's nothing that Londonderry can do about that. Yes, a civil suit may be the only way. Developers don't want to go to court because it's expensive and time consuming. There are opportunities out there)
- j. Q: Gilman: I'm looking at the makeup of the commission and it says "NH Assoc of Realtor" but my big question is, one rep from NH Assoc of Regional Planning Commissions, is that enough? What about NH Planning Assoc? (it would be great to have the NH Planning Association involved as well)
- k. Q: Porter: one of the issues that we seem to run across about "affordable" or "workforce" housing is people mistaking it for Section 8 or subsidized housing -- NIMBYs. I'm wondering, is that perception changing? Not low income housing, but housing that all people can afford? Is that getting better understood in the

state? (I think it is, it has taken a while, but what we recognize over the past few years is that the discussions that have gone on in the popular press about housing and the need for housing has substantially shifted from "we should" to "wow we really need this". We have now many tens of thousands of jobs open that can't be filled. If this is not resolved in some way, there will be an impact. It is a limiting factor on economic development. When a developer builds something called "workforce housing" looks good, those people are working locally. If you look at the income standards associated with the "workforce" standards in the law, people need to be able to work to afford the rent. They are occupied by people active in the workforce. Housing Authority administers housing vouchers, and 2/3 of those people are elderly or disabled, but 1/3 are working.)

- l. Q: Piemonte: As average daily membership increases (ADM) and considering property tax incentives, what types would be in there? (not many other than a bill being heard later this afternoon. You allude to ADMs increasing, but overall in the state it's decreasing. There is a common misunderstanding that denser housing means more kids in schools. We looked at the impact of residential development on school age population. Based upon detailed analyses, the numbers that are generated are far lower than you might anticipate)
3. Elissa Margolin - Director of Housing Action NH -- supports bill
 - a. We were one of the partner organizations who put on this stakeholder group in June 2018 to identify what solutions are needed
 - b. Density was one of the top identified problems
 - c. Lots of eager people wanted to bring in bills, but overall a study commission would be best to streamline
 - d. See Business NH Feb 2019 issue
 - e. At a BIA luncheon the top recruiter for DHMC says that a large number of medical residents had to decline going there because of unaffordable housing
 - f. There is also the vulnerable community - lower income, post-recovery, etc
 - g. I understand the concern of the large number of people on the board but this allows for subcommittees with specialties
4. Chair asks Rep Dolan to draw up an amendment to address his questions about open space/conservation and Rep Gilman's suggestion about NH Planners Assoc

Hearing closed 10:55am

Testimony

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Urban Development

3 Ways Land-Use Planning and Zoning Can Increase Urban Density

By Mona Qureshi and Robin King August 18, 2015



Cities faced with rapidly growing populations should turn to zoning and land-use planning to create dense, urban areas. Singapore, for example, implemented inclusionary zoning to help working class residents afford homes near the city center. (Photo Niels de Vries / Flickr)

Where would you feel safer walking alone at 3 A.M.: a busy, heavily trafficked street, or a loosely populated section of a sprawling city? Most people would likely choose the former. Indeed, higher population densities can make city streets feel safer at all hours—while also fostering commercial activity and giving cities an attractive, bustling character.

Land-use planning and zoning are cities' primary tools for increasing density and supporting high quality services. Land-use planning broadly guides development, while zoning laws regulate specific areas of land and dictate how they can be used. Without these regulations and incentives, many developers will continue to build where it is most cost-efficient: outside of the city. For example Euclidian—or single-use—zoning is the dominant style of zoning and is often blamed for encouraging sprawl because it splits land up into segregated residential, commercial, and industrial zones.

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By 2050 at least 70% of people will live in a city. What does this #urban growth mean for nature, asks @nature_org? We must empower cities to plan for a positive natural future. Read more in our blog from @RobMcDonald ow.ly/IEWp30n15ck



14h



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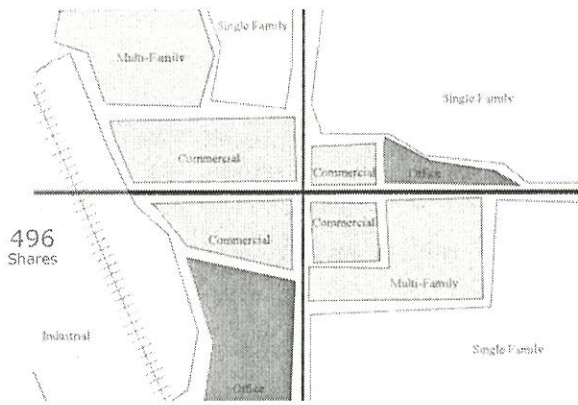
A new WRI working paper unpacks some of the challenges cities around the globe have been facing as a new generation of #bikesharing emerges – from Mexico City to Berlin. Read more here

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Euclidean zoning. (Graphic: The City of Crystal Lake, Illinois)

However, there are alternative tools that cities can use to increase density, including: **density bonuses, inclusionary zoning, incentive zoning, land assembly, and graduated density zoning.** We group these into 3 types of zoning and land-use planning tools that cities can use to foster density and growth:

(1) Density Bonuses

Density bonuses allow developers to build more densely than normally permitted in exchange for providing a public good, such as affordable housing. This zoning tool achieves two things: (1) developers can build additional units, increasing potential profit, and (2) loosely populated areas become denser. For example, instead of building a single-family home on a large plot, a developer would be incentivized to build multiple affordable condominiums—a project that would not otherwise be legal. Density zoning is similar to incentive zoning because it makes exceptions to density regulations in exchange for some public benefit.

One example of how this can work in practice is Ontario, Canada, which in 1983 enacted Section 37, permitting developers to build beyond existing density restrictions in exchange for “facilities, services, or matters.” The Ontario Municipal Board has interpreted this to mean cash contributions or public goods, such as a local park. Booming cities like Toronto were permitted to link economic growth with service improvements and affordable housing. Density bonuses served the city by encouraging high density development and benefited citizens by expanding public facilities and services. And, from 2007-2011 alone, the S37 density bonus legislation provided Toronto with \$136 million in cash contributions.

(2) Inclusionary Zoning

Inclusionary zoning mandates that new construction projects must include a certain percentage of affordable units. This type of zoning complements density increases by ensuring that low- and middle-income individuals and those of different ethnic and racial backgrounds—who are often pushed outside of well-served dense urban areas—can afford to live inside the city. Inclusionary zoning ensures that development does not displace poor and minority populations—resulting in a workforce that is also more stable and reliable for cities.

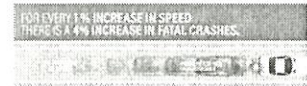
In Singapore, for example, inclusionary zoning successfully brought together different ethnic communities, which, in light of Singapore’s race riots in the 1960s, was a difficult task. The Singaporean Housing and Development Board (HBD) accomplished this by permitting individuals to buy homes through mobilizing their pension resources. This form of inclusionary housing led to 90 percent of Singaporeans owning homes, with 80 percent living in public-sponsored housing. It’s important to note that the HBD has also taken measures to ensure diversity through its Ethnic Integration Policy.

(3) Land Assembly and Graduated Density Zoning

Finally, land assembly—a type of land-use planning—is a process of consolidating small pieces of land into larger plots in order to repurpose underutilized areas. One way to use land assembly to achieve density is through **graduated density zoning (GDZ).** GDZ incentivizes developers to build higher density buildings on large plots of land and construct less dense structures on small plots of land. Ultimately, it encourages the efficient use of premium urban land for denser development.



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20 hours ago

Matching road speed with use is crucial for a Safe System. In fact, for every 1% increase in speed there is a 4% increase in fatal crashes.

<http://ow.ly/acKE30nI4ZB>

2 Comment 1

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What You’re Saying

Edward Bourque

Thank you for your reply. I am unsure how these national policies and directives give local government powers, other than through administrative and...

[Africa’s Urban Future: The Policy Agenda for National Governments](#)

Mishael Bongwi Peter

Hello am Mishael from Nigeria, please i want to fine out if you have any roles and regulation for rickshaws user in India?

[Rickshaw-Taxi Online Discussion Group – A Summary of Discussions](#)

Sebastian Castellanos

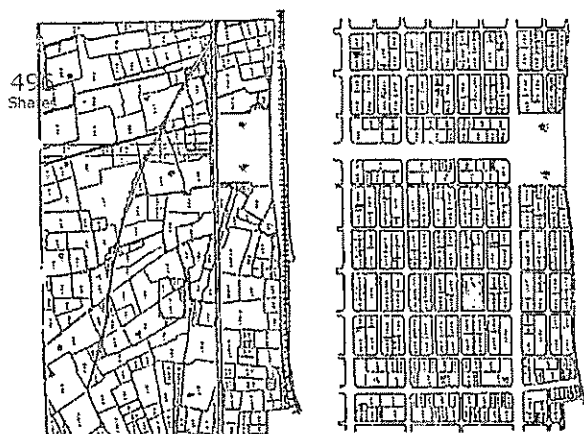
Thanks Margarita!! The data I have seen from other cities comes from surveys directly to users, e.g. "If an e-scooter had not been available for your...

[D.C. Just Released the First Evaluation of Its Dockless Bike and Scooter Experiment](#)

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Consider Gujarat, India, where land assembly has been successful in developing infrastructure—a key component of good density. The Gujarat Town Planning and Urban Development Act was amended in 1999 to allow the government to appropriate land for infrastructure construction. As a result, landowner satisfaction in the area increased and development projects ran on schedule.



A plot of land before (left) and after (right) land assembly was used. (Graphic: Affordable Housing Institute)

Moving Away from Single-Use Zoning Toward Public Engagement

Land-use planning and zoning can be used in innovative ways to ensure equity and increase density. However, developing and implementing zoning regulations must be a cooperative process that engages the public. Top-down approaches to zoning often alienate citizens and struggle to properly address the needs of residents and business owners.

Dense cities are more efficient, equitable, and vibrant. The first step is moving away from single-use zoning. Instead, city leaders should look to land-use planning and zoning tools to avoid sprawl and ensure sustainable development.

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ABDaigle • 3 years ago

Wow. Missing THE most important tool - form-based codes that incentivize mixed-use and diversity in housing type and the Transect that regulates block size, scale and guarantees walkable neighborhoods. Highest density is also not best on larger lots, but in fact on more dense, smaller blocks - all of which improves livability. Density without great urbanism is nothing to celebrate.

^ v • Reply • Share

Gabriel T. de Oliveira → ABBaigle • 3 years ago

Larger lots can count with a good amount of pedestrian ways and therefore offer good and short connections to destinations, which maybe what is being searched for.

Also, isn't "form"-based codes a little tricky to pursue as cities inspire innovation? Overall, mixed-use (and mixed income which is also really important) is covered in the text.

^ v • Reply • Share

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zoning density definition



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NO, NOT INTERESTED YES

Density zoning is zoning ordinances and regulations that limit development by restricting land use intensity. **Zoning** may restrict the number of units per parcel or per given area of land. ... Greater **density** allows for developers to build more units on a given area of land, thereby increasing profitability for developers.

Density Zoning | Definition of Density Zoning and Article by Crepedia
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Definition. Zoning ordinances that restrict the maximum average number of houses per acre that may be built within a particular area, generally in a subdivision.

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Density zoning is zoning ordinances and regulations that limit development by restricting land use intensity. Zoning may restrict the number of units per parcel or per given area of land. ... Greater density allows for developers to build more units on a given area of land, thereby increasing profitability for developers.

Density | Land Use Planning and Real Estate Definition of Density by ...

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In land use planning and zoning, density refers to the ratio and intensity of land use over a given area of land. Density may be defined by ratios such as the ...

Zoning - Wikipedia

<https://en.wikipedia.org/wiki/Zoning> ▾

Zoning is the process of dividing land in a municipality into zones (e.g. residential, industrial) in ... Definition of each density may differ between the ordinances of the local government units concerned, so one municipality may define a light ...
Zoning Exclusionary zoning · Inclusionary zoning · Spot zoning

Low Density Residential Zoning Definition | Hunker

<https://www.hunker.com> > ... > Landscaping > Overall Landscape Planning ▾

Aug 1, 2017 - Low Density Residential Zoning Definition. By Eric Novinson| Aug 1, 2017. "Low density residential zones" are locations intended for housing that include a lot of open space. These zones are meant for a small number of residential homes, and exclude large industries, apartment complexes, and other large structures.

Chapter 17.28 RH – RESIDENTIAL HIGH-DENSITY ZONING DISTRICT

<https://www.codepublishing.com/WA/Blaine/html/Blaine17/Blaine1728.html> ▾

The residential high-density (RH) district is intended to satisfy the need for higher concentrations of ... Permitted uses shall be as defined in Table 17.28.A.

Chapter 17.34 RL – RESIDENTIAL LOW-DENSITY ZONING DISTRICT

<https://www.codepublishing.com/WA/Blaine/html/Blaine17/Blaine1734.html> ▾

The intent of the residential low-density (RL) district is to maintain and create an environment which meets ... Permitted uses shall be as defined in Table 17.34.

Low-Density Residential Zoning Definition | Pocket Sense

<https://pocketsense.com> › Home ▼

Low-Density Residential Zoning Definition. by Shawn M. Grimsley. People who want a country feeling in an urban area often build or buy in low. All cities of any ...

Density Zoning and Class Segregation in U.S. Metropolitan Areas

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3632084/> ▼

by JT Rothwell - 2010 - Cited by 96 - Related articles

These outcomes are regressed on an index of density zoning developed from the ... Metropolitan areas are defined by the Office of Management and Budget ...

Property Topics and Concepts - American Planning Association

<https://www.planning.org/divisions/planningandlaw/propertytopics.htm> ▼

Basics — A floating zone is a zoning district that delineates conditions which must be ... It provides flexibility for developers, who can use the zone to obtain density ... Generally, it is found to be legally acceptable if goals and definitions are laid ...

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Bill as Introduced

SB 43 - AS AMENDED BY THE SENATE

01/31/2019 0071s
01/31/2019 0217s

19-0889
10/03

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT establishing a commission to study barriers to increased land development in New Hampshire.

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

1 1 New Section; Office of Strategic Initiatives; Commission to Study Barriers to Increased
2 Density of Land Development in New Hampshire. Amend RSA 4-C by inserting after section 8 the
3 following new section:

4 4-C:8-a Commission to Study Density of Land Development in New Hampshire.

5 I. There is established a commission to study barriers to increased density of land
6 development in New Hampshire. The membership of the commission shall be as follows:

7 (a) Two members of the senate, one of whom shall serve on the election law and
8 municipal affairs committee and one of whom shall serve on the energy and natural resources
9 committee, appointed by the senate president.

10 (b) Two members of the house of representatives, one of whom shall serve on the
11 municipal and county government committee and one of whom shall serve on the environment and
12 agriculture committee, appointed by the speaker of the house of representatives.

13 (c) Two public members, appointed by the governor.

14 (d) The director of the office of strategic initiatives, or designee.

15 (e) The commissioner of the department of environmental services, or designee.

16 (f) The commissioner of the department of business and economic affairs, or designee.

17 (g) The executive director of the New Hampshire housing finance authority, or
18 designee.

19 (h) The executive director of New Hampshire Legal Assistance, or designee.

20 (i) The executive director of Housing Action NH, or designee.

21 (j) One representative of the New Hampshire Municipal Association, appointed by the
22 association.

23 (k) One representative of the New Hampshire Home Builders Association, appointed by
24 the association.

25 (l) One representative of the New Hampshire Association of Regional Planning
26 Commissions, appointed by the association.

27 (m) One representative of New Hampshire Business and Industry Association,
28 appointed by the association.

29 (n) One representative of the housing subcommittee of the Governor's Millennial
30 Commission, chosen by the commission.

1 (o) One person to represent conservation interests, chosen jointly by the Society for the
2 Protection of New Hampshire Forests, the Nature Conservancy, and the New Hampshire
3 Association of Conservation Commissions.

4 (p) One representative of the New Hampshire Association of Realtors, appointed by the
5 association.

6 (q) One member of the American Council of Engineering Companies of New Hampshire,
7 appointed by the council.

8 II. The commission shall study issues related to the density of land development in New
9 Hampshire. The commission's duties shall include, but not be limited to:

10 (a) Review of current patterns of land development in New Hampshire, especially
11 residential development and adaptive reuse of existing buildings.

12 (b) Identification of barriers to increasing the density of land development.

13 (c) Determine minimum standards of residential development density, considering the
14 availability of public water and sewer infrastructure or other appropriate alternatives, and
15 accounting for variability of environmental conditions.

16 (d) Consider reinstating the housing and conservation planning program formerly
17 established in RSA 4-C:24 through RSA 4-C:28, as enacted by 2007, 348.

18 (e) Consider property tax incentives to promote residential development density,
19 particularly workforce housing.

20 (f) Recommend any proposed legislation resulting from the work of the commission.

21 III. The members of the commission shall elect a chairperson from among the members.
22 The first meeting of the commission shall be called by the first-named senate member. The first
23 meeting of the commission shall be held within 45 days of the effective date of this section. Seven
24 members of the commission shall constitute a quorum. The senate election law and municipal
25 affairs committee staff shall provide clerical, administrative, and research services to the
26 commission as may be needed.

27 IV. Legislative members of the commission shall receive mileage at the legislative rate
28 when attending to the duties of the commission.

29 V. The commission shall submit an interim report of its findings and any recommendations
30 for proposed legislation to the president of the senate, the speaker of the house of representatives,
31 the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2019
32 and shall submit a final report on or before November 1, 2020.

33 2 Repeal. RSA 4-C:8-a, relative to the commission to study density of land development in New
34 Hampshire, is repealed.

35 3 Effective Date.

36 I. Section 2 of this act shall take effect November 1, 2020.

37 II. The remainder of this act shall take effect upon its passage.

Amendment to SB 43

1 Amend RSA 4-C:8-a, I as inserted by section 1 of the bill by inserting after subparagraph (q) the
2 following new subparagraph:

3

4 (r) The president of the NH Planners Association, or designee.

5

6 Amend RSA 4-C:8-a, II(f) as inserted by section 1 of the bill by replacing it with the following:

7

8 (f) Consider preservation of open spaces and maintaining elements of rural character.

9 (g) Consider methods of enforcement of the shared community responsibility of

10 workforce housing under RSA 674.

11 (h) Recommend any proposed legislation resulting from the work of the commission.