

2025 NH RSA Audit (Ch. 674) & Housing Strategy Direction

Town of Londonderry Planning Board • March 2026 (work session)

Today's agenda

- Summarize the RSA audit results (where local text conflicts with state law)
- Capture planning board direction for desired housing types

Part 1 — RSA Audit Highlights

- Audit scope (RSA changes in Chapter 674 only)
- What changed in 2025 (housing-relevant items)
- Confirmed misalignments (state vs local text)
- Why these items matter for housing feasibility

Part 2 — Board direction: housing preferences

- Solution options: minimum compliance vs “best practice”
- Sequencing & workload (quick wins → longer-term)
- Board input: preferred housing types + locations
- Next steps: draft amendments for board discussion

2025 NH RSA Audit (Ch. 674) & Housing Strategy Direction

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Provided in the Board Packet

- Local land use regulation to NH RSA 674 alignment review
- Local land use regulation to NH RSA 674 alignment matrix
- Language and Links to 2025 NH RSA 674 changes (reference document)
- Diversified Housing Strategy Definition and Purpose
- Housing Typologies to Audit (reference document)
- Housing Solutions Sources (for board consideration)
- This presentation slide deck

Recap – Prior Activities

What Ch. 674 RSAs changed in 2025: (Ch. 674 is local land use planning and regulatory powers)

Land Use Analysis

Analysis of land cover, zoning coverage, and current uses

External Forces Review

Demographics, migration, housing Cost, unit production

Staff and Board Intro

Discussion with planning board and staff about implementation

Regulatory Desk Review

In depth review of zoning, site plan, and sub-division regulation

Developer Interviews

Longer vesting for approved plans.

Progress Presentation

Project scope, staff discussions, developer interviews

Part 1 – RSA Audit

What Ch. 674 RSAs changed in 2025: (Ch. 674 is local land use planning and regulatory powers)

ADUs

ADUs must be allowed by-right (statewide).

Parking

Residential minimums.
Capped at 1 parking space unit.

Commercial land

Multifamily and mixed-uses must be permitted.

Class VI/private roads

Permit denial can't be categorical.

Occupancy

Limits on local occupancy restrictions.

Vesting

Longer vesting for approved plans.

The audit focused on where local land use regulation conflicts with state RSAs (and where small edits can remove uncertainty).

Audit scope & documents reviewed

Focused on direct conflicts with RSA Ch. 674

Scope

- RSA Chapter 674 only (local land use planning & regulatory powers)
- Identifies “Misalignment”, which is local text that requires or prohibits something the RSA now allows or controls
- Output: Identification of specific clauses to revise

Local documents

- Zoning Ordinance (August 2025 version reviewed)
- Subdivision Regulations (June 2025 version reviewed)
- Site Plan Regulations (June 2025 version reviewed)

Where state law is procedural (e.g., vesting), the audit flags conflicts only if local text is more restrictive.

How findings are framed

- Alignment opportunities
- Why it matters
- Discussion

Summary: audit results

Top items to address first

Zoning Ordinance — direct conflicts

- ADUs: some standards more restrictive than RSA 674:72–73
- Parking: minimums exceed 1 space/unit in some contexts
- Commercial MF: residential not clearly permitted as the principal use on commercially zoned land
- Road Classification: frontage language should not act as categorical permit denial

Subdivision Regs — mostly aligned

- No direct conflicts identified in the audit pass
- Clarify: Use safety objectives in lieu of road classifications to avoiding categorical denial of permits. Changes needed to avoid conflict with RSA 674:41 (Effective July 1st, 2026)

Site Plan Regs — direct conflicts

- Parking: Table B parking requirements exceed one parking space per unit, which is controlled by RSA 674:16, VII

Priority principle: fix direct conflicts first (state preemption), then address clarifications and optional improvements.

Priority: resolve conflicts first; then clarify

Finding 1 — Accessory Dwelling Units (ADUs)

RSA 674:71–73 (HB 577)

State requirement (plain language)

- ADUs must be allowed where single-family is allowed
- Detached ADUs must be allowed
- Limits regulations to match single-family standards

Observed local conflicts (partial list)

- Definition of ADUs not the same as state RSA
- Missing exemption from dimensional standards for ADUs in existing non-compliant structures
- Minor siting/ingress/parking constraints

Why it matters for housing

Accessory dwellings are one of the most effective ways to introduce gentle density to existing neighborhoods.

Minimum for Compliance

- 1) Clarify by-right status of ADUs and ADU definitions
- 2) Update parking language to increase flexibility
- 3) Adjust language for ADU size limitations
- 4) Add exemptions for conversion of existing structures

Want to Go Further?

- 1) Consider allowing two ADUs per home
- 2) Allow ADUs on non-owner-occupied properties
- 3) Host an ADU design competition
- 4) Create a free pre-approved ADU plans library

Board Discussion

Are there any questions or direction on the Section 5.18 (accessory dwellings) comments provided in the board packet?

Finding 2 — Residential parking cap

RSA 674:16, VII (SB 284)

State requirement (plain language)

- A municipality may regulate parking...
...but cannot require more than 1 residential space per unit.

Observed local conflicts (examples)

- Site Plan parking table requires >1 space per unit.
- Some outdated cross-references.

Why it matters for housing

Parking minimums directly affect land cost and sitework cost, site layout, stormwater, and achievable unit count.

Aligning to the 1-space cap can unlock “missing middle,” mixed-use, and smaller-unit projects.

Board Discussion:

- Would the town be open to adopting shared parking standards?
- Does shared parking present conflicts or concerns for the residents or business owners?

Finding 3 — Multifamily on commercially zoned land

RSA 674:79–80 (HB 631)

State requirement (plain language)

- Beginning July 1, the requires the allowance of multi-family residential development on “commercially zoned land” where adequate infrastructure is available, subject to standards.
- Municipalities can establish objective standards for allowing residential development in commercial districts.
- Adaptive reuse: Some conversions are exempt from certain dimensional standards (setbacks/height/frontage) when the building envelope doesn’t change.

Observed local gap (high level)

- Residential in commercial districts is limited to a narrow allowance and discretionary reviews
- Multi-family is not consistently established as a principal by-right option across commercially zoned districts (as contemplated by RSA 674:79–80).
- Adaptive reuse: need to consider clear dimensional exemption language where an existing building envelope does not change.

Why it matters for housing

This requirement shifts some balance of housing opportunity toward commercial corridors and underutilized sites, reducing pressure on established neighborhoods and supporting reinvestment on primary corridors.

Board Discussion

What percentage of ground floor should be required as a commercial use?

How does the board envision dimensional standards playing a role in shaping mixed use development in commercial districts?

Clarification item — Class VI & private roads

RSA 674:41 (SB 281; HB 296)

State framework (plain language)

- Permits cannot be denied solely due to Class VI road or private road designation of frontage
- Town can require objective safety findings and recorded waivers
- Goal: avoid categorical prohibitions; keep decisions defensible in the event of an appeal.

Local alignment check

- Identify categorical language (“Class V or better”) in zoning and subdivision regulations. Replace as need
- Clarify road class is not grounds for an permit denial.
- Create an administrative policy for consistent handling

Board discussion

Any comments or questions on this item?

What to Watch – 2026 Legislative Session

Potential Impacts to the Land Use Audit

Watchlist

Direct Impact on local regulation:

- HB1010 (Engrossed): As Amended would modify the commercial multifamily mandate.
- HB1195 (Active): Revises RSA 674:16, VI To remove conditional permitting of childcare centers on commercial land and adds conversion exemptions; effective 7/1/26.

Secondary tools:

- HB1468 (Engrossed): master plan flood resilience planning language (optional tool).
- HB1711-FN (Engrossed): government land use hearing/process change (PB process implications).

Part 2 – Housing Preferences

How we will capture preferences

Round-robin share-outs (optional)

Members to share favored housing type / policy approach
Share ideas you believe are relevant to Londonderry
Capture a single “top ideas” list to carry into the next phase of regulation review.

Translate ideas into decisions

What housing types should be prioritized?
Where should housing go (and where should it not go)?
What matter most in creating a successful outcome?

Output from tonight

- 1) Short list of preferred housing types.
- 2) “Must-haves” and “deal-breakers” for regulatory standards.
- 3) Direction on which regulatory changes are a best fit for Londonderry

Housing strategy sources (Included in your packet)

Policy Approaches

- [Housing Supply Accelerator Playbook](#) — see “*Land Use & Regulation Strategies*” (start at page 67)
- [Local Housing Solutions](#) — see “*Align Housing Supply with Market Conditions*” (start at pillar 2)
- [NH Housing Toolbox](#) — Many topics are relevant to Londonderry. Recommend at least reviewing the “*Reduced Zoning/Subdivision Requirements*” and the “*Village Plan Alternative*” sections.

Building Types

- [Missing Middle Housing](#) — info on 2-4 unit buildings, cottage courts, townhomes, small multi-unit, live-work
- [Pocket Neighborhoods](#) — Introduction, example projects, and model zoning language.
- [Vermont Homes for All](#) — A toolkit for development aimed at facilitating small-scale home builders.

Alternative Zoning Approaches

- [Maine PlaceCode Library Guide](#) — An open-source library of zoning tools intended to help rural areas, villages, towns, and cities create the places they want, based on the best-loved places they already have...

Other Ideas From the Planning Board

- Policy Approaches
- Building Types
- Zoning Examples

Discussion prompts (guided input)

To help translate preferences into implementable standards

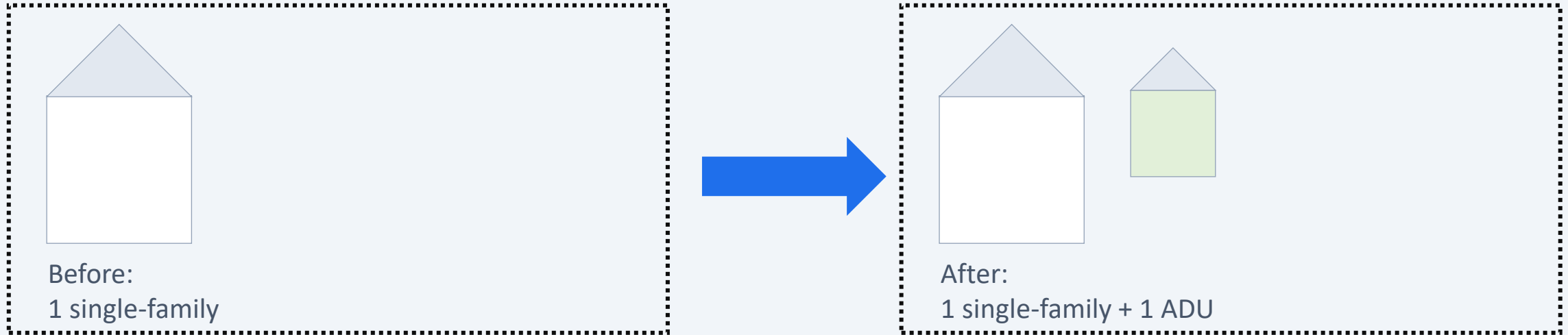
Where should housing go?

- Any areas where housing should be limited?
For what reasons? (infrastructure/traffic/capacity)?
- Where should “gentle density” be encouraged?
In what form? (ADUs/Duplexes/3-to-4-unit Houses)?
- How does the board envision Multi-family housing being built in Commercial Districts?
What criteria should be used to determine the allowance?

Which standards have flexibility to change?

- Lot Sizes / Building Heights / Setbacks / Buffers / Open Space / Stormwater? (should be objective and measurable)
- Parking approach within the 1-space per unit cap? (shared/tandem/waivers)
- Infrastructure? (changes to roadway design, water/sewer connection fees, drainage requirements, fire access)

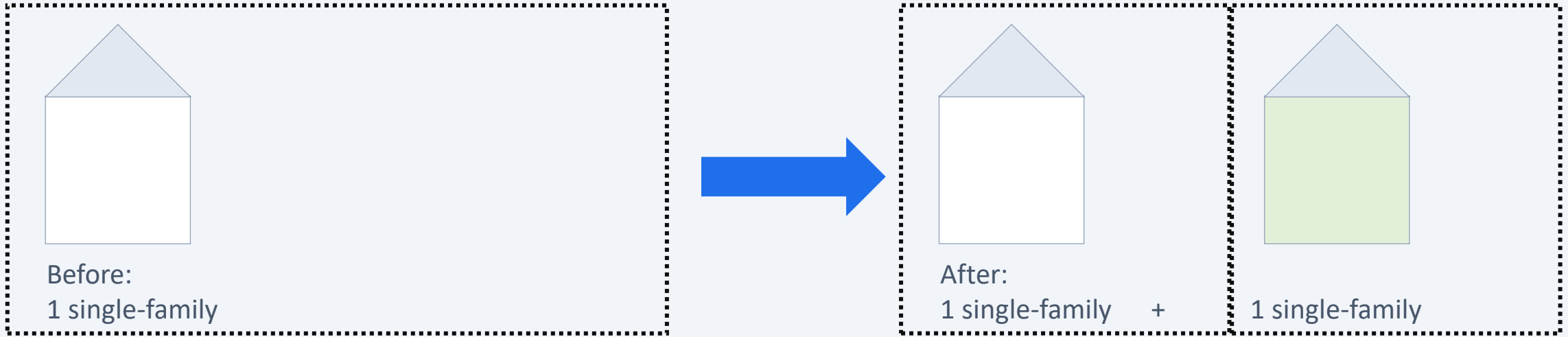
Infill: accessory dwelling units (already allowed)



Discussion prompts for Londonderry

- Is the town having success with permitting ADU in recent years?
- Who is building ADUs and for what purpose?
- Are ADUs considered a desirable housing solution?
- Are there changes to the regulations that would help increase ADU permitting?

Infill: reduced lot size

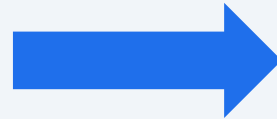
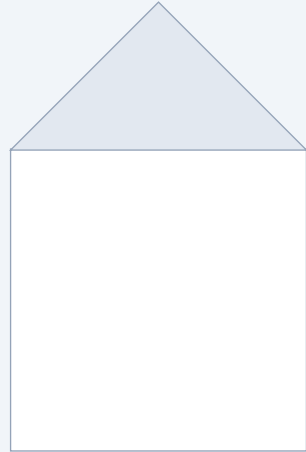


Discussion prompts for Londonderry

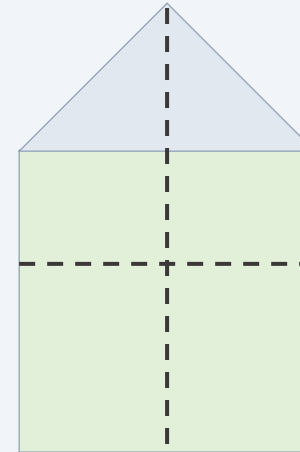
- What concerns does the board have about reducing lot sizes?
- What opportunities could smaller lots sizes create?
- Would limiting smaller lot sizes to specific areas make a difference?

Infill: allowance of 4-unit houses

Before:
1 single-family



After:
4 single-family



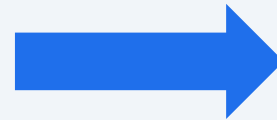
Discussion prompts for Londonderry

- Does a single-family home with four bedrooms have the same impacts as a single building with four one-bedroom units?
- What concerns does the board have about this approach?
- What opportunities would four units on a single-family lot create?
- Would limiting the allowance of four-unit buildings to lots connected to both water and sewer service make a difference?

Mixed-Use: housing over retail / office uses



Before:
1 story retail / office



After:
4 story residential over retail / office / parking

Discussion prompts for Londonderry

- What concerns does the board have about this approach?
- What opportunities would this create?
- Would limiting the allowance of four-unit buildings to lots connected to both water and sewer service make a difference?

Board input: preferred housing types

Dot-vote or rank during discussion

Instruction: Discuss housing types you want to encourage in Londonderry over the next 3–5 years.

Accessory Dwelling Units

Apartment Houses (3-4 units)

Townhomes

Cottage courts / small clusters

Small multifamily (5–12 units)

Midsize multifamily (13–50 units)

Mixed-use (housing over retail/office)

Manufactured / smaller homes

Adaptive reuse (commercial → housing)

Select Preferred Housing Types

Identify Housing Locations

Are there preferred locations for the top 3 housing types.

Next steps

Turning the audit + board input into implementable actions

Next Steps

- Use findings from the RSA audit to develop draft language for amendments to land use regulations
- Use direction from planning board to audit land use regulations against preferred housing types and locations
- Identify regulatory barrier and draft amendment language based on board housing preferences input

Chronology

- 1 ~~Confirm today's priorities (preferred housing types)~~
- 2 Audit land use regulations (for barriers to desired housing)
- 3 Present findings audit of housing barriers (for board input)
- 4 Draft amendment language to address audit results and board input (RSAs and Housing Preferences)
- 5 Present amendment language to planning board for review and advancement