WARNER MULTI-FAMILY ORDINANCE
DRAFT 11-3-26

ARTICLE III
Definitions
[Updated March, 2027]

"Adaptive reuse" means the repurposing of existing buildings or structures in whole or in part for residential purposes.

"Commercially zoned land" means land zoned for such commercial activities as retail and office space, services, wholesale, transportation, and industrial uses .

“Infrastructure” is capital facilities owned or operated by the municipality, including and limited to water treatment and distribution facilities, wastewater treatment and disposal facilities, and sanitary sewers.

“Multi-Family” is a building containing more than two independent living units within a single structure.

ARTICLE IV
General Provisions
[Updated March, 2027]

Delete Section K as it is replaced with new section IV.L:.V below, and densities are addressed in each district’s section of the ordinance.

K. ~~Multi-Family Development: In districts where multi-family development is permitted, the minimum Buildable Area shall be increased by 1/2 the minimum Buildable Area for single family dwellings in that particular district for each dwelling unit in excess of one (1), up to a maximum of four (4) dwelling units in any one building.~~[Updated March, 2027]

Add a new Section Letter V to Article Roman Numeral IV

V. Multi-Family Development in Commercial Zoning Districts.
Multi-Family Developments are permitted on all Commercially Zoned land in Warner as follows:

1. As either an adaptive reuse of an existing structure or as new construction;
2. Existing structures being converted to multi-family housing shall be exempt from setback, height, or frontage requirements provided that the building’s floor area, height, and setbacks do not change;
3. That the proposed development has adequate infrastructure, be it municipal or private;
4. In determining whether infrastructure is adequate, the planning board may:
    a. For road infrastructure, require a traffic impact study to ascertain the potential impacts to the existing traffic conditions in the vicinity of the project, including but not limited to, the ability of existing road infrastructure to accommodate increased vehicular traffic, the availability of sidewalks, and infrastructure to ensure pedestrian safety.

b. For water infrastructure, require that the applicant receive permission from the owner of a public water system to connect to the system or, in the absence of a public water system, develop a water supply in accordance with RSA 482-B and RSA 485 as applicable.
c. For sewage infrastructure, require that the applicant receive permission from the operator of a public sewer within the boundary prescribed by RSA 147:8 or as negotiated between the applicant and operator to connect to the system. If no such public sewer system is available, adequate private sewerage (septic system) must be provided, as may be approved by the New Hampshire Department of Environmental Services (NHDES).

5. A site plan review by the Planning Board is required for all proposed Multi-Family Developments; and,
6. That the proposed development has at least one parking space per dwelling unit.

ARTICLE V
Village Residential District – R1

Revise by adding the following new section:

D. Multi-Family Density: Five (5) units per buildable acre.

ARTICLE VI
Medium Density Residential District – R2

Revise by adding the following new section:

D. Multi-Family Density: Five (5) units per buildable acre.

ARTICLE V
Low Density Residential District – R3

Revise by adding the following new section:

D. Multi-Family Density: Three (3) units per buildable acre.

ARTICLE X
Business District – B1

Revise by adding the following new section:

H. Multi-Family Density: Five (5) units per buildable acre.

ARTICLE XI
Commercial District – C1

Revise by adding the following new section:

J. Multi-Family Density: Five (5) units per buildable acre.

ARTICLE XI-A
Warner Intervale Overlay District – INT

Revise by adding the following new section:

D. Multi-Family Density: Five units (5) per buildable acre.

TABLE 1
Use Regulations

Buildings, structures, or land shall be used as permitted by this ordinance. Any use NOT listed in this ordinance is prohibited. [Amended March 2023]

RESIDENTIAL

USES	R-1	R-2	R-3	B-1	C-1	OC-1	INT	OR
1. One-family detached dwelling [Amended March 2012, 2026]	P	P	P	P	~~S~~P	P		P
2. Two-family dwelling [Amended March 2012, 2026]	P	P	~~S~~P	P	~~S~~P			
3. Multi-family dwelling [Amended March 2012, 2026]	P	P	~~S~~P	P	~~S~~P			

S (Special Exception) P (Permitted)