

7:00 PM

Aldermanic Chamber

1. ROLL CALL

PUBLIC HEARING**O-25-073****AMENDING THE LAND USE CODE REGARDING APPROVED SUBDIVISION EXEMPTION**

TESTIMONY

O-25-074**AMENDING THE LAND USE CODE REGARDING FAMILY DAY-CARE FACILITIES**

TESTIMONY

O-25-075**AMENDING THE LAND USE CODE REGARDING ON-SITE PARKING REQUIREMENTS FOR RESIDENTIAL USES**

TESTIMONY

O-25-076**AMENDING THE LAND USE CODE BY AMENDING THE ACCESSORY DWELLING UNIT ORDINANCE AND
DEFINITION OF DWELLING UNIT, ACCESSORY**

TESTIMONY

O-25-077**AMENDING THE LAND USE CODE REGARDING UNRELATED HOUSEHOLDS**

TESTIMONY

REGULAR MEETING

2. PUBLIC COMMENT

3. COMMUNICATIONS

4. PETITIONS

5. UNFINISHED BUSINESS

6. NEW BUSINESS – RESOLUTIONS

7. NEW BUSINESS – ORDINANCES

O-25-073

Endorser: Alderman-at-Large Melbourne Moran, Jr.

AMENDING THE LAND USE CODE REGARDING APPROVED SUBDIVISION EXEMPTION**O-25-074**

Endorser: Alderman-at-Large Melbourne Moran, Jr.

AMENDING THE LAND USE CODE REGARDING FAMILY DAY-CARE FACILITIES**O-25-075**

Endorser: Alderman-at-Large Melbourne Moran, Jr.

**AMENDING THE LAND USE CODE REGARDING ON-SITE PARKING REQUIREMENTS FOR RESIDENTIAL
USES****O-25-076**

Endorser: Alderman Thomas Lopez
**AMENDING THE LAND USE CODE BY AMENDING THE ACCESSORY DWELLING UNIT ORDINANCE AND
DEFINITION OF DWELLING UNIT, ACCESSORY**

O-25-077

Endorser: Alderman-at-Large Melbourne Moran, Jr.
AMENDING THE LAND USE CODE REGARDING UNRELATED HOUSEHOLDS

8. TABLED IN COMMITTEE
9. GENERAL DISCUSSION
10. PUBLIC COMMENT
11. REMARKS BY THE ALDERMEN
12. ADJOURNMENT



ORDINANCE

AMENDING THE LAND USE CODE REGARDING APPROVED SUBDIVISION EXEMPTION

CITY OF NASHUA

In the Year Two Thousand and Twenty-Five

The City of Nashua ordains that Part II “General Legislation”, Chapter 190 “Land Use”, Part 3 “Procedures”, Article XVI “Subdivision Procedures”, Section 190-145 “Approved subdivision exemption; active and substantial development” by deleting the struck-through language as follows:

“§190-145: Approved subdivision exemption; active and substantial development.

- A. Approved subdivision exemption. Every subdivision approved by the Planning Board shall be exempt from all subsequent changes in subdivision regulations and zoning ordinances adopted by the City of Nashua, except those regulations and ordinances which expressly protect public health standards, such as water quality and sewage treatment requirements, for a period of ~~four~~ seven (7) years after the date of certification of the subdivision by the Planning Board; provided, however, that once substantial completion of the improvements as shown on the plans have occurred in compliance with the approved plans, or the terms of said approval or unless otherwise stipulated by the Planning Board, the rights of the owner or the owner's successor in interest shall vest and no subsequent changes in site plan regulations or zoning ordinances shall operate to affect such improvements; and further provided that:
- (1) Active and substantial development or building has begun on the site by the owner or the owner's successor in interest in accordance with the approved plans within ~~12 months~~ three (3) years after the date of approval (certification by the Planning Board), or in accordance with the terms of the approval, and, if a bond or other security to cover the costs of roads, drains, or sewers is required in connection with such approval, such bond or other security is posted with the City, at the time of commencement of such development;
 - (2) The development remains in full compliance with the public health regulations and ordinances of the City of Nashua; ~~and~~

- (3) At the time of approval (certification of the plans by the Planning Board), the subdivision conforms to the subdivision regulations, and zoning ordinances then in effect at the site of such plan; and
- (4) The seven (7) year period and three (3) year exemption in this section shall apply to any approval granted on or after July 1, 2023.”

All other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall become effective immediately upon passage.

LEGISLATIVE YEAR 2025

ORDINANCE:

O-25-073

PURPOSE:

**Amending the Land Use Code approved Subdivision
Exemption**

ENDORSER(S):

Alderman-at-Large Melbourne Moran

**COMMITTEE
ASSIGNMENT:**

**Planning and Economic Development Committee
Planning Board**

FISCAL NOTE:

None.

ANALYSIS

This legislation reflects changes to the City's ordinances required by the passage of HB 413 (2025), effective July 1, 2025.

This legislation amends the land use code. State statute (RSA 675:2) and NRO Section 190-132 require a public hearing and referral to the city planning board. The public hearing is conducted by the aldermanic planning and economic development committee with notice published in a newspaper of general circulation and posted in two public places at least ten calendar days prior to the date of the hearing. (Notice period does not include the day notice is posted or the day of the public hearing. RSA 675:7, I). See RSA 675:7, I-a for notice requirements to individual owners for changes that affect 100 or fewer properties. A favorable vote of two-thirds of all the members of the board of aldermen present and voting would be required if a protest petition is filed pursuant to RSA 675:5.

Approved as to form:

Office of Corporation Counsel

By: /s/Celia K. Leonard

Date: October 8, 2025



ORDINANCE

AMENDING THE LAND USE CODE REGARDING FAMILY DAY-CARE FACILITIES

CITY OF NASHUA

In the Year Two Thousand and Twenty-Five

The City of Nashua ordains that Part II “General Legislation”, Chapter 190 “Land Use”, Part 2 “Zoning Districts and Supplemental Use Regulations”, Article VI “Supplemental Use Regulations”, Section 190-36 “Child day-care facilities” of the Nashua Revised Ordinances, as amended, is hereby further amended by deleting the struck-through language and adding the new underlined language as follows:

“§190-36: Child day-care facilities.

A. A child day-care facility as a principal use is subject to the following standards:

1. All child day-care facilities shall be located on lots that have direct access to and from a collector or arterial street, or access to a street which shall be physically improved in order to fulfill the function and meet the standards of a collector street;
2. Outdoor activity areas for child day-care facilities shall be enclosed by fences and shall not be located in the front yard of a residential district. Where the lot is located within or adjacent to a residential district, the enclosure shall be a solid fence made of wood or other suitable material not more than six feet in height which shall be erected and maintained in good condition around the outdoor activity area.

B. Child day-care facilities located within a dwelling unit are permitted by-right as an accessory use to the primary residential use provided all requirements for such programs adopted in rule of the Department of Health and Human Services (He-C 4002) are met. ~~and providing care for more than three children are subject to the following standards and requirements:~~

- ~~1. The child day-care facility shall be subordinate to a single-family detached dwelling; and~~
 - ~~2. The maximum capacity of a child day-care facility shall be 12 children; and~~
 - ~~3. A child day-care facility providing care for six or more children shall be located on a lot that conforms to the minimum dimensional standards for the applicable zoning district established in § 190-16, Dimensional regulations, of this chapter;~~
 - ~~4. There is on-site parking for the principal residential use;~~
 - ~~5. Outdoor activity areas for child day-care facilities shall not be located in the front yard and shall be enclosed by a solid fence made of wood or other suitable material not less than six feet in height which shall be erected and maintained in good condition around the outdoor activity area; and~~
 - ~~6. No signs shall be permitted except for a nameplate not exceeding one square foot in size and attached flat to the main structure.~~
- C. Child day-care facilities accessory to a principal nonresidential use are subject to the following standards and requirements:
- a. Where the child day-care facility is located in a separate building more than 500 feet from the building in which the principal nonresidential use is located parking shall be provided in addition to the parking required for the principal nonresidential use; and
 - b. Outdoor activity areas for child day-care facilities shall be enclosed by fences. Where the facility is located within or adjacent to a residential district, the outdoor activity area shall be enclosed by a solid fence made of wood or other suitable material not less than six feet in height which shall be erected and maintained in good condition around the outdoor activity area.
- D. Outdoor play for any child day-care facility located within any residential district is restricted to the hours of 9:00 a.m. to 6:00 p.m.

It is further ordained that Part II “General Legislation”, Chapter 190 “Land Use”, Part 2 “Zoning Districts and Supplemental Use Regulations”, Article III “Base Districts”, Section 190-15 “Permitted Uses”, Table 15-1 “Use Matrix” of the Nashua Revised Ordinances as amended, is hereby further amended by deleting the struck-through language and adding the new underlined language as follows:

Table 15-1 Use Matrix.

Use		LBCS Function	LBCS Structure	NAICS	R-40 Rural Residence	R-30 Suburban Residence	R-18 Suburban Residence	R-9 Suburban Residence	R-A Urban Residence	R-B Urban Residence	R-C Urban Residence	LB Local Business	GB General Business	D-1 Downtown	D-3 Downtown	HB Highway Business	PI Park Industrial	AI Airport Industrial	GI General Industrial
241.	Day Care, Family	6562		624410	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>A</u>	<u>AS</u>

It is further ordained that Part II “General Legislation”, Chapter 190 “Land Use”, Part 2 “Zoning Districts and Supplemental Use Regulations”, Article VI “Supplemental Use Regulations”, Section 190-47 “Home occupations” of the Nashua Revised Ordinances, as amended, is hereby further amended by deleting the struck-through language and adding the new underlined language as follows:

§190-47 Home occupations.

...

B. Major home occupations. The purpose of this subsection is to permit the accessory use of a residence for business purposes which is clearly incidental to the principal residential use, provided that the use does not significantly change the residential character or function of the property to the extent that the use will be objectionable to other residential uses in the neighborhood. Specifically, the following special regulations must be met to the satisfaction of the Zoning Board of Adjustment as well as the conditions set forth in § 190-134 before a special exception can be granted. In granting a special exception, the Zoning Board of Adjustment may attach any reasonable conditions to the approval to ensure the protection of the residential character of the neighborhood:

1. No more than one nonresident shall be employed.
2. No more than 30% of the gross floor area of the dwelling or 300 square feet, whichever is less, shall be devoted to such use, ~~except for child day care facilities, which may use up to 420 square feet.~~ Child day-care facilities are exempt from this restriction.
3. The use shall be carried on strictly within the principal building.
4. The use will not change the internal or external residential character or function of the dwelling to the extent that the use will be objectionable to other residential uses in the neighborhood.
5. There shall be no exterior storage or display of any kind which is related to the home occupation.

6. The use shall not create any noise, dust, vibration, odor, smoke, glare, electrical interference, fire hazard or nuisance to any greater or more frequent extent than that usually experienced in other residential dwellings.
 7. Only goods produced on the premises, and made to order for a specific customer, may be sold on the premises.
 8. There shall be no advertising on the premises other than a single nonilluminated sign which shall not exceed two square feet in area. Such sign ~~may only indicate the owner's name and address, and the street address~~ shall be prominently displayed by use of text and numerals no smaller than three inches in height and no larger than six inches in height.
 9. Not more than one commercial vehicle shall be stored, parked or otherwise situated on the premises. Such vehicle shall not exceed 25 feet in length.
 10. The use will not cause vehicular traffic which is substantially different from that which currently exists on the street.
- C. Sign regulations. The following regulations apply to any home occupation sign in any residential district:
1. Maximum sign area shall be two square feet.
 2. Sign shall not be illuminated.
 3. ~~Sign content shall be identification only including the name and address of the occupant or business.~~
 3. 4. Maximum number of home occupation signage per premises shall be one.
 4. ~~5.~~ Advertising on the premises is prohibited.
 5. ~~6.~~ Street address of the premises shall be prominently displayed by use of numerals no smaller than three inches in height and no larger than six inches in height.
 6. ~~7.~~ The above conditions for home occupation signage apply to both minor and major home occupations, as referenced in this § 190-47 of this chapter.

All other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall become effective immediately upon passage.

LEGISLATIVE YEAR 2025

ORDINANCE: O-25-074

PURPOSE: Amending the Land Use Code regarding Family Day-Care Facilities

ENDORSER(S): Alderman-at-Large Melbourne Moran

COMMITTEE Planning and Economic Development Committee
ASSIGNMENT: Planning Board

FISCAL NOTE: None.

ANALYSIS

This legislation reflects changes to the City's ordinances required by the passage of HB 1567 (2024), effective September 24, 2024.

This legislation amends the land use code. State statute (RSA 675:2) and NRO Section 190-132 require a public hearing and referral to the city planning board. The public hearing is conducted by the aldermanic planning and economic development committee with notice published in a newspaper of general circulation and posted in two public places at least ten calendar days prior to the date of the hearing. (Notice period does not include the day notice is posted or the day of the public hearing. RSA 675:7, I). See RSA 675:7, I-a for notice requirements to individual owners for changes that affect 100 or fewer properties. A favorable vote of two-thirds of all the members of the board of aldermen present and voting would be required if a protest petition is filed pursuant to RSA 675:5.

Approved as to form: Office of Corporation Counsel

By: /s/Celia K. Leonard

Date: October 8, 2025



ORDINANCE

AMENDING THE LAND USE CODE REGARDING ON-SITE PARKING REQUIREMENTS FOR RESIDENTIAL USES

CITY OF NASHUA

In the Year Two Thousand and Twenty-Five

The City of Nashua ordains that Part II “General Legislation”, Chapter 190 “Land Use”, Part 2 “Zoning Districts and Supplemental Use Regulations”, Article XXVIII “Parking”, Section 190-198 “Number of off-street parking spaces”, Table 198-1 “Parking Matrix” of the Nashua Revised Ordinances as amended, is hereby further amended by deleting the struck-through language and adding the new underlined language as follows:

“Table 198-1 Parking Matrix

Key: "sf means square feet of gross floor area, unless otherwise indicated. "Outdoor area" means the area outside of enclosed buildings or structures that area devoted to the use only, and does not include areas devoted to parking. "N/A" means not applicable. See 190-15, Table 15-1, of this Chapter 190 for definitional references.				
	Use	Minimum Parking Spaces	Maximum Parking Spaces	Use Category for Loading Standards (See §190-199, Table 199-1; note: applies only if more than 5,000 square feet)
Residential				
3.	Accessory dwellings	N/A <u>1 per unit</u>	N/A	N/A
6.	Duplex (two-family dwelling)	<u>2 1</u> per unit	N/A	N/A
7.	Dwelling, manufactured home, on an individually owned lot	<u>2 1</u> per unit 1100	22 <u>2</u> per unit	N/A
8.	Dwelling, manufactured home park	<u>2 1</u> per unit	N/A	N/A
9.	Modular dwelling home	<u>2 1</u> per unit	N/A	N/A
15.	Multifamily dwellings (3 or more units)	1.5 <u>1</u> per unit	1.9 per unit	N/A
18.	Single-family detached dwellings	<u>2 1</u> per unit	N/A	N/A

All other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall become effective immediately upon passage.

LEGISLATIVE YEAR 2025

ORDINANCE:

O-25-075

PURPOSE:

Amending the Land Use Code regarding on-Site Parking Requirements for Residential Uses

ENDORSER(S):

Alderman-at-Large Melbourne Moran

**COMMITTEE
ASSIGNMENT:**

**Planning and Economic Development Committee
Planning Board**

FISCAL NOTE:

None.

ANALYSIS

This legislation reflects changes to the City's ordinances required by the passage of SB 284 (2025), effective September 13, 2025.

This legislation amends the land use code. State statute (RSA 675:2) and NRO Section 190-132 require a public hearing and referral to the city planning board. The public hearing is conducted by the aldermanic planning and economic development committee with notice published in a newspaper of general circulation and posted in two public places at least ten calendar days prior to the date of the hearing. (Notice period does not include the day notice is posted or the day of the public hearing. RSA 675:7, I). See RSA 675:7, I-a for notice requirements to individual owners for changes that affect 100 or fewer properties. A favorable vote of two-thirds of all the members of the board of aldermen present and voting would be required if a protest petition is filed pursuant to RSA 675:5.

Approved as to form:

Office of Corporation Counsel

By: Celia K. Leonard

Date: October 8, 2025



ORDINANCE

AMENDING THE LAND USE CODE BY AMENDING THE ACCESSORY DWELLING UNIT ORDINANCE AND DEFINITION OF DWELLING UNIT, ACCESSORY

CITY OF NASHUA

In the Year Two Thousand and Twenty-Five

The City of Nashua ordains that Part II “General Legislation”, Chapter 190 “Land Use”, Part 2 “Zoning Districts and Supplemental Use Regulations”, Article VI “Supplemental Use Regulations”, Section 190-32 “Accessory dwelling units” of the Nashua Revised Ordinances as amended, is hereby further amended by deleting the struck-through language and adding the new underlined language as follows:

“§190-32. Accessory dwelling units.

A. Applicability. This section applies to any accessory dwelling unit.

B. Standards.

- (1) The accessory dwelling unit shall be clearly incidental and subordinate in extent, use, and purpose to the primary structure and does not exceed 750-980 square feet.
 - (a) If an accessory dwelling unit is proposed to be developed within an existing structure, or a portion thereof, and no expansion of the footprint of that existing structure is proposed, the accessory dwelling unit may consist of an area up to 1,200 square feet.
- (2) The accessory dwelling unit shall be the only accessory dwelling unit within or on the same lot as the single-family dwelling.
- (3) The accessory dwelling unit shall not alter the single-family character or appearance of the single-family dwelling or its conformity with the character of the neighborhood.
 - ~~(a) No new entrance or exit to an accessory dwelling unit shall be constructed on the front or frontage side of the single-family dwelling.~~
 - ~~(b) (a) No new curb cut from the street shall be constructed.~~

- ~~(c) The exterior design of the accessory dwelling unit shall be compatible with the single-family dwelling through architectural use of building forms, scale, and construction materials.~~
- (4) ~~(Reserved).~~ The applicant shall make provisions for adequate water supply and sewage disposal for the accessory dwelling unit in accordance with RSA 485-A:38.
- (5) The owner of the property must occupy either the primary or accessory dwelling unit as the owner's principle place of residence.
- (6) The owner of the property shall provide the City of Nashua with a covenant for filing with the Hillsborough County registry of deeds, along with the appropriate filing fees. The covenant shall read substantially as follows:
- "_____ of _____ covenants and agrees that the property located at _____ contains an accessory dwelling as defined by the City of Nashua Land Use Code (§ 190-264 of Article XLII). ~~That use of the property is permitted as a special exception granted by the Zoning Board of Adjustment on _____, _____. The continued use of the accessory dwelling unit is conditioned upon compliance with all current and subsequently adopted ordinances and statutes applicable to the property.~~"*
- The granting of a ~~certificate of occupancy of~~ building permit for the accessory dwelling unit shall be contingent upon receipt of the covenant and fees.
- (7) One (1) additional off-street parking space is required above the minimum standard for a single-family house, either on-site or at an off-site location and legally dedicated via a lease agreement or other instrument deemed acceptable by the Administrative Officer.
- (8) ~~An interior door shall be provided between the primary dwelling unit and the accessory dwelling unit.~~ Attached accessory dwelling units shall either have an independent means of ingress and egress or ingress and egress through a common space shared with the principal dwelling.
- (9) The single-family dwelling and the accessory dwelling unit shall not be separated in ownership (including by condominium ownership).
- (10) Accessory dwelling units shall only be associated with single family detached dwellings and shall not be associated with multiple single-family dwellings attached to each other, such as townhouses ~~manufactured housing as defined in RSA 674:31.~~
- (11) Where the standards of this Section conflict with those found elsewhere in Chapter 190 "Land Use", the standards of this Section apply.

It is further ordained that Part II “General Legislation”, Chapter 190 “Land Use”, Part 2 “Zoning Districts and Supplemental Use Regulations”, Article III “Base Districts”, Section 190-15 “Permitted Uses”, Table 15-1 “Use Matrix” of the Nashua Revised Ordinances as amended, is hereby further amended by deleting the struck-through language and adding the new underlined language as follows:

Table 15-1 Use Matrix.

Use	LBCS Function	LBCS Structure	NAICS	R-40 Rural Residence	R-30 Suburban Residence	R-18 Suburban Residence	R-9 Suburban Residence	R-A Urban Residence	R-B Urban Residence	R-C Urban Residence	LB Local Business	GB General Business	D-1 Downtown	D-3 Downtown	HB Highway Business	PI Park Industrial	AI Airport Industrial	GI General Industrial
Accessory Uses																		
1. Accessory uses as permitted in §190-31		1130		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
2. Fences, walls or other enclosures subject to §190-44				A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
3. <u>Accessory dwelling units</u>	<u>1100</u>	<u>1130</u>		<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>	<u>AP</u>	<u>AP</u>	<u>AS</u>	<u>AS</u>	<u>A</u>	<u>AS</u>
Residential Uses																		
3. <u>Accessory dwelling units</u>	<u>1100</u>	<u>1130</u>		<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>S</u>	<u>-</u>	<u>S</u>

It is further ordained that Part II “General Legislation”, Chapter 190 “Land Use”, Part 8 “Definitions and Submittal Requirements”, Article XLII “Definitions”, Section 190-264 “Definitions”, “Dwelling Unit, Accessory” of the Nashua Revised Ordinances as amended, is hereby further amended by deleting the struck-through language and adding the new underlined language as follows:

Dwelling Unit, Accessory

A second dwelling unit contained within, ~~or attached to, or detached from the same building as~~ a single-family dwelling on the same lot.”

All other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall become effective immediately upon passage.

LEGISLATIVE YEAR 2025

ORDINANCE:

O-25-076

PURPOSE:

Amending the Land Use Code by amending the accessory dwelling unit ordinance and definition of dwelling unit, accessory

ENDORSER(S):

Alderman Tomas Lopez

**COMMITTEE
ASSIGNMENT:**

**Planning and Economic Development Committee
Planning Board**

FISCAL NOTE:

None

ANALYSIS

This legislation reflects changes to the City's ordinances required by the passage of HB 577 (2025), effective July 1, 2025.

This legislation amends the land use code. State statute (RSA 675:2) and NRO Section 190-132 require a public hearing and referral to the city planning board. The public hearing is conducted by the aldermanic planning and economic development committee with notice published in a newspaper of general circulation and posted in two public places at least ten calendar days prior to the date of the hearing. (Notice period does not include the day notice is posted or the day of the public hearing. RSA 675:7, I). See RSA 675:7, I-a for notice requirements to individual owners for changes that affect 100 or fewer properties. A favorable vote of two-thirds of all the members of the board of aldermen present and voting would be required if a protest petition is filed pursuant to RSA 675:5.

Approved as to form:

Office of Corporation Counsel

By: /s/Celia K. Leonard

Date: October 8, 2025



ORDINANCE

AMENDING THE LAND USE CODE REGARDING UNRELATED HOUSEHOLDS

CITY OF NASHUA

In the Year Two Thousand and Twenty-Five

The City of Nashua ordains that Part II “General Legislation”, Chapter 190 “Land Use”, Part 2 “Zoning Districts and Supplemental Use Regulations”, Article III “Base Districts”, Section 190-16 “Dimensional regulations”, Subsection B “Residential Density” of the Nashua Revised Ordinances, as amended, is hereby further amended by deleting the struck-through language as follows:

“§190-16: Dimensional regulations.

...

B. Residential density (Dimensional Matrix, Column B).

- (1) Density restrictions apply only to conservation subdivisions and to dwelling units other than single-family detached dwellings. No building, structure or land shall hereafter be used or occupied in excess of the prescribed density regulations, nor accommodate a greater number of dwelling units than prescribed for in the zoning district in which it is or will be located.
- (2) In computing density for large tracts or multiunit housing projects, the density limits established by the zoning district apply. Densities may exceed the maximum on part of a tract, if the overall density on the total project site does not exceed the limits established by the zoning district.

Comment: For single-family detached dwellings not in conservation subdivisions, no maximum number of total permitted dwelling units is established because the total number of dwelling units is governed by minimum lot size. Conservation subdivisions are not subject to minimum lot size, but total permitted dwelling units shall not exceed the density established as set forth in Table 16-3.

- ~~(3) No household other than a family shall have a number of members exceeding the figure provided in Table 16-1 below entitled "Occupancy Restrictions":~~

It is further ordained that Part II “General Legislation”, Chapter 190 “Land Use”, Part 2 “Zoning Districts and Supplemental Use Regulations”, Article III “Base Districts”, Section 190-16 “Dimensional regulations”, Table 16-1 “Occupancy Restrictions” of the Nashua Revised Ordinances, as amended, is hereby further amended by deleting the struck-through language as follows:

Table 16-1
Occupancy Restrictions

Dwelling Type	Maximum Number of Occupants in Unrelated Household Per 300 Square Feet of Habitable Floor Area
Single-family dwelling	1
Duplex or townhouse	1
Apartment, including accessory apartments	1.5
Bed and breakfast	3
Rooming/boarding, including accessory rooming/boarding	2
Dormitory	3
Fraternity or sorority	2
Nursing home	2
Elderly housing	1.5
"	

All other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall become effective immediately upon passage.

LEGISLATIVE YEAR 2025

ORDINANCE: O-25-077

PURPOSE: Amending the Land Use Code regarding unrelated households

ENDORSER(S): Alderman-at-Large Melbourne Moran

COMMITTEE Planning and Economic Development Committee
ASSIGNMENT: Planning Board

FISCAL NOTE: None.

ANALYSIS

This legislation reflects changes to the City's ordinances required by the passage of HB 457 (2025), effective September 13, 2025.

This legislation amends the land use code. State statute (RSA 675:2) and NRO Section 190-132 require a public hearing and referral to the city planning board. The public hearing is conducted by the aldermanic planning and economic development committee with notice published in a newspaper of general circulation and posted in two public places at least ten calendar days prior to the date of the hearing. (Notice period does not include the day notice is posted or the day of the public hearing. RSA 675:7, I). See RSA 675:7, I-a for notice requirements to individual owners for changes that affect 100 or fewer properties. A favorable vote of two-thirds of all the members of the board of aldermen present and voting would be required if a protest petition is filed pursuant to RSA 675:5.

Approved as to form: Office of Corporation Counsel

By: /s/Celia K. Leonard

Date: October 8, 2025