

Temple, New Hampshire

Draft Master Plan and Land Use Regulation Audit



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Prepared by:



Introduction

This land use audit process is designed to identify the energy implications of land use planning and regulations in Temple, New Hampshire. Clean Air-Cool Planet (CA-CP) and Antioch New England Institute (ANEI), in coordination with the Southwest Region Planning Commission (SWRPC), are undertaking an initiative to assist the communities in the southwest region in implementing energy action. This project is called Cool Monadnock. This audit is one of the first pilot projects associated with the Cool Monadnock initiative.

This energy focused land use audit has a great deal of overlap with the goals for smart growth and other natural resource oriented efforts. The intent is to find ways to foster development patterns that use land in Temple efficiently, while protecting both local and global natural resources, and which reduce residents' reliance on energy from fossil fuels. Although this form of energy has been cheap and plentiful in the past, we now realize that the costs will be higher and the supplies much more sporadic in the future, that the emissions associated with their use contribute to climate change, and that the lifestyle of sprawl is fragile and unsustainable because of its reliance on goods and materials from far away. Energy and climate change issues must now be considered as factors limiting development, in a manner similar to natural resource constraints. The Community should be taking this long range view as it engages in its planning efforts.

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This audit process will identify the inconsistencies, from an energy perspective, between the Master Plan and the Zoning Ordinance, and the Site Plan, and Subdivision Regulations. The purpose of conducting an audit of a community's planning documents and land use regulations is to ensure that the Future Land Use Plan and associated recommendations in the Master Plan can actually be implemented under the existing regulations. If there are inconsistencies in these relationships, it is important to address them before it is too late and the community is no longer able to achieve its stated vision. This audit goes a step further and identifies energy and land use related issues that should be addressed in a future Master Plan update.

As part of the Cool Monadnock project, Jeffrey H. Taylor and Associates conducted a review and comparison of the 2003 Temple Master Plan with the existing Temple Land Use Regulations. Temple was selected as the recipient of this service because of Temple's leadership role in the Cool Monadnock project. Thanks to the assistance of the Temple Local Energy Committee and municipal officials and staff, Temple was the first town in the region to complete a comprehensive energy and greenhouse gas emission inventory on all municipal buildings and operations. Temple's inventory report is attached as Appendix A.

The overall finding of the review by Jeffrey H. Taylor and Associates is that there are some topics where the specifics of the land use regulations do not serve the policy statements of the Master Plan. This is a critical point. **If the regulations do not assist with the implementation of the Vision in the Master Plan, that Vision is not likely to be achieved.** There are also policy elements of the Master Plan that actively promote energy consumptive patterns of development, and must be addressed if Temple, as a community, is intent on conserving energy and reducing greenhouse gas emissions.

The following items cannot all be addressed at once, and will need to be reviewed and prioritized by representatives of the community as part of this process. This is an issue for the entire community. Every Temple resident pays a significant amount to power their home and vehicles, and a share of the expense required to power and heat community facilities and equipment.

Section 1.0 Major Audit Findings

Temple is an idyllic rural community in southern New Hampshire. This landscape of natural resources, including farm and forest lands, is critical to the community's long term sustainability. Many of these resources ensure clean drinking water, a sustainable fuel source, and the potential for locally produced food. Although the rate of growth in Temple is fairly low, the community is currently promoting a pattern of low density residential sprawl that is very auto-dependent, and which relies largely on the surrounding communities for services. This suburban pattern of development could change Temple in significant (and costly) ways over time, and eliminate many of the natural resources residents treasure now and will need in the future.

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If Temple decides to pursue a more energy efficient and sustainable land use pattern, a clear vision of that must be articulated in the Master Plan and implemented by the appropriate land use regulations. This is not to say that the community has not taken some steps in the right direction already. The creation of the Mountain District Conservation Development requirement is significant, and compliments the land conservation efforts in the town and the region.

Some of the major items that appear to need attention in the near future are:

- Land Use Patterns** – Nodes of mixed use development (residential, commercial, and civic uses) surrounded by lower density clusters of residential development and natural resources would allow for reduced travel requirements.
- Mix of Uses** – A greater mix of uses at key locations (like the Village) would allow for a reduction in vehicles trips, and would encourage walking and biking. It would also create a greater density of activity that might warrant a transit stop (or a simple park and ride) in the future.
- Diversity of Residential Units** – If a more diverse range of unit types were allowed in the community, there would be an opportunity to use developed parcels more efficiently, and provides housing options for a wider range of residents.
- Transportation Infrastructure** – There is a need to consider the direct relationship between the land use pattern in Temple, and the travel and transportation needs of the community. Nodes of greater density (think village crossroads) would provide for some transportation alternatives.

Section 2.0 Temple Master Plan - 2003

The current Master Plan (2003) recognizes the importance of the rural landscape and the village, but focuses largely on the development of single family homes. If this is the future land use pattern Temple wishes to promote, then these issues must be addressed. Once the community has a clear vision, it needs to ensure that the larger policy recommendations are reinforced by appropriate land use regulations.

Although one specific vision was not stated for Temple in the 2003 Master Plan, a series of policies and objectives were identified. These objectives are intended to guide the land use pattern in Temple as development takes place.



2.1 Key Objectives from the 2003 Master Plan

The Master Plan recommendations below were considered most relevant to this audit process, and have been organized under their primary subject area. **It is important to remember that most of these also have implications for other aspects of the community.** These recommendations are the identified action items related to the broader policies identified in this Master Plan.

Land use

- Assess each subdivision and site plan proposal regarding the scale and location of the proposed development in order to evaluate impacts on the Town.
- Review the Zoning Ordinance on an annual basis, in conjunction with the other Town Boards, to ensure that it reflects goals and objectives of the Master Plan and meets the needs of current local conditions.
- Review and amend the Zoning Ordinance as necessary to ensure that “sprawl development” is minimized and mitigated.
- Promote innovative development concepts such as conservation subdivision design, planned residential and/or open space (cluster) developments which encourage variety in residential architecture and landscape design, in conjunction with the preservation of open space and critical resource areas.
- Amend the Subdivision and Site Plan Review Regulations to require the use of Best Management Practices (BMPs) for storm water runoff.
- Amend the Subdivision and Site Plan Review Regulations to include provisions for shared driveways and interconnecting driveways between developments.
- Amend the Subdivision and Site Plan Review Regulations to require Site Specific Soil Mapping Standards.
- Amend the Subdivision and Site Plan Review Regulations with criteria for Developments of Regional Impact.

Community Facilities

- Conduct an annual review of municipal operations.
- Develop and implement annual and long-range plans for all departments of municipal government regarding the administration and duties of each department.
- Routinely analyze the need and opportunities for the future addition and/or expansion of municipal services and facilities with public input.

- Establish and maintain a municipal Capital Improvements Program with a minimum planning horizon of six years.

Economic Development

- Continually monitor the Zoning Ordinance to ensure that it reflects the changing nature of home occupations and businesses.
- Investigate establishing an agricultural/forestry overlay district that would favor agricultural and forestry uses over other land uses, through the regulation of lot sizes, buffering, sales of agricultural and forestry products, etc.
- Encourage formal municipal-level participation in regional economic development organizations, such as Monadnock Business Ventures, Inc.
- Evaluate parcels town-wide to identify sites suitable for future industrial and/or commercial development. Consider any rezoning, as necessary.
- Review zoning and other land use regulations of neighboring towns periodically to assess Temple's industrial/commercial uses.

Traffic and Transportation

- Provide for pedestrian walkways wherever warranted by traffic and development.
- Create a pedestrian-friendly Village Center area, through the development of pedestrian and bicycle facilities and the management of motorized-traffic behavior.
- Ensure, through site plan review, that adequate off-street parking is provided for in all future developments.
- Use the State of New Hampshire's Transportation Enhancement Program (through the auspices of the Southwest Region Planning Commission) to fund future Downtown improvements.
- Ensure long-range planning for the maintenance of all town roads and bridges by preparing a schedule of road and bridge maintenance improvement projects.
- Establish standards of design and operating procedures for the maintenance, improvement and construction of municipal roads to protect the rural character of Temple while providing a safe and efficient road network, including protection of roadside trees, preventing destruction of stone walls and minimizing roadway width, and changes in radius of vertical and horizontal curves.
- Consider the adoption of an Access Management Plan for NH Route 101 through

Temple.

- Evaluate the use of the Scenic Road designation for certain roads in Temple, pursuant to RSA 231:158, II.
- Support the continued participation by the town in the Transportation Improvement Program planning process carried out by the Southwest Region Planning Commission and State of New Hampshire.

Housing

- Periodically conduct a housing inventory within Temple, including characteristics such as the number of single and multi-family houses; the age and condition of houses; trends in the area real estate market; and rental versus ownership rates.
- Assess the impact of regional development and land use regulations in neighboring towns on housing demands for Temple.
- Amend the Zoning Ordinance to allow congregate housing for the elderly in residential areas.

Conservation and Preservation

- Develop and maintain a Natural Resource Inventory.
- Promote the connection of the publicly owned trail system to the regional trail network.
- Explore the use of an Aquifer Protection District Ordinance, or a Groundwater Protection Health Ordinance.
- Explore the use of a Shoreland Protection District Ordinance, or Surface Water Resources Protection Overlay District.
- Develop and maintain an Open Space Plan for the Town of Temple.
- Establish a Conservation Reserve Fund to support public activities such as the acquisition of easements for land conservation or trail access and the acquisition of real property for conservation or multiple uses.
- Adopt Conservation Subdivision regulations.
- Consider the adoption of a Steep Slopes Ordinance.
- Consider the adoption of a Scenic Viewshed Protection Ordinance.

- Conduct a critical review the town’s existing Sign Ordinance.
- Amend the Temple Subdivision and Site Plan Review Regulations to require the underground placement of utilities where practical; and when underground placement is not practical, utilize design and landscaping techniques to blend such facilities with the natural environment to minimize their obtrusiveness.
- Consider the adoption of a Noise Ordinance.

2.3 Key Issues to Address in Future Master Plan Updates

Like many communities, Temple did not consider the significant energy implications related to land use as the 2003 Master Plan was created. Fortunately it is not too late, and future amendments to the Master Plan can address the following issues in a manner that is appropriate for Temple.

- Consider adding energy efficiency and conservation to the guiding principles of the Master Plan.
- Articulate a clear vision statement that is specific to Temple, and will guide the future land use plan for the community.
- Address the conflicting goals of remaining largely a residential community with little active agriculture, and the concern in the Future Land Use Section over sprawl patterns of development.
- Consider supporting agriculture in the community using new regulatory and non-regulatory approaches.
- Create and adopt an Energy Chapter including any data on energy audits and green house gas inventories involving Temple. This chapter should also be used to:
 - Develop energy conservation objectives for municipal structures and vehicles;
 - Address the potential for relocalization and greater sustainability within the region as an alternative to energy consumption and reliance on resources from outside the region;
 - Consider the role/possibility of new opportunities such as distributed energy generation from renewable sources, transportation alternatives, food production, and other sustainability efforts;
 - Encourage energy conservation along with design aesthetics in new structures; and
 - Identify opportunities for the Energy Committee to assist Town Boards and Departments with energy conservation efforts.
- Identify the importance of natural resources in Temple for future energy and sustainability.

- Clarify the connection between the increased occurrence/intensity of natural hazards, and the need for climate adaption efforts.
- Identify the need for regional public transportation initiatives that provide rural transit options for Temple residents. This will provide residents of Temple transportation fuel cost relief in the future.
- Promote the maintenance and use of recreational trails and facilities as opportunities close to home.
- Address the need for more diverse housing stock that can address the needs of all ages and income levels.
- Identify implementation actions at the end of each chapter, and in an implementation chapter.

Section 3.0 Identified Regulatory Inconsistencies and Opportunities

The following findings have been organized under the regulation they relate to, and specifically address existing disconnections identified in the Temple Land Use Regulations to date. Some of these policy related issues may also need to be addressed in the Master Plan to provide the foundation for new regulations.

3.1 Zoning Ordinance:

Jeffrey H. Taylor & Associates conducted an independent review of the Zoning Ordinance, and our comments are identified below.

- In the authority and purpose – consider adding “promote energy conservation, and an energy efficient land use pattern”
- *Zoning Districts:*
 - Promote land use patterns that create opportunities for public transportation, carpooling, ride-sharing and other lower energy alternatives.
 - Identify areas within and adjacent to the village that could accommodate future development, higher density, and a mix of uses in a walkable and bikeable pattern.
 - Retain the two rural zones where conservation, farming and forestry are the priority, and residential units are allowed at a lower density overall.
- Why a 35 foot setback from all property lines in all districts? Each district should have standards that relate directly to the vision for that area for the community, and the future land use pattern.
- Article V – *Districts and Uses:*

Village and Historic Preservation District:

- Two acre lot size requirements and 250' of frontage do not create a village environment, and a greater mix of uses should be permitted in a walkable/bikable pattern.
- Consider reducing the lot size in this district, and expand the uses to include retail, and a broader range of residential use
- Establish design guidelines to promote aesthetics and energy efficiency.
- *Article IV Section 13* is too restrictive for village scale development. Consider using a conditional use permit that will give the Planning Board some oversight if necessary.

Rural Residential and Agricultural District

– Consider expanding the types of housing units allowed, and requiring the use of the Conservation Development provision in this District.

Mountain District – The uses are fine, but the minimum lot size should be greater for the parcels that do not fall under the Conservation Design provision.

- There are no opportunities to create multi-family housing in Temple. This form of housing can be very energy efficient, promotes the efficient use of land, and provides densities that may support transportation alternatives. Under NH law opportunities for multi-family units must be allowed in 50% of the community.
- Promote home based businesses and telecommuting by continuing to provide flexibility for these uses. New uses developed in the Village could potentially support these small business uses as well.
- Adopt steep slope regulations and other natural resource regulations that help focus development in key areas of Temple
- *Accessory Apartments:*
 - Allowing accessory apartments throughout Temple is great!
 - Consider being more flexible and allowing these units in accessory structures on the property by right, and not just on lots that are twice the minimum lot size.
 - Consider allowing accessory apartment in Planned Residential Developments.
- Section 12 - *Farming* – Currently lacks detail or guidance. Consider adding some farm friendly regulations that provide flexibility. See the New Hampshire Coalition for Sustainable Agriculture documents for suggestions.
- Section 13 – *Industry, Commercial and Non-commercial Enterprises:*
 - Consider changing this provision to a conditional use permit issued by the Planning Board, and providing the opportunity for greater flexibility in the siting of these uses if they met the conditions outlined by the Board.

- Consider including regulatory incentives in this provision for development projects that embrace energy conservation and other objectives. This may include greater density or other relief from dimensional standards, or an expedited review process.
 - Or - Develop a new “green” business ordinance to regulate new non-residential development, and provide incentives for meeting performance standards set by the Town (i.e. Leadership in Energy and Environmental Design (LEED) Certification, Sustainable Sites Certification, producing renewable energy on site, etc.)
- Section 19 – *Planned Residential Development* –
 - Include in the purpose statement – Promote an energy efficient land use pattern, and energy efficient design.
 - Consider promoting active agriculture and forestry on appropriate portions of the open space in these developments.
 - Consider reducing the steep slope standard to 15%.
 - Do not allow undevelopable land to be counted toward the required open space
 - Consider adding incentives such as density bonuses for projects that incorporate a higher % of protected land (like MDCD), achieve LEED certification, or a similar standard, include a shared a renewable energy system, district heating, workforce housing units, or other significant components identified within the ordinance.
 - The Mountain District Conservation Development provision is an excellent tool. Consider using this in the Rural Agricultural district as well!
 - Consider allowing this provision for non-residential uses as well to ensure the same commitment to design and open space protection.
 - Temple should consider adopting a regulatory provision for Small Wind Generators. This will create a clear review process and standards for future applications.

3.2 Subdivision Regulations:

Jeffrey H. Taylor & Associates conducted an independent review of the Subdivision Regulations, and our comments are identified below.

- Building orientation should be a recommended review element, so as to increase the number of passive solar units in the community
- Consider providing incentives for projects that are eligible for Energy Star, LEED certification or other equivalent green building standard.
- *Low Impact Development:*
 - Adopt LID provisions that will better control and infiltrate stormwater on the site without a need for traditional infrastructure (storm drains, etc.).

- Set a standard for the volume of treatment, and allow the use of these innovative LID treatment methods (vegetative and structural) which clean storm water and recharge the aquifers.
- Allow or encourage the use of porous pavements (asphalt and concrete - with appropriate design specifications) to encourage stormwater infiltration and reduce winter maintenance requirements.
- Adopt outdoor lighting regulations that require full cutoff fixtures and reduce the potential for light pollution and save energy.
- Acknowledge the energy implications of landscaping – refer to *Integrated Landscaping: Following Nature’s Lead* (NH Cooperative Extension), require the use of indigenous species, and promote the use of edible landscaping that is visually interesting and provides a food source for animals and humans.
- *Roads:*
 - Require all dead-ends to have a provision for future connections to adjacent parcels.
 - Require all roadways to use LID techniques for handling stormwater.
 - Ensure that narrow roadways continue to be an option on low volume roads.
 - Adopt access management guidelines that will reduce the number of curb cuts on collector streets in Temple.

3.3 Site Plan Review:

Jeffrey H. Taylor & Associates conducted an independent review of the Site Plan Review Regulations, and our comments are identified below.

- In the purpose statement, stress the need to promote energy efficiency and conservation in the design and operation of new structures.
- Building orientation should be a recommended review element, so as to increase the number of passive solar units in the community
- Consider providing incentives for projects that are eligible for Energy Star, LEED certification, or other equivalent green building standard.
- Consider the use of voluntary or mandatory architectural guidelines for new uses located in the Village or other nodes of development
- *Low Impact Development:*
 - Adopt LID provisions that will control and infiltrate stormwater on the site without a need for traditional infrastructure (storm drains, etc.).
 - Set a standard for the volume for treatment, and allow the use of these innovative LID treatment methods (vegetative and structural) which clean storm water and recharge the aquifers.

- Allow or encourage the use of porous pavements (asphalt and concrete - with appropriate design specifications) to encourage stormwater infiltration and reduce winter maintenance requirements.
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Summary

This Master Plan and Land Use Regulation Audit should serve as an implementation tool for the Town of Temple. Our suggestion would be to address and prioritize these issues for implementation. The Audit highlights the fact that the Master Plan does not address issues related to energy consumption and green house gas emissions, and this needs to be addressed to better guide future development and conservation initiatives in Temple. Then the land use regulations can help implement this energy efficient land use vision in Temple. The recommendations in this report directly or indirectly would serve the purpose to reduce energy usage and/or greenhouse gas emissions for Temple citizens.