

Rye Land Use Audit Action Table and Prioritization DRAFT

***Level of effort to implement is approximate and based on RPC’s general knowledge and experience working with other communities. Further assessment is recommended when considering these housing strategies.

Goal (From Land Use Audit)	Level of Effort to Implement (Low, Med, High)
Accessory Dwelling Units	
1. Investigate offering pre-approved ADU designs and educational materials that can speed up the permitting process.	<i>Low-Medium</i> – Many ADU resources exist that could be tailored to Rye. See Portsmouth ADU webpage . Requires staff time to review and customize materials.
2. Evaluate existing system for keeping track of new and old ADUs and identify if there are opportunities for improvement.	<i>Low</i> – System already maintained by town staff. Minor updates could be addressed through internal review and discussions.
3. Evaluate existing process for legalizing existing ADUs and determine if there are opportunities for improvement.	<i>Low</i> –Existing process in place (190-2.2.H). Requires staff review to assess efficiency.
4. Consider allowing attached ADUs by right. The criteria under the existing regulations could remain the same, but the procedural requirements could be reduced, making the process more streamlined for property owners.	<i>Medium</i> – Requires shifting ADU approval from the Planning Board to the Building Inspector, which may impact staff workload and would require ordinance updates.
5. Investigate updating the ADU Ordinance to allow more flexibility (see Audit for complete language).	<i>Medium-High</i> – Changes would require discussions with the Planning Board, Rules/Regs Committee, legal counsel, and public engagement to gauge support and feasibility.
Adaptive Reuse	
6. Conduct an audit of local regulations to identify barriers to adaptive reuse of existing buildings.	<i>High</i> – Requires comprehensive zoning, site design, and building code review with input from property owners and town staff and other stakeholders.
7. Maintain an inventory of historic and underutilized buildings suitable for adaptive reuse.	<i>Low-Med</i> – Inventory of historic buildings already maintained by town and Historic District Commission. Identifying underutilized buildings requires additional coordination with staff and planning board.
8. Consider amending the Historic District zoning ordinance to specify building design standards for repurposing historic buildings into new uses such as housing.	<i>Med-High</i> – Requires extensive coordination and outreach with Historic District Commission, planning board, staff and legal counsel to ensure new building design standards are feasible, realistic, fair and fit the community’s long term vision. Would require extensive public engagement and regulatory updates.

9. Consider exploring funding mechanisms and tax incentives for the rehabilitation of historic and older buildings.	<i>Low</i> - Funding resources already exist and can be promoted.
10. Incorporate adaptive reuse goals into community master plan and strategic vision to ensure long-term commitment and alignment with broader development objectives.	<i>Low / NA</i> – Already included in latest iteration of Rye Master Plan.
Age-Friendly Housing	
11. Consider incorporating requirements for universal building design in the construction of dwelling units for older adults.	<i>Medium</i> – Would require adjustments to Rye’s RCD standards and coordination with planning board, Rules/Regs and town staff.
12. Many of the design standards, recreational amenities and community facilities included in retirement communities are also desirable and attractive among younger adults. Consider adding similar design standards in the multi-family development overlay district.	<i>Low</i> – Simple regulatory amendment to integrate RCD standards (190-4.1(17)) to multi-family district (190-4.2).
13. Work with RPC to develop an Age-Friendly Community Assessment of town services, facilities and regulations to identify opportunities for improving quality of life for adults of all ages and abilities.	<i>Low-Med</i> – RPC has experience conducting these assessments; May include meetings with a steering committee, a public workshop and a survey.
14. Consider allowing RCDs on lots less than ten acres, if there is water and septic capacity to support the development.	<i>Low</i> – Public opposition could be a challenge, but the regulatory change is straightforward.
15. Use housing data to make predictions on what Rye’s population will be in the future to determine the number of units needed.	<i>Low</i> – Data is already available through NHOPD and RPC.
Cluster Housing	
16. Consider allowing Conservation Developments in the General Residential District.	<i>Low</i> – Requires update to zoning ordinance; Aligns with permitted uses in the district.
17. Explore opportunities for design and technology to allow for alternative configurations to provide greater flexibility in lot size and configuration.	<i>Med-High</i> – Would require research, consultant input and assistance, and public engagement.
18. Consider allowing conservation developments on lots less than 20 acres in size.	<i>Low</i> - Straightforward zoning amendment. No developments have occurred under current regulations, suggesting barriers exist. Reducing the minimum acreage may encourage development.
19. Identify areas where housing production and open space conservation are important.	<i>Low</i> - Rye has studied and mapped areas of environmental and ecological importance.

20. Make cluster housing an allowed use by right with reasonable parameters in the town's land use regulations.	<i>Med-High</i> – Would require thorough evaluation of existing ordinances and review by town staff, boards and legal counsel. Requires public outreach.
21. Consider making cluster development mandatory for environmentally sensitive areas.	<i>Low-Med</i> – Would require a thorough assessment of existing environmentally sensitive areas.
22. Include provisions for tiny homes or cottage style homes to be allowed as part of a cluster subdivision.	<i>Low-Med</i> – Further research needed to better understand what this would mean for the town.
Form-Based Code	
23. Consider integrating form-based code into existing overlay districts or developing new districts that allow for denser development within areas with public water and the sharing of septic utilities.	<i>High</i> – Could depend on scale of regulatory amendments. Would require extensive public engagement and board and staff education.
24. Define the area of the community to be addressed through form-based code and the extent to which form-based code interacts with existing regulations.	<i>High</i> - Would require a detailed planning process and evaluation of existing regulations and conditions.
25. After determining which areas in the community will be subject to form-based code, define building standards, including height, frontage types, setbacks, and architectural features, to ensure consistent and predictable development.	<i>High</i> – Would require coordination with town staff and planning board; research on building design standards that suit the town; extensive public outreach.
26. Determine the capacity of existing staff and consultants to assist with the adoption of form-based code and determine if additional assistance is needed.	<i>Med-High</i> – Would require staff training and potentially hiring additional personnel.
Infill Development	
27. Identify potential and priority infill development sites.	<i>Low-Med</i> - Requires training staff and boards on infill development principles.
28. Consider infill development incentives, including density bonuses, a streamlined permitting process, and tax relief	<i>High</i> – Would require thorough research into types of infill development incentives that the town would consider implementing; staff training and capacity building and/or a financial analysis (if undertaking tax relief incentives).
29. Include infill development as a recommendation in the town's master plan.	<i>Low/NA</i> – already addressed in most recent iteration of Rye Master Plan.
30. Amend zoning ordinances to reduce minimum lot size requirements and create design standards for small, undersized lots to increase density and	<i>High</i> – Would require a comprehensive review of all undersized lots in town to assess the potential impacts of increased density.

housing variety.	
31. Amend zoning ordinances to reduce parking ratios and allow shared parking arrangements between different uses in targeted areas for infill development.	<i>Med-High</i> – Would require an evaluation of existing parking requirements and identification of target areas potentially suitable for infill development.
Manufactured Housing	
32. Consider differentiating manufactured housing and mobile homes in the zoning ordinance or clarify that the provisions are the same for each.	<i>Low</i> - Simple definition update.
33. Consider allowing for the placement of single mobile homes or manufactured homes in all districts that allow single-family homes by right as opposed to only allowing them in a park of 10 acres or more.	<i>Low</i> - Would align zoning with state housing laws. Unclear whether the ordinance disallows single mobile/manufactured homes
34. Consider allowing smaller manufactured housing parks with a reduced open space requirement to decrease land costs.	<i>Low</i> – Current regulations may be a barrier; lowering lot size requirements may encourage development.
35. Consider creating local design guidelines for new manufactured housing communities to ensure the community character and aesthetics valued by residents are preserved and maintained	<i>Low-Med</i> – Could be adapted from existing standards.
Inclusionary Zoning	
36. Assess recent development trends in the town of Rye. Institute and maintain a system for tracking the number of workforce housing units in town.	<i>Low-Med</i> – Would require staff time and capacity to evaluate approved housing developments to identify where workforce housing units may be located. Developers also not required to disclose if units are “workforce” housing.
37. If the development trend assessment suggests that there have been challenges to the actual development of Workforce Housing (WFH), audit local regulations to identify development barriers.	<i>Med-High</i> – Would require additional evaluation of existing regulations and understanding where there are opportunities to address barriers.
38. Continue conducting public engagement to provide clarity on what workforce housing is and how it can benefit the community.	<i>Low</i> - Many resources already available.
Mixed-Use Development	
39. Recognize and promote the impact of mixed-use development on common master plan goals such as open space preservation, natural resource management, increased housing options, and more connected communities.	<i>Low</i> – Currently being addressed with latest iteration of Master Plan.
40. Assess options for mixed-use development in Rye. This could include existing downtowns or village areas with infill development opportunities, aging	<i>Low-Med</i> – Would require basic desktop analysis of existing land use and conversations with town staff and boards.

shopping centers, old industrial buildings ready for adaptive reuse, rural areas that can be preserved), and large sites requiring a Planned Unit Development (PUD).	
41. Amend the zoning ordinance to encourage mixed use developments. This can be a standalone ordinance (such as an overlay district) or incorporated into Rye’s existing Planned Development ordinances.	<i>Med-High</i> – Depends on the scale e.g., whether a new overlay district or amendments to existing regulations. Would require further analysis of existing regulations and development trends.
Planned Unit Development	
42. Recognize and promote the impact of PUDs on common master plan goals such as open space preservation, natural resource management, increased housing options, and more connected communities.	<i>Low</i> – currently being addressed with latest iteration of Master Plan.
43. Consider allowing PUDs on smaller lot sizes, assuming there is water and septic capacity.	<i>Low</i> - Dependent on water/septic capacity, but feasible regulation change.
44. Identify large sites or collections of sites that are under concentrated site control, and which may be likely to be redeveloped.	<i>Low</i> - Requires simple land use analysis.
45. Hold a public engagement process to determine the community’s vision for these areas, including what types of uses, site configurations, and other goals.	<i>Low-Med</i> – Could be incorporated into existing public outreach efforts and/or planning board work session; could be analyzed from recent master plan survey results.
46. Amend the zoning ordinance to allow parking provisions to be at the purview of the planning board rather than the zoning board.	<i>Low</i> - Would shift review of parking provisions to the planning board. Planning board already evaluates parking as part of site plan review process.
Reduced Zoning Requirements	
47. Recognize and promote the impact of reduced requirements on common master plan goals such as open space preservation, natural resource management, increased housing options, and more connected communities.	<i>Low</i> – Currently being addressed in latest iteration of master plan.
48. Consider potential zones that could benefit from a review and potential reduction in existing requirements.	<i>Low-Med</i> – Requires regulatory review and discussions with town officials and staff.
49. Host a public engagement session to teach the public of the benefits of “right-sizing” and strategize what that could look like.	<i>Low</i> – Could be incorporated into existing public outreach efforts. Input could be leveraged from latest master plan survey results.

50. Use Rye’s recently completed Build Out Analysis to project land needed to support reasonable growth under current regulations versus other housing types/scenarios.	<i>Low</i> – buildout analysis is complete.
51. Review current minimum lot size, setbacks, lot coverage, height restrictions, road design standards, and parking requirements in each zoning district. Assess where such requirements could be reduced to lessen to promote higher density and more efficient use of land.	<i>Low-Med</i> – Requires regulatory review and discussions with town officials and staff.
Tax Increment Financing	
52. Recognize and promote TIFs’ impact on common master plan goals, such as increased housing options, economic development in downtowns and Town Centers, open space preservation, and historic preservation.	<i>Low</i> - Already being addressed in latest iteration of Master Plan.
53. Hold public engagement events to discuss, reassess, and build support for the idea of TIFs (if not yet authorized in your community) and specific potential TIF districts and TIF plans.	<i>Med-High</i> – Depends on scale of community engagement. Requires staff training and time.
54. Based on your assessments and the public input, develop a TIF plan, which must include the district boundaries, a development program, and a finance plan.	<i>High</i> – Establishing a TIF will require assistance from a planning consultant. It may also require additional staff in the Town’s Planning Office to effectively implement such a program. Implementation also requires adoption of RSA 162-K “Municipal Economic Development and Revitalization Districts”, Board of Selectmen involvement, public engagement, and a TIF Advisory Board.
55. Recognize and promote the impact of a TDR Framework on common master plan goals such as increased housing options, economic development in downtowns and village centers, open space preservation, and historic preservation.	<i>Low</i> - Already being addressed in latest iteration of master plan.
56. Audit the community’s existing land use regulations. Identify any changes needed to make TDR-enabled development feasible.	<i>Low-Med</i> – Requires zoning review and preliminary identification of sending/receiving areas. For example, allowed housing types, densities, and dimensional rules may need to change to accommodate denser development in the receiving zone.

57. Conduct a public engagement process to educate property owners and the community generally and determine your community’s goals for a TDR program.	<i>Low-Med</i> – Requires staff training and outreach efforts. Engagement should help determine whether and where sending and receiving zones are located, what kind of development is desired in the receiving zone, and whether TDR are “bankable.”
Community Revitalization Tax Relief (RSA 79-E)	
58. Recognize and promote the impact of 79-E on common master plan goals such as increased housing options, economic development in downtowns and village centers, open space preservation, and historic preservation.	<i>Low</i> - Can be incorporated into most recent iteration of master plan (if not already there).
59. Determine which properties could be eligible by studying the history of sites and an up-to-date real estate financial analysis.	<i>High</i> - Would require analysis of existing structures in town and financial analysis to determine eligibility and impact on town.

Prioritized List of Actions:

Top Priorities (Short-term, low effort)

These actions could potentially be implemented quickly but would still require discussions with town staff and boards and some level of public engagement.

Regulation Changes:

Article 190-4.1 Retirement Community Developments (RCDs)

1. Amend Section 190-4.1(D) of the Zoning Ordinance to allow Retirement Community Developments on lots less than ten acres in (assuming adequate water and septic capacity).
 - a. *Note: May need additional evaluation of bedroom density requirements to match this amendment.*

Article 190-4.3 Conservation Land Developments (CLDs)

2. Amend Section 190-4.3 to allow Conservation Land Developments in the General Residence District.
3. Amend Section 190-4.3(D) to allow for Conservation Land Developments on lots less than 20 acres in size (assuming adequate water and septic capacity).

Article 190-4.0 Mobile Home Parks and Subdivisions

4. Amend Section 190-4.0 of the Zoning Ordinance to add manufactured housing to mobile home parks and subdivisions regulations.
5. Amend the zoning ordinance to clarify that single mobile homes or manufactured homes are allowed by right in all districts that allow single-family homes as opposed to only allowing them in a park of 10 acres or more.
6. Amend the zoning ordinance to allow for smaller mobile/manufactured housing parks with a reduced open space requirement.

Article 190-5.0 Off-street parking and loading

7. Amend 190-5.0(4) of the zoning ordinance to clarify that parking provisions are at the purview of the planning board.

Research, Assessment & Evaluation

1. Evaluate and update the town's tracking systems for Accessory Dwelling Units (ADUs).
2. Evaluate existing process for legalizing existing ADUs and determine if there are opportunities for improvement.
3. Consider exploring funding mechanisms and tax incentives for the rehabilitation of historic and older buildings.
4. Identify areas where housing production and open space conservation are important.
5. Identify large sites or collections of sites that are under concentrated site control, and which may be likely to be redeveloped.
6. Use Rye's recently completed Build Out Analysis to project land needed to support reasonable growth under current regulations versus other housing types/scenarios.
7. Use housing data to make predictions on what Rye's future population to determine the number of units needed.

Secondary Priorities (Mid-term, medium effort)

These actions may require more discussions with staff and stakeholders as well as more extensive public outreach and engagement.

Regulation Changes:

1. Amend the zoning ordinance to allow attached ADUs by right.
2. Amend the ADU Ordinance to:
 - a. Allow more than one ADU per parcel,
 - b. Be flexible on size, especially when the ADU will be in a building that currently exists on site.
 - c. Do not put a maximum room size requirement – allow for studio style ADUs, and flexible living spaces.
 - d. Allow for detached ADUs by right or by conditional use permit.

- e. Remove restrictions on renting ADUs, including time limitations, and consider eliminating the requirement for the owner to reside in the principal dwelling.
3. Consider incorporating requirements for universal building design in the construction of dwelling units for older adults.
4. Consider making cluster development mandatory for environmentally sensitive areas.
5. Include provisions for tiny homes or cottage style homes to be allowed as part of a cluster subdivision.
6. Review current minimum lot size, setbacks, lot coverage, height restrictions, road design standards, and parking requirements in each zoning district. Assess where such requirements could be reduced to lessen to promote higher density and more efficient use of land.

Research, Assessment & Evaluation

1. Investigate offering pre-approved ADU designs and educational materials that can speed up the permitting process.
2. Maintain an inventory of historic and underutilized buildings suitable for adaptive reuse.
3. Identify potential and priority infill development sites.
4. Assess recent development trends in the town of Rye. Institute and maintain a system for tracking the number of workforce housing units in town. If the development trend assessment suggests that there have been challenges to the actual development of Workforce Housing (WFH), audit local regulations to identify development barriers.
5. Assess options for mixed-use development in Rye. This could include existing downtowns or village areas with infill development opportunities, aging shopping centers, old industrial buildings ready for adaptive reuse, rural areas that can be preserved), and large sites requiring a Planned Unit Development (PUD).
6. Hold a public engagement process to determine the community's vision for these areas, including what types of uses, site configurations, and other goals.

Longer-term priorities (long-term, high effort)

These actions may take more time and resources and may require public support to implement.

1. Conduct an audit of local regulations to identify barriers to adaptive reuse of existing buildings.
2. Amend the Historic District zoning ordinance to specify building design standards for repurposing historic buildings into new uses such as housing.
3. Explore innovative design and technology solutions to create more flexible lot sizes and configurations within Land Conservation Developments.
4. Consider integrating form-based code into existing overlay districts or developing new districts that allow for denser development within areas with public water and the sharing of septic utilities.

5. Consider infill development incentives, including density bonuses, a streamlined permitting process, and tax relief.
6. Amend zoning ordinances to reduce parking ratios and allow shared parking arrangements between different uses in targeted areas for infill development.
7. Amend zoning ordinances to reduce minimum lot size requirements and create design standards for small, undersized lots to increase density and housing variety.
8. Amend the zoning ordinance to encourage mixed use developments. This can be a standalone ordinance (such as an overlay district) or incorporated into Rye's existing Planned Development ordinances.
9. Develop a Tax Increment Financing (TIF) district plan
10. Explore Transfer of Development Rights (TDR) for open space and housing balance
11. Develop Community Revitalization Tax Relief (79-E) incentives for historic building rehabilitation