

Proposed Zoning Amendments 2026

(Full Language Version)

(Note: Amendments 1-4 are based on new state requirements or mandates.)

1. Are you in favor of the adoption of Amendment No. 1 to the Goffstown Zoning Ordinance, as proposed by the Planning Board, to amend the definition of Accessory Dwelling Unit (ADUs) in the Zoning Glossary as well as in Section 5.2, clarifying the definitions for attached and detached ADUs by allowing detached accessory dwelling units as adopted and mandated by the NH House Bill 577 (laws of 2025, Chapter 197)?

Within the Glossary Section, the definitions would be amended as follows: Accessory Dwelling Unit (ADU) - Accessory Dwelling Unit means a residential living unit that is *located on a lot containing a single family dwelling* ~~within or attached to a single family dwelling~~ and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.

- a. *By adding a definition for an Attached ADU as adopted by NH House Bill 577 2025, to provide clarification and worded as follows: a unit that is within or physically connected to the principal dwelling unit or completely contained within a preexisting detached structure. Amended 7/1/25, per HB 577.*
- b. *By adding a definition for Detached ADU as adopted by NH House Bill 577 2025 for clarification and worded as follows: a unit that is neither within nor physically connected to the principal dwelling unit nor completely contained within a preexisting detached structure. and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies. Amended 7/1/25, per HB 577.*

Within Section 5.2 Accessory Dwelling Unit, the section would be amended as follows: One (1) accessory dwelling unit may be *within or* attached to a single-family ~~residence dwelling or within a detached structure~~ ~~single-family~~ subject to the following provisions: *(Amended 7/1/25 per HB577 2025)*

5.2.2 would be amended as follows: An accessory dwelling unit shall be constructed within *a single-family dwelling unit; or* attached to a single-family ~~dwelling unit; residence~~ *or detached from a single-family dwelling unit. An accessor dwelling unit shall not be permitted as attached to a two-family unit or multi=family unit. Only one*

(1) ADU shall be permitted per principal dwelling unit. (Amended 7/1/25 per HB577 2025)

2. Are you in favor of the adoption of Amendment No. 2 to the Goffstown Zoning Ordinance, as proposed by the Planning Board, to amend the provisions of Accessory Dwelling Unit (ADUs) in Section 5.2, clarifying ADU provisions as adopted and mandated by the NH House Bill 577 (*laws of 2025, Chapter 197*)?

Within Section 5.2 Accessory Dwelling Unit, the section would be amended by revising Section 5.2.3 & 5.2.7 and adding Sections 5.2.8 and 5.2.9.

~~5.2.3 At least one interior connecting door, or other access for persons to pass between the primary residence and the accessory dwelling unit, shall be provided.~~ *The owner shall decide if they wish to have an attached accessory dwelling unit as an independent means of ingress and egress or ingress and egress through a common space shared with the principal dwelling. (Amended 7/1/25) per HB577 2025)*

Section 5.2.7 The lot on which the accessory dwelling unit is located shall meet the minimum lot size requirements, and the accessory dwelling unit shall meet the maximum height and minimum yard setback requirements, as provided in Section 4.3, Table of Dimensional Regulations; ~~and~~
~~The single family residence, or the accessory dwelling unit shall be, and shall remain owner occupied.~~

5.2.8. ADU in Non-Conforming Structures. Accessory Dwelling Units shall be permitted to be converted from existing structures, including, but not limited to detached garages, regardless of whether such structures violate current dimensional requirements for setbacks or lot coverage. (Effective 7/1/26 per HB621 2025)

5.2.9. An Accessory Dwelling Unit may be constructed at the same time as the principal dwelling unit.

Note: the identical language of proposed 5.2.8 is to be added to section 14.9 Non-Conforming Structures as 14.9.5.3.

3. Are you in favor of the adoption of Amendment No. 3 to the Goffstown Zoning Ordinance, as proposed by the Planning Board, by allowing Multi-Family Dwelling Use on Commercially zoned land as adopted and mandated by NH House Bill 631 (*laws of 2025, Chapter 201*)? *Note: This change would require approved commercial use on the ground floor, except where the Planning Board grants a Conditional Use Permit. Note: this Amendment would include amending Section 3.11 Table of Uses as well as adding a Section under 4.4 Multi-Family Dwellings. The intent of this amendment is to comply with NH House Bill 631, while retaining the requirement for commercial use on the ground floor in the Commercial Zone.*

Amending Section 3.11 Table of Uses be amended as follows: Adding Multi-Family Dwellings as a Permitted Use within the Commercial District "C" with the condition that: *Multi-Family Dwelling Units may be permitted on commercially zoned land, provided that adequate infrastructure for roads, water, and sewerage systems are available to support the development. The ground floor space shall be wholly dedicated to retail or similar uses except where a Conditional Use Permit has been granted by the Planning Board.*

Section 4.4.4 would be added as follows: *Section 4.4.4. Multi-Family Dwelling Units may be permitted on commercially zoned land, provided that adequate infrastructure, as determined by the Planning Board, for roads, water, and sewerage systems are available to support the development. The ground floor space shall be wholly dedicated to retail or similar uses except where a Conditional Use Permit has been granted by the Planning Board.*

4. Are you in favor of the adoption of Amendment No. 4 to the Goffstown Zoning Ordinance, as proposed by the Planning Board, by amending Section 7.2.5. Table of Off-Street Parking and Section 7.2.5 Table of Off-Street Parking Requirements by requiring one (1) residential parking space per unit and removing all requirements for guest parking as adopted and mandated by NH Senate Bill 284 (laws of 2025, Chapter 258)? Also, adding ADU to the studio apartment category in Table 7.2.5 which also will have the requirement of one space per unit.
5. Are you in favor of the adoption of No. 5 to the Goffstown Zoning Ordinance, as proposed by the Planning Board, by amending Accessory Dwelling Unit Provision Section 5.2.1 by increasing the square footage allowance of an Accessory Dwelling Unit *from eight hundred (800) square feet of gross floor area to nine-hundred fifty (950) square feet of gross floor area*, as allowed by NH House Bill 577 (laws of 2025, Chapter 197)?
6. Are you in favor of the adoption of Amendment No. 6 to the Goffstown Zoning Ordinance, as proposed by the Planning Board, to amend the definition of Buildable Area as follows: *Buildable Area - Any of the area of a parcel, except (a) submerged land area, (b) wetlands, (c) any land within ~~50-100~~ feet of wetlands of at least 2,000 contiguous square feet, (d) slopes in excess of ~~25~~20%, (e) ~~high-tension power line~~ utility easements, and (f) the area of any proposed public or private street rights-of-way, and (e) special flood hazard areas as designated by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Hillsborough, N.H" dated September 25, 2009 or as amended.?*

7. Are you in favor of the adoption of No. 7 to the Goffstown Zoning Ordinance as proposed by the Planning Board, to move Section 13.5 Open Space Development from Section 13 Overlay Districts to Section 5 Supplemental Standards, creating a new Section 5.25 Open Space Development and amending multiple sections under the provisions of RSA 674:16 and RSA 674:21, Innovative Land Use Controls as well as removing section 3.7.2 as outlined below?

Within Section 3.7 Multiple Principal Uses on a Single Lot, the section would be amended by removing Section 3.7.2 ~~Single Family Dwellings. More than one (1) single family dwelling may be located on a single lot only pursuant to Section 13.5 Open Space Development.~~

Full Language for Open Space Developments would be as follows:

5.25 Open Space Developments

5.25.1 Authority - This Section is adopted pursuant to the provisions of RSA 674:21, Innovative Land Use Controls. The Planning Board shall administer the application, review, and approval process for Open Space Developments ~~through the subdivision of land process, including Lot Line Adjustments.~~ **under RSA 676:4.**

5.25.2 Purpose and Objectives - The purpose of this Section of the Zoning Ordinance is to allow and encourage alternative ~~s~~Subdivision designs that ~~encourage the preservation of open space and Goffstown's rural character and permit the efficient layout of roads, utilities, and other public and private infrastructures that are less costly to build and maintain while providing owners of private property with a method for realizing the inherent development value of their real property in a manner that allows substantial benefit to the environment;~~ **preserve Goffstown's rural character and environmentally sensitive elements, while providing housing that is more desirable in its design for the Town and for the general public.**

Open Space Developments shall promote the following objectives:

- (a) ~~Preserve the Town's natural resources by reducing impacts on wildlife habitats, forest fragmentation and protecting wetland buffers and wildlife corridors;~~
- (a) ~~————— Maintain the rural character of the Town through the preservation of natural resources and open space;~~

(b) Preserve agriculture and farming within the community where possible, achieving a balance between farming, open space and residential growth;

(c) Promote a natural system of storm water management by maintaining the high infiltration rates of undisturbed soils, minimizing erosion, reducing runoff and improving aquifer recharge.

~~(b) — Encourage the use of land in accordance with its character and adaptability, including view sheds, assuring the permanent preservation of open space, agricultural lands, and other natural resources; allowing innovation and greater flexibility in the design of residential developments while facilitating the coordination of design and use between adjacent properties;~~

(d) Encourage the use of land in accordance with its character and adaptability, including view sheds, assuring the permanent preservation of open space, and allowing innovation and greater flexibility in the design of residential developments;

~~(c) — Encourage a less sprawling form of development, thus preserving Open Space as undeveloped land or for dedicated recreational use;~~

(e) Provide opportunities for passive recreation;

~~(d) — Provide adequate setbacks and buffers to minimize any adverse effect of the use of a property on neighboring properties; and~~

(f) Encourage a less sprawling form of development, reducing expenses for the Town incurred by paving, stormwater structure maintenance, snow clearing, right of way mowing, and trash collection; and

~~(e) — Promote a natural system of storm water management to minimize erosion and to encourage aquifer recharge.~~

(g) Provide adequate setbacks and buffers to minimize any adverse effect of the use of a property on neighboring properties.

Only uses otherwise allowed in the district in which the parent lot is located, and that have also been approved by the planning board, shall be allowed in open space developments.

5.25.3 Location - An open space development may be approved only on land located

within the following zoning districts: R-1 (Medium Density Residential District), R-2 (High Density Residential District), A (Agricultural District) or CO (Conservation Open Space District) and having a Parent Lot of 10 acres or larger.

~~within the R-1, R-2, Agricultural or Conservation zoning districts and having a Parent Lot of 10 acres or larger.~~

5.25.4 Mandatory Use of the Open Space Development - Any sSubdivision or other division of land, including Lot Line Adjustments that may create additional developable lots, must use an Open Space Design in the Agricultural and Conservation **Open Space** districts if the Parent Lot size is twenty (20) acres or larger, unless

- a) The completed ~~Subdivision~~ **subdivision** of the Parent Lot will have a total of no more than five (5) lots; or
- b) All lots in the completed ~~Subdivision~~ **subdivision** of the Parent Lot will have a minimum of ten (10) acres in size.

~~1. 5.25.5 Optional Open Space Designs - Open Space designs are optional in the R- 1 and R-2 Districts, and in Agricultural and Conservation Districts~~ **all zoning districts where Open Space Development is allowed, and where the Parent Lot is greater than 10 acres and less than 20 acres in size.**

~~2. 5.25.6 Subdivision~~ **Planning Board Approval Required - An Open Space Development shall require Planning Board approval. The application for approval shall comply with the Planning Board's Development Regulations for subdivision plans and standards for Open Space Development. and the following requirements:**

~~13.5.4.1 Site Analysis - The applicant shall submit a site analysis plan showing the physical features and character of the site and the surrounding area.~~

5.25.7 Density Determination - The number of lots permitted in an Open Space Development shall be no greater than the number of units that would be permitted in a conventional subdivision of the Parent Lot meeting all applicable requirements of the Zoning Ordinance and Development Regulations. A yield plan must be submitted in accordance with the Development Regulations for Open Space Development.

~~13.5.4.2 The applicant shall submit a yield plan showing that the net density will be no greater than permitted within that zoning district for a~~

~~conventional Subdivision or development, unless waived by the Planning Board upon a finding that the proposed number of dwelling units is well within the density requirement:~~

5.25.8 Flexibility - ~~As an exception to Section 13.1, and to~~ **To** encourage flexibility and creativity consistent with the Open Space Development concept, the Planning Board may waive the requirements of the Zoning Ordinance for frontage, yard, **and** lot size, ~~and density standards~~, upon a finding that the granting of the waiver will promote the objectives of the Open Space Development and will not adversely affect other properties or the public

3: 5.25.9 Minimum Open Space Requirements. The total minimum area of dedicated open space shall equal a **minimum of 50% percentage** of the ~~site's total buildable area, as follows:~~ **of the lot to be subdivided.**

| Underlying Required Zoning Districts | Open Space (% of total buildable area) |
|---|---|
| CO and A | 50% |
| R-1 and R-2 | 40% |

4: 5.25.10 Permanent Restriction of Open Space. Open space land shall ~~not be further subdivided or used other than for recreation, conservation, or agricultural purposes., except for easements for utilities, or except as approved by the Planning Board:~~

5: 5.25.11 Definitions.

~~(a) _____ Base Density - The original maximum density permitted under the property's residential zoning district (dwelling units per acre):~~

~~(b) Buildable Area - See glossary:~~

~~(c) _____ Open Space - A portion of a development site that is permanently set aside for public or private uses and shall never be~~

developed. A project's open space shall include the minimum required open space area per Section 13.5.6, to which may be added any amount of other property:

~~(d) Open Space Development - A development pattern that arranges the layout of buildings in a compact area of the site so as to preserve and protect, in perpetuity, a portion of the site for recreational or natural open space as an integral part of the overall plan:~~

~~(e)(a) Parent Lot- Any lot, as it existed on March 11, 2003, the date this Section of the ordinance went into effect.~~

~~(f) Yield Plan - A plan submitted by the applicant showing a feasible conventional Subdivision under the requirements of the specific zoning district in which the property is located and the requirements of any and all State and local Subdivision regulations~~