

Amendment to HB 342

1 Amend the bill by replacing section 1 with the following:

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3 674:21-b Property Density Conformity and Building Without Variance.

4 I. In this section:

5 (a) "Density" means the number of dwelling units per acre or the percentage of lot
6 coverage by buildings and structures.

7 (b) "Neighborhood" means the properties within a 1,000-foot radius of the subject
8 property's boundary lines.

9 II. Notwithstanding any other provisions of law to the contrary, property owners shall be
10 allowed to build on their property without seeking a variance for minimum lot size or percentage of
11 lot coverage if the proposed building conforms to the density of the neighborhood, which shall be
12 assessed based on the density of 51 percent of the properties within a 1,000-foot radius built before
13 the effective date of this section.

14 III. The zoning administrator shall be responsible for verifying that the proposed building
15 conforms to the density requirements under this section.

16 IV. Property owners seeking to build shall submit documentation proving that new or
17 existing lots conform to the requirements in this section to the zoning administrator for review and
18 approval.

19 V. Property owners seeking to subdivide a lot within a 1,000-foot radius shall obtain
20 planning board approval.