

Draft language for consideration at 9 Jan 2020 Planning Board meeting

Senior Housing

Definitions for Article II.

Senior Housing: An arrangement of dwelling units designed exclusively for seniors as set forth in Article XIII.

Senior: A person at least 62 years of age.

Article XIII Senior Housing.

Senior Housing is a residential use suited to the needs of seniors located close to municipal and social services and facilities, and designed to facilitate independent living with an emphasis on safety and accessibility. The exterior appearance and massing of any structure associated with Senior Housing must be harmonious and consistent with the present character of the neighborhood.

A Senior Housing development must meet all the requirements for a Site Plan Review under section 12.10 as well as the following criteria:

- a) Senior Housing may be located in one or more buildings on a lot or on **the** portion of the lot within the Lyme Common Zoning District.
- b) No more than two residents at least 62 years old may occupy a Senior Housing dwelling unit; a third at least 18 years of age, who is caregiver for one or both of the other two residents may also occupy a Senior Housing dwelling unit.
- c) The number of Senior Housing units on a lot shall not exceed ten.
- d) Dimensional Controls such as lot coverage, building footprint, property and road setbacks and gross floor area **may be reduced** by the Planning Board through Site Plan Review, based on the character of the land and neighborhood; adequacy of the site to support domestic water supply, water for fire suppression and on-site wastewater disposal; safety of access for vehicles and pedestrians and other characteristics of the site relating to its use and enjoyment.
- e)
 - i. Senior Housing dwelling units may be no larger than 1200 square feet.
 - ii. Common areas shall not be counted as residential square footage within the principal structure.
 - iii. The maximum building footprint and maximum gross floor area of all the buildings and accessory structures on the lot shall not exceed 12,000 s.f.
 - iv. Up to 3,000 s.f. of covered parking dedicated solely to the Senior Housing residents shall not be counted as part of building footprint and gross floor area.

Commented [L1]: Should this be "a" portion of the lot?

Deleted: shall be established

f) Senior Housing may share a lot or building with another principal use that is allowed in the Lyme Common Zoning District. The gross floor area of the Senior Housing dwelling units, common areas and accessory buildings must exceed 70% of the gross floor area of the development on the lot in order for the Planning Board to vary the dimensional controls as described in (c).

Commented [L2]: Is the intent to allow more than 10 units on a lot if it is a mixed use property? If not, then I don't understand the reference to (c), and if so, then I think we need to reword it to make it clearer.

g) Parking may not be located in the front setback and shall be provided on site following the standards contained in Appendix A of the Site Plan Review regulations. Covered parking for senior residents is required.

h) Any building deemed to be a contributing building in the Lyme Common Historic District may be developed as Senior Housing solely through repurposing of the existing structure.

i) The owner of any Senior Housing dwelling unit is responsible for supplying proof of each of the resident's age to the Zoning Administrator by the last day of January of each year and whenever a new resident occupies a Senior Housing dwelling unit. Upon notification by the Zoning Administrator or any resident of the Town of a failure to comply with this requirement, the Selectboard shall be responsible for enforcement and shall take action within 14 days.

j) The developer must conform to the requirements of RSA 354-A:15, including but not limited to the provision of housing under a state or federal program determined by U.S. HUD as specifically designed and operated to assist elderly persons.

Commented [L3]: See my e-mail.

k) Senior housing shall not be changed to any other use for 25 years after first occupancy unless such change of use is first approved by the Planning Board.

Commented [L4]: Such a change would ALWAYS have to be approved by the planning board—why is this in here?

4.41 Principal Building and Activity on Lots. There shall be only one principal building and one principal activity on a lot unless otherwise approved under the lot size averaging subdivision provision (Section 5.11 D.), the multi-dwelling and conversion provision (Section 4.46), Senior Housing (Article XIII), or the planned development provision (Section 4.49).

5.13 C

- C. Property line setbacks are provided in Table 5.1. In the Lyme Common and Lyme Center Districts, minimum road setbacks for new buildings, additions to existing buildings or replacements of existing buildings shall be no less than the median setback of the five closest buildings on the same side of the street. The minimum setbacks shall not be reduced except in accordance with the provisions of Section 8.20 and Article XIII, Senior Housing.

5.14 D

- D. except as otherwise permitted by special exception in connection with lot size averaging subdivisions (Section 5.11); planned development (Section 4.49); Senior Housing (Article XIII) and expansion of any lawful non-conforming structure in existence when this ordinance was passed (section 8.25);

5.15 E

- E. except as otherwise permitted by special exception for lot size averaging subdivisions (section 5.11 D); planned developments (section 4.49); and expansion of any lawful non-conforming structure in existence when this ordinance was passed (section 8.25); Senior Housing (Article XIII) and

5.16 Gross Floor Area. Gross Floor Areas are provided in Table 5.1. The maximum gross floor area shall be determined by the Planning Board and shall not exceed 14,000 square feet per each lot that would be available to the applicant if the property were subdivided into the maximum number of lots which could be created in a subdivision meeting all of the requirements of the Lyme Subdivision Regulations and this ordinance. Only the principal building in Skiing Facilities Use shall be subject to a maximum gross floor area limitation of 18,000 square feet. For all other uses in the Skiway District, the maximum gross floor area shall be 14,000 square feet. Gross Floor Area for Senior Housing shall be determined by the Planning Board through Site Plan Review as provided in Article XIII.

Table 4.1

	Lyme Center	Lyme Common	Commercial District	Rural District	East Lyme	Skiway	Mountain & Forest	Holt's Ledge
AGRICULTURE								
Agriculture	Y	Y	Y	Y	Y	Y	Y	Y
Agritourism	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
Forestry	Y	Y	Y	Y	Y	Y	Y	Y
RESIDENTIAL								
Single Dwelling	Y	Y	Y	Y	Y	N	Y	Y
Multi-Dwelling Conversion	SPR	SPR	SPR	SPR	N	N	N	N
Affordable Housing	SEE ARTICLE XI							
Lot Size Averaging	Y	Y	Y	Y	Y	N	Y	Y

Senior Housing	N	SPR	N	N	N	N	N	N
INSTITUTIONAL								
Government Use	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR
Institution	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR
BUSINESS								
Clinic	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR
Cottage Industry	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR
Day Care	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR
Excavation	N	N	Y	Y	Y	Y	Y	N
Home Occupation	Y	Y	Y	Y	Y	N	Y	Y
Light Manufacturing or Processing	N	N	SPR	N	N	N	N	N
Lodging Accommodations	SPR	SPR	SPR	SPR	N	N	N	N
Office Building, New	N	N	SPR	N	N	N	N	N
Office/Studio/Restaurant Conversion	SPR	SPR	SPR	SPR	SPR	N	SPR	N
Outdoor Recreation Activities	Y	Y	Y	Y	Y	Y	Y	Y
Planned Development	N	SPR	SPR	N	N	N	N	N
Restaurant	N	N	SPR	N	N	N	N	N
Retail Use	SPR	SPR	SPR	N	N ¹	N ¹	N ¹	N
Sawmill	N	N	N	SPR	SPR	SPR	SPR	SPR
Service Use	SPR	SPR	SPR	N	N	N	N	N
Skiing Facilities	N	N	N	N	SPR	SPR	N	SPR

Y - Use permitted by right, provided that all other requirements of Federal, State, and Town laws, rules, ordinances, and regulations have been met. A permit is not required for agricultural, forestry, or home occupation uses.

SPR - Use permitted by Site Plan Review provided that all other requirements of Federal, State, and Town laws, rules, ordinance, and regulations have been met and approval has been granted by the Planning Board.

N - Use not permitted.

¹ The retail sales of products resulting from accessory use are permitted in these districts.