



## Town of Manchester Comprehensive Zoning Update

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Date: 12/9/25

### Recommendation 6a: Amend Residential Zone Standards

**Purpose:** Ensure that lot standards are consistent with a majority of existing residential properties so as to reduce non-conformities and reduce the Commission's broad discretion in varying standards in favor of providing well defined lot standard exceptions.

**Description:** This recommended amendment does the following:

- Updates the development standards table of Section 8.1.1 by specifying "building density" as "subdivision building density" and updates footnotes as required by Recommendation 3 and 4 amendments.
- Eliminates existing Section 8.1.2, which describes a hardship variance that is under the authority of ZBA to issue.
- Amends existing Section 8.1.3 (new Section 8.1.2) to better describe the intent of the regulation and provide a limit to the Commission's discretion in varying the standards.
- Adds new Section 8.1.3 to restore and update the cluster subdivision standards.
- Provides a definition of Subdivision Building Density in Section 23.

**Geographic Extents:** All residential zones

**POCD Consistency:** A core value of the Manchester Next plan is to expand housing opportunities. These amendments clarify the development standard regulations to support the development of housing.

**Context:** Zoning commissions do not have broad authority to waive or vary zoning regulations unless doing so in their legislative capacity when amending the regulations. Only ZBAs are granted such authority by statute and only if a hardship is demonstrated. This is reinforced by the findings of *MacKenzie v. Town of Monroe* (1989). Therefore, any language granting the Commission broad discretion to waive or vary the regulations has to be removed or narrowly and strictly defined and limited.

**Recommended Zoning Amendments** (text to be removed in ~~strike through~~, text to be added in red)

See next page.



1. Amend the Section 8.1.1 development standards as follows to specify that the maximum building density standard is applicable only to subdivisions, update footnotes as needed based upon amendments under Recommendations 3 and 4, and provide a footnote to explain the rear yard requirement in the RA, RB, and RC zones:

### 8.1.1 Development Standards

Development in residential zones shall comply with the following standards unless otherwise stated in these regulations:

| Zone             | Max. Sub-division Building Density <sup>F</sup> (per acre) | Max. Building Height (ft) <sup>C</sup> | Max. Building Area of Lot (%) | Min. Lot Area (sf)     | Min. Lot Frontage (ft) | Min. Building Line Dimension (ft) | Min. Front Yard (ft) | Min. Side Yard (ft)                            | Min. Rear Yard                         |
|------------------|--|--|-------------------------------|------------------------|------------------------|-----------------------------------|----------------------|--|--|
| RR               | 1.3  | 35                                     | 30                            | 30,000 <sup>A</sup>    | 150 <sup>A</sup>       | 150 <sup>A</sup>                  | 50                   | 15   | 30 ft                                  |
| AA               | 2.0  | 35                                     | 30                            | 18,000 <sup>A, B</sup> | 120 <sup>A, B</sup>    | 120 <sup>A, B</sup>               | 40                   | 15   | 30 ft                                  |
| RA               | 3.0  | 35                                     | 30                            | 12,000 <sup>A, B</sup> | 100 <sup>A, B</sup>    | 100 <sup>A, B</sup>               | 25                   | 10   | 25% of lot depth or 30 ft <sup>E</sup> |
| RB               | 4.0  | 35                                     | 35                            | 9,000 <sup>A, B</sup>  | 75 <sup>A, B</sup>     | 75 <sup>A, B</sup>                | 20                   | 8 (one side), 20 (combined sides) <sup>B</sup> |  |
| RC               | 4.8  | 35                                     | 40                            | 7,200 <sup>B</sup>     | 60 <sup>B</sup>        | 60 <sup>B</sup>                   | 15                   | 10 <sup>B</sup>                                |  |
| RM               | 4.0  | 30                                     | 35                            | 9,000 <sup>A, B</sup>  | —                      | 75 <sup>A, B</sup>                | 40 <sup>B</sup>      | 8  | 25 ft                                  |
| PRD <sup>D</sup> | 4.0  | 35                                     | 35                            | 9,000 <sup>A, B</sup>  | 75 <sup>A, B</sup>     | —                                 | 25                   | 10   | 30 ft                                  |
| EHD              | See Section 11.1   |  |                               |                        |                        |                                   |                      |  |  |

- A. May be modified by the Commission at the time of subdivision plan approval in accordance with Section 8.1.2 and ~~Section 8.1.3~~.
- B. See Section 6.30.1 for standards applicable to two-family dwellings.
- C. The maximum height shall not apply to places of worship, hospitals, chimneys, flagstaffs, light poles, municipal and utility buildings or structures.
- D. See Section 11.3 for additional standards.
- E. **Whichever is less.**
- F. **See definition of subdivision building density in Section 23.**



2. Remove Section 8.1.2 which describes a hardship variance that is under the authority of ZBA to issue, amend existing Section 8.1.3 (to be Section 8.1.2) to better describe the intent of the regulation and provide a limit to the Commission's discretion in varying the standards. Add new Section 8.1.3 to restore and update the cluster subdivision standards.

### **8.1.2 — Adverse Conditions**

~~Where adverse geographical conditions or difficult site configuration exist, the Commission may reduce the minimum requirements for area, building line dimension and lot frontage by amounts not to exceed 15% provided the maximum building density is not increased.~~

### **8.1.2 Permitted Building Density Subdivision Lot Standard Reductions**

If the Commission requires a subdivision plan to include provisions for future access roads to adjacent lands, or for areas designated for public utilities, parks, or playgrounds, these provisions shall not ~~reduce~~ **cause** the permitted building density **to be reduced**. To maintain the permitted building density, lot areas, building line dimensions, and lot frontages may **each** be reduced **by the Commission** by **no** more than 15%, **providing such reduction does not result in a density that exceeds the permitted subdivision building density.**

### **8.1.3 Cluster Subdivisions**

**Within the Rural Residence and Residence AA zones a cluster subdivision may be developed, which allows for reduced lot dimensions provided the maximum building density of the zone is not exceeded and the undeveloped portion of the tract is dedicated as open space in accordance with the following:**

- A. A public hearing shall be held by the Planning and Zoning Commission prior to approval.
- B. The tract of land shall contain at least 10 acres.
- C. A minimum of 25% of the tract shall be conveyed to the Town as public open space, with the location and purpose of such open space approved by the Commission. No building permit shall be issued until the required open space has been conveyed to the Town.
- D. The development standards for a cluster subdivision shall comply with the standards of Section 8.1.1, except as follows:

| Zone | Min. Lot Area (sf) | Min. Lot Frontage (ft) | Min. Building Line Dimension (ft) | Min. Front Yard (ft) | Min. Side Yard (ft) | Min. Rear Yard                                |
|------|--------------------|------------------------|-----------------------------------|----------------------|---------------------|---|
| RR   | 18,000             | 120                    | 120                               | 40                   | 15                  | 30 ft   |
| AA   | 12,000             | 100                    | 100                               | 25                   | 10                  | 25% of lot depth or 30 ft (whichever is less) |

3. Provide the following definitions of Subdivision Building Density in Section 23 to provide guidance for the application of this standard:

**Subdivision Building Density:** The number of principal buildings permitted per acre of land on a tract of land that is to be subdivided calculated using the total tract area including any required open space or open space conveyed to the Town of Manchester and all rights-of-way within the tract.

4. Change "Maximum building density" in Section 6.29.1 table to "Maximum dwelling unit density" to avoid confusion with subdivision building density and better describe the requirement.



## Town of Manchester Comprehensive Zoning Update

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Date: 12/9/25

### Recommendation 6b: Amend Residential Zone Standards

**Purpose:** Ensure that lot standards are consistent with a majority of existing residential properties so as to reduce non-conformities and reduce the Commission's broad discretion in varying standards in favor of providing well defined lot standard exceptions.

**Description:** This recommended amendment does the following:

- Modifies the development standards in Section 8.1.1 by increasing building coverage while reducing minimum lot area, frontage, and building line dimension in the RR, AA, RA, RB, and RC zones in order to reduce non-conformities.
- Eliminates existing Section 8.1.2, which describes a hardship variance that is under the authority of ZBA to issue.
- Amends existing Section 8.1.3 (new Section 8.1.2) to better describe the intent of the regulation and provide a limit to the Commission's discretion in varying the standards.
- Adds new Section 8.1.3 to restore and update the cluster subdivision standards.
- Provides a definition of Subdivision Building Density in Section 23.

**Geographic Extents:** All residential zones

**POCD Consistency:** A core value of the Manchester Next plan is to expand housing opportunities. These amendments remove barriers to the improvement, expansion, or construction of residential dwellings due to lot standards that exceed existing lot sizes and dimensions.

**Context:** Zoning commissions do not have broad authority to waive or vary zoning regulations unless doing so in their legislative capacity when amending the regulations. Only ZBAs are granted such authority by statute and only if a hardship is demonstrated. This is reinforced by the findings of *MacKenzie v. Town of Monroe* (1989). Therefore, any language granting the Commission broad discretion to waive or vary the regulations has to be removed or narrowly and strictly defined and limited.

**Recommended Zoning Amendments** (text to be removed in ~~strike through~~, text to be added in red)

See next page.



1. Amend the Section 8.1.1 development standards as follows to specify that the maximum building density standard is applicable only to subdivisions, increase building coverage and reduce minimum lot area, frontage, and building line dimension in the RR, AA, RA, RB, and RC zones, update footnotes as needed based upon amendments under Recommendations 3 and 4, and provide a footnote to

### 8.1.1 Development Standards

Development in residential zones shall comply with the following standards unless otherwise stated in these regulations:

| Zone   | Max. Sub-division Building Density <sup>F</sup> (per acre) | Max. Building Height (ft) <sup>C</sup> | Max. Building Area of Lot (%) | Min. Lot Area (sf)                          | Min. Lot Frontage (ft)                | Min. Building Line Dimension (ft)     | Min. Front Yard (ft) | Min. Side Yard (ft)                               | Min. Rear Yard                         |
|--|--|--|-------------------------------|---|---------------------------------------|---------------------------------------|----------------------|---|--|
| RR   | 1.3  | 35                                     | 30                            | <del>30,000</del><br>25,000 <sup>A</sup>    | <del>150</del><br>120 <sup>A</sup>    | <del>150</del><br>120 <sup>A</sup>    | 50                   | 15  | 30 ft                                  |
| AA   | 2.0  | 35                                     | 30                            | <del>18,000</del><br>15,000 <sup>A, B</sup> | <del>120</del><br>100 <sup>A, B</sup> | <del>120</del><br>100 <sup>A, B</sup> | 40                   | 15  | 30 ft                                  |
| RA   | 3.0  | 35                                     | <del>30</del> 35              | <del>12,000</del><br>10,000 <sup>A, B</sup> | <del>100</del><br>80 <sup>A, B</sup>  | <del>100</del><br>80 <sup>A, B</sup>  | 25                   | 10  | 25% of lot depth or 30 ft <sup>E</sup> |
| RB   | 4.0  | 35                                     | <del>35</del> 40              | <del>9,000</del><br>7,500 <sup>A, B</sup>   | <del>75</del><br>60 <sup>A, B</sup>   | <del>75</del><br>60 <sup>A, B</sup>   | 20                   | 8 (one side),<br>20 (combined sides) <sup>B</sup> |  |
| RC   | 4.8  | 35                                     | <del>40</del> 45              | <del>7,200</del><br>6,000 <sup>B</sup>      | <del>60</del><br>50 <sup>B</sup>      | <del>60</del><br>50 <sup>B</sup>      | 15                   | 10 <sup>B</sup>                                   |  |
| RM   | 4.0  | 30                                     | 35                            | 9,000 <sup>A, B</sup>                       | —                                     | 75 <sup>A, B</sup>                    | 40 <sup>B</sup>      | 8   | 25 ft                                  |
| PRD <sup>D</sup>   | 4.0  | 35                                     | 35                            | 9,000 <sup>A, B</sup>                       | 75 <sup>A, B</sup>                    | —                                     | 25                   | 10  | 30 ft                                  |
| EHD  | See Section 11.1   |  |                               |   |                                       |                                       |                      |   |  |
| A. May be modified by the Commission at the time of subdivision plan approval in accordance with Section 8.1.2 and Section 8.1.3.                        |  |  |                               |   |                                       |                                       |                      |   |  |
| B. See Section 6.30.1 for standards applicable to two-family dwellings.  |  |  |                               |   |                                       |                                       |                      |   |  |
| C. The maximum height shall not apply to places of worship, hospitals, chimneys, flagstaffs, light poles, municipal and utility buildings or structures. |  |  |                               |   |                                       |                                       |                      |   |  |
| D. See Section 11.3 for additional standards.  |  |  |                               |   |                                       |                                       |                      |   |  |
| E. <b>Whichever is less.</b>   |  |  |                               |   |                                       |                                       |                      |   |  |
| F. <b>See definition of subdivision building density in Section 23.</b>  |  |  |                               |   |                                       |                                       |                      |   |  |

explain the rear yard requirement in the RA, RB, and RC zones:



2. Remove Section 8.1.2 which describes a hardship variance that is under the authority of ZBA to issue, amend existing Section 8.1.3 (to be Section 8.1.2) to better describe the intent of the regulation and provide a limit to the Commission's discretion in varying the standards. Add new Section 8.1.3 to restore and update the cluster subdivision standards.

### **8.1.2 — Adverse Conditions**

~~Where adverse geographical conditions or difficult site configuration exist, the Commission may reduce the minimum requirements for area, building line dimension and lot frontage by amounts not to exceed 15% provided the maximum building density is not increased.~~

### **8.1.2 Permitted Building Density Subdivision Lot Standard Reductions**

If the Commission requires a subdivision plan to include provisions for future access roads to adjacent lands, or for areas designated for public utilities, parks, or playgrounds, these provisions shall not ~~reduce~~ **cause** the permitted building density **to be reduced**. To maintain the permitted building density, lot areas, building line dimensions, and lot frontages may **each** be reduced **by the Commission** by **no** more than 15%, **providing such reduction does not result in a density that exceeds the permitted subdivision building density.**

### **8.1.3 Cluster Subdivisions**

**Within the Rural Residence and Residence AA zones a cluster subdivision may be developed, which allows for reduced lot dimensions provided the maximum building density of the zone is not exceeded and the undeveloped portion of the tract is dedicated as open space in accordance with the following:**

- A public hearing shall be held by the Planning and Zoning Commission prior to approval.**
- The tract of land shall contain at least 10 acres.**
- A minimum of 25% of the tract shall be conveyed to the Town as public open space, with the location and purpose of such open space approved by the Commission. No building permit shall be issued until the required open space has been conveyed to the Town.**
- The development standards for a cluster subdivision shall comply with the standards of Section 8.1.1, except as follows:**

| Zone | Min. Lot Area (sf) | Min. Lot Frontage (ft) | Min. Building Line Dimension (ft) | Min. Front Yard (ft) | Min. Side Yard (ft) | Min. Rear Yard                                |
|------|--------------------|------------------------|-----------------------------------|----------------------|---------------------|---|
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3. Provide the following definitions of Subdivision Building Density in Section 23 to provide guidance for the application of this standard:

**Subdivision Building Density:** The number of principal buildings permitted per acre of land on a tract of land that is to be subdivided calculated using the total tract area including any required open space or open space conveyed to the Town of Manchester and all rights-of-way within the tract.

4. Change "Maximum building density" in Section 6.29.1 table to "Maximum dwelling unit density" to avoid confusion with subdivision building density and better describe the requirement.