

ZONING AMENDMENTS 2020

VOTED TO BALLOT BY PLANNING BOARD 11/19/2019

Article 2: Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Hampton Falls Zoning Ordinances?

DEFINITION

Article I, Section 4 – Definitions – repeal current limited list of definitions and replace with more accurate up-to-date list of definitions.

A full copy of the text is available at the Town Hall and on the town's website at hamptonfalls.org.

***This article cannot be amended at the Deliberative Session
Recommended by the Planning Board***

Article 3: Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Hampton Falls Zoning Ordinances?

STRUCTURE

Amend Article I, Section 4 – Definitions as follows: Delete and Replace:

CURRENT:

“Structure” As defined in Article III, Section 13.3.14. Anything constructed that is of necessity attached directly or indirectly to the ground, including but not limited to: all above grade structures, being buildings, towers, signs (except for those flat against other structures), service station islands, and the like; and all below grade structures such as septic systems and leaching fields; swimming pools constructed above or below grade including decks and constructed aprons; and tennis courts and other manufactured or constructed playing surfaces, inclusive of barriers or other containment construction.

PROPOSED:

“Structure” As defined in Article III, Section 9.3.24 and Section 13.3.14. Anything constructed **or erected, except a boundary wall or fence**, that is of necessity attached directly or indirectly to the ground, including but not limited to: all above grade structures, being buildings, towers, signs (except for those flat against other structures), service station islands, and the like; and all below grade structures such as septic systems and leaching fields; swimming pools constructed above or below grade including decks and constructed aprons; tennis courts and other manufactured or constructed playing surfaces, inclusive of barriers or other containment construction. **For the purposes of this Ordinance, buildings are structures.**

A full copy of the text is available at the Town Hall and on the town's website at hamptonfalls.org.

***This article cannot be amended at the Deliberative Session
Recommended by the Planning Board***

Article 4: Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Hampton Falls Zoning Ordinances?

MANUFACTURED HOUSING, MOBILE HOMES & TRAILERS

1)Amend Article I, Section 4 – Definitions as follows: Delete and Replace:

CURRENT:

“Manufactured Housing, Mobile Homes and Trailers”: These terms shall include all forms of modular, unitized or prefabricated housing, as well as mobile homes, intended as permanent residences. These terms do not include housing structures which are fully constructed on a site, or travel trailers, campers, pick-up campers or any other similar type of vehicle or apparatus.

PROPOSED:

“Manufactured Housing, Mobile Homes and Trailers”: See Article III, Section 9.3.18. These terms shall include all forms of modular, unitized or prefabricated housing, as well as mobile homes, intended as permanent residences. These terms do not include housing structures which are fully constructed on a site, or travel trailers, campers, pick-up campers or any other similar type of vehicle or apparatus.

2) Amend Article I, Section 4 – Definitions as follows: Add:

“Manufactured Home”: See Article III, Section 9.3.18 means a structure, transportable in one or more sections, which is built on a permanent chassis and is designated for use with or without a permanent foundation when connected to the required utilities. For Floodplain management purposes the term “manufactured home” includes park trailers, travel trailers and other similar vehicles placed on site for greater than one hundred eighty (180) consecutive days.

A full copy of the text is available at the Town Hall and on the town’s website at hamptonfalls.org.

This article cannot be amended at the Deliberative Session

Recommended by the Planning Board

Article 5: Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Hampton Falls Zoning Ordinances?

REGULATORY FLOODWAY

Amend Article I, Section 4 – Definitions as follows: Delete and replace

CURRENT:

“Regulatory Floodway” See Article III, Section 9.3.22. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation. These areas are designated as floodways on the Flood Boundary and Floodway Map.

PROPOSED:

“Regulatory Floodway” See Article III, Section 9.3.22 **means** the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation **more than a designated height.**

A full copy of the text is available at the Town Hall and on the town’s website at hamptonfalls.org.

This article cannot be amended at the Deliberative Session

Recommended by the Planning Board

Article 6: Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Hampton Falls Zoning Ordinances?

AFFORDABLE

Amend Article I, Section 4 – Definitions as follows: Add:

PROPOSED:

“Affordable” See Article III Section 11.2.1 and Article III Section 14.5.2 means housing with combined rental and utility costs or combined mortgage loan debt services, property taxes and required insurance that do not exceed thirty percent (30%) of a household’s gross annual income.

A full copy of the text is available at the Town Hall and on the town’s website at hamptonfalls.org.

This article cannot be amended at the Deliberative Session

Recommended by the Planning Board

Article 7: Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Hampton Falls Zoning Ordinances?

FRONTAGE

1) Amend Article III, Section 11.2.8, definition as follows:

CURRENT:

“Frontage” is the measurement of the boundary of a Lot of Record directly abutting a Class V or higher town road or state highway

PROPOSED:

“Frontage” is the measurement of the boundary of a Lot of Record directly abutting a Class V or higher Town road, state highway or **private road**.

2) Amend Article I, Section 4, Definitions as follows:

CURRENT:

“Frontage”: The length of a lot bordering on a street.

PROPOSED

“Frontage” See Article III, Section 11.2.8. Frontage is the measurement of the boundary of a Lot of Record directly abutting a Class V or higher town road, state highway **or private road**.

A full copy of the text is available at the Town Hall and on the town’s website at hamptonfalls.org.

This article cannot be amended at the Deliberative Session

Recommended by the Planning Board

Article 8: Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Hampton Falls Zoning Ordinances?

DWELLING UNIT

Amend Article I, Section 4 – Definition as follows: Delete and replace:

CURRENT:

“Dwelling Unit” A dwelling or portion thereof providing complete living facilities for one family, including cooking and sanitary and septic disposal facilities.

PROPOSED:

“Dwelling Unit” See Article III, Section 13.3.3. A building or that portion of a building consisting of one or more areas designed for living and sleeping purposes, including kitchen and sanitary facilities and intended for occupancy by not more than one family or household.

A full copy of the text is available at the Town Hall and on the town’s website at hamptonfalls.org.

***This article cannot be amended at the Deliberative Session
Recommended by the Planning Board***

Article 9: Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Hampton Falls Zoning Ordinances?

ACCESSORY HOUSING UNIT

1) Amend Article I, Section 4 – Definitions as follows: Delete:

CURRENT:

“Accessory Housing Unit” As defined in Article III, Section 7.2.

(2) Amend Article III, Section 7.5.9 – as follows: Replace word “housing” with “dwelling”:

CURRENT:

7.5.9 All uses permitted in the “A District” shall be permitted on any lot on a private road, except for family day care home, private schools, churches, golf courses, nursing homes, hospitals and accessory housing units.

PROPOSED:

7.5.9 All uses permitted in the “A District” shall be permitted on any lot on a private road, except for family day care home, private schools, churches, golf courses, nursing homes, hospitals and **accessory dwelling units**.

A full copy of the text is available at the Town Hall and on the town’s website at hamptonfalls.org.

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Article 10: Are you in favor of the adoption of the following amendment as proposed by the Planning Board for the Hampton Falls Zoning Ordinances?

INVOLUNTARY LOT MERGING

Amend Article II, Section 2.1 as follows:

CURRENT:

Non-Conforming Lots: Where a lot in separate ownership at the time of passage of this ordinance does not conform to the area and width requirement of the zone in which it is located, such lot may be occupied by any use permitted in that zone provided it conforms to the front, side and rear yard requirements and further provided that if any lot that is non-conforming in the area of frontage, abuts land in the same ownership and the division of the parcel into said lot predates the Subdivision Regulations of the Town of Hampton Falls, said lot shall be deemed merged into a more conforming lot or lots. In the event the lots are shown on the subdivision plats signed by the Planning Board of the Town of Hampton Falls and recorded by the Registry of Deeds, and said lots no longer conform to the minimum area and frontage requirement of this ordinance, then said lots shall be deemed lots of record and shall not be required to be merged except by the Planning Board following the procedure for the revocation of plats as described in RSA 676:4a, said revocation to be recorded in the Rockingham County Registry of Deeds.
(Amended March 1993)

PROPOSED:

Non-Conforming Lots: Where a lot in separate ownership at the time of passage of this ordinance does not conform to the area and width requirement of the zone in which it is located, such lot may be

occupied by any use permitted in that zone provided it conforms to the front, side and rear yard requirements.

A full copy of the text is available at the Town Hall and on the town's website at hamptonfalls.org.

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