

Cottage Courts

What are they?

Cottage court developments often include a group of small (1 to 1.5-story), detached structures arranged around a shared court or common. The **shared area** is an important community-enhancing element, and unit entrances often face and are accessed from the shared court.

In some cases, a mix of unit types are permitted as part of a cottage court development, but they are **most typically single-family units**. Because of their smaller homes and sense of community, **they often appeal to smaller households and a variety of age groups**.

Cottage court developments are often desirable for infill development and can be arranged on small in-town lots. However, they can also work well within a **cluster subdivision**, which allows homes to be placed closer together and some of the parcel to be permanently protected as conservation land.

Case Study Examples:

Keene, New Hampshire - Cottage Court Overlay District

The City of Keene uses an overlay district that applies to all residential zones, allowing cottage courts through a Conditional Use Permit. The ordinance emphasizes flexibility and encourages higher-density infill, clustering, and even limited neighborhood-scale commercial uses to promote walkable, mixed-use communities. <https://keeneh.gov/project/cottagecourt/>

Lebanon, NH – Cottage Developments (Section 509)

The City of Lebanon regulates cottage housing as a specific development type permitted by Conditional Use Permit in multiple residential districts. The ordinance is more prescriptive requiring clusters of 3–16 cottages; density at one unit per 2,500 sq ft; shared open space; and detailed design standards for porches, facades, setbacks, and parking to ensure compatibility with surrounding neighborhoods. <https://lebanonnh.gov/DocumentCenter/View/805/Current-Zoning-Ordinance-PDF?bidId=>

Proposed Cottage Court Housing Ordinance for Milford

Pursuant to the authority of RSA 674:21, the Planning Board may grant a Conditional Use Permit (CUP), allowing for the development of cottage court housing in the Commercial, Limited Commercial, Residence A, and Residence B Zoning Districts.

- 1) The Planning Board may grant a Conditional Use permit under this sub-section upon reaching a determination that an applicant has successfully demonstrated that the noted Purpose statements and Design Guidelines are being reasonably adhered to.
- 2) **Purpose:** A cottage court housing development is an alternative type of housing providing small residences for several households. Cottage court housing is provided as part of Milford's overall housing strategy which intends to encourage innovation and variety in housing design and site development while ensuring compatibility with existing neighborhoods, and to promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition, and individual needs. To this end, cottage court housing developments should:
 - a. Promote infill development and redevelopment within established neighborhoods and be built at a scale and character consistent with existing development patterns.
 - b. Encourage efficient use of land and cost-effective delivery of community services.
 - c. Provide property owners with flexibility to achieve high quality design and develop projects that strengthen existing neighborhoods.
- 3) Encourage compact development that is pedestrian-scaled, healthy, and safe. Cottage Density
 1. Properties with access to public water and sewer may be permitted a maximum of 10 units per acre of Net Developable Area. Net Developable Area is the area of that portion of the tract which remains after deducting the cumulative areas of all surface water bodies; wetlands; and public/private rights-of-way for streets and utilities. In the case of mixed-use sites, building footprints and paved areas for parking and circulation, which do not also serve the development, shall be deducted.
 2. On properties without access to both public water and sewer the site density shall be limited by the characteristics on the onsite soils as determined by NHDES standards. In no case shall the density exceed 10 units per Net Developable Area as defined above.
- 4) Minimum Lot Area and Maximum Building Coverage

Cottage court housing developments shall not exceed the underlying Minimum Lot Size and Maximum Building Coverage standards for the respective zoning district.

5) Allowable Uses

Single family and duplex units are permitted.

6) Cottage Court Design Guidelines

The cottage court housing development design standards contained in this section are intended to create a small community of cottages oriented around a shared open space that is pedestrian-oriented and minimizes the visibility of off-street parking. These design standards are intended to ensure that cottage court housing developments include pedestrian amenities and take advantage of existing natural features on the site including topography and vegetation. The cottage court housing development design standards are also intended to maintain traditional cottage amenities and proportions, and to ensure that cottage court housing developments contribute to the overall community character.

a. Building height.

1. In the majority of cases, cottage housing developments shall be designed to be single story or 1 ½ story. The maximum building height permitted for structures in cottage housing developments shall be 20 feet.

2. A full story second floor may be permitted only if the second floor area is set back a minimum of 1/3 from the front face of the cottage. No more than 30% of the units in a cottage court shall have a full story second floor.

b. Covered main entry porch/private outdoor area.

All residences in cottage court developments shall be provided with a covered main entry porch to create a private outdoor space protected from the weather and to provide a transition from the interior private residential space to the semi-private outdoor space. Covered porches shall be usable both in design and dimension.



c. Common open space.

Open space that is commonly owned by all members of a cottage court housing development is an important feature of any site design. It is intended that the open space be adequately sized and centrally located.

1. Common Open Space. A minimum of 800 square feet of common open space is required per cottage unit. Parking areas, yard setbacks, spaces between buildings of 10 feet or less in width, private open space, and driveways do not qualify as common open space.

2. Proximity to Common Open Space.

a. At least 90 percent of the cottage court units shall abut the common open space, all of the cottage units shall be within 60 feet walking distance measured from the nearest entrance of the cottage along the shortest safe walking route to the nearest point of the common open space. The common open space shall have cottages abutting at least two sides.



b. For the purposes of cottage court housing, “common open space” shall be the central space that may be used by all occupants of the cottage complex.

d. Private open space.

Each residential unit in a cottage court housing development shall be provided with an area of private open space. The private open space shall create a sense of privacy and shall be oriented to take advantage of solar orientation and other natural features to create a small but pleasant private yard area. The private open space may be separated from the common open space with a small hedge, picket fence, or other similar visual separation to create a sense of separate ownership.

1. Each cottage court unit shall be provided with a minimum of 150 square feet of usable private open space.

2. No dimension of the private open space shall be less than eight feet.

e. Cottage floor area.

In most cases, structures in cottage court housing developments shall be designed to be single story or single story plus a loft. Maintaining the maximum square footage of residences in cottage court housing developments is necessary to prevent overbuilding of the site and to not exceed available off-street parking.

1. The maximum ground floor area for an individual principal structure in a cottage court housing development shall be as follows:

- a. The ground floor area may be up to 1,000 square feet.
- b. The net total floor area of each cottage shall not exceed one and one-half times the area of the main level.

Note: The community may want to consider allowing a percentage of these units to be larger (25%), up to a maximum of 1,800 square feet (1.8 times the main level area), to accommodate some families.

f. Yards – Building setbacks from exterior lot lines.

A. Minimum front/rear/side yard structure setbacks from exterior lot lines shall adhere to the underlying zoning requirements.

g. Cottage court housing development building separation.

A. All buildings within a cottage court housing development shall maintain a minimum separation of 10 feet between cottages within a cottage court housing development. This shall be measured from the nearest point of the exterior walls or eaves. Accessory buildings shall comply with building code requirements for separation from non-cottage structures.

Commented [sw1]: Is there a desire to allow row house configurations as well?

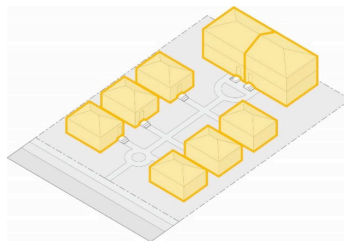
h. Tree conservation.

Cottage court housing developments shall be designed to incorporate existing trees to the extent possible. The overall site design shall take advantage of the location of existing trees as well as natural openings or clearings on forested sites.

New trees shall be located to create amenities in the common open space, private open space, provide shade where appropriate, to create separation between buildings when desired, and to screen and soften the perimeter of parking areas and street facing sides of cottage court housing developments.

i. Cottage Cluster Size

A. The clustering of cottages is an important design feature, with the goal of creating a sense of community. No more than 12 cottage housing units shall be included in a cottage cluster that surrounds a common open space area.



j. Off-street parking.

A. A minimum of one parking spaces shall be provided per unit. Generally off-street parking shall be located and designed to be less visible from frontage streets than the cottages themselves. Off-street parking shall be designed to maintain a pedestrian character and function for the cottage court housing development. Clustering parking to the side or rear of a cottage court development will most often best accomplish these goals. However, on a site-specific basis, design solutions other than clustering may be found to meet this objective through the alternative design process.

Parking areas shall be attractively landscaped to screen parking from adjacent properties and street rights-of-way and shall meet applicable parking lot landscape standards. Off-street parking may be located in or under a cottage, or a parking structure such as a single or multi-vehicle carport or garage. Rear access, garage under parking increases open space when feasible.



Offsite parking shall be protected with a shared parking easement agreement which shall be reviewed and recorded with the approved plans, except in areas exempt from parking standards such as but not limited to the Oval Sub-district.

k. Waivers

In reviewing a Cottage Court application, the Planning Board is empowered to waive any requirements of this Section if the Board finds that the purpose statements of this Section are being met, and the overall design of the proposed project provides a positive addition to the community.

l. Conditional Use Permit Application Procedure

All applications for a cottage court conditional use permit under this Article shall be made to the Planning Board and submitted to the Community Development Department following the procedures set forth herein.

A. Concurrent Review

1. Site Plan Review. Applications for a cottage court development shall also require Site Plan review. Site plan review applications will be considered concurrently with the conditional use permit application.

B. Submission Requirements

In addition to the materials required in Section ____ for a conditional use permit, an applicant for a cottage court conditional use permit shall submit the following items as part of their application.

- 1.** A written narrative describing the following:
 - a.** The existing and proposed use(s) and development type.
 - b.** The proposed development or redevelopment including, but not limited to, the construction of new buildings or structures or additions to buildings or structures; interior renovations; installation of parking areas or paved surfaces; open space areas and accessory structures; screening; and landscaping.
 - c.** The physical and architectural characteristics of the site and the surrounding neighborhood. An explanation of how the proposed development adheres to the Article's Purpose.
 - d.** The location of access points for the existing and proposed lots if new lots are proposed.