



Belmont Land Use Office

2023 Proposed Zoning Amendments

The Belmont Planning Board will hold a public hearing commencing at 6pm on Monday, December 19, 2022 at the Belmont Mill 4th Floor Tioga Room 14 Mill Street & Zoom concerning the following proposed amendments. These full-text amendments are also available at www.belmontnh.gov.

Belmont Zoning Ordinance:

1. **Add housekeeping clause to Article 1.**
2. **Add RSA clause to Article 1.**
3. **Add new/change definitions in Article 15**
 - a. Alternative Treatment Center
 - b. Cultivation Locations
 - c. Day Care Facilities
 - d. Frontage
 - e. Motor vehicle use
 - f. Solar
 - g. Storage Facilities
4. **Make changes to Article 5 Table 1, Table of Permitted Uses**
 - a. Add Alternative Treatment Centers/Cultivation Locations
 - b. Add Solar
 - c. Add Storage Containers
5. **Make changes to the footnotes of Article 5 Table 2, Dimensional Regulations**
 - a. Delete Footnote 1
 - b. Amend Footnote 10 and Bullet A

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Red text indicates NEW text, ~~crossed-out text indicates text to be deleted~~

Amendment 1: Add housekeeping clause to Article 1

The Planning Board may, by majority vote, correct technical, typographical, and non-substantive errors and may reorder, renumber, and correct cross-reference information, where needed throughout this Ordinance provided that no substantive change to the ordinance shall occur as a result of the changes.

Red text indicates NEW text, ~~crossed-out text indicates text to be deleted~~

Amendment 2: Add RSA clause to Article 1

The Planning Board may, by majority vote, after holding public hearings at two regularly-scheduled Planning Board meetings, make corrections throughout this Ordinance as required by changes to the RSA.

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Amendment 3: Amend definitions in Article 15

Alternative Treatment Center - As defined in RSA 126-X:1, I.

Cultivation Location - As defined in RSA 126-X:1, IV.

Day Care Facilities - Nursery Schools public or private. Licensed establishments offering care for **individuals** for payment.

Frontage - The distance along a lot line on:
a. a Class I or II State Highway, or
b. a Class V Town street, or
c. an approved private street.

Said frontage shall provide vehicular access to the portion of the lot developed, or to be developed with the primary use unless an alternative access is approved through a conditional use permit issued by the Planning Board. An alternative access through a Conditional Use Permit is only permitted when the lot has the required legal frontage. An approved private street shall mean a private street, **laid out**, including the full width of the street right-of-way, shown on a subdivision plan approved by the Belmont Planning Board. **A right-of-way does not provide frontage unless it meets the requirements of RSA 674:41. When relief is sought from the Town's frontage requirement due to lack of frontage, an appeal under RSA 674:41, II shall also be required.**

Motor Vehicle & Trailer Services, Sales, Repair, Gas Stations and Parts Sales - Property and buildings where gasoline, oil, batteries, tires and motor vehicle & trailer accessories may be sold and where motor vehicle & trailer service and repair and inspections may be carried out including body work, engine repair and overhaul, painting, welding and body work. Motor vehicle & trailer sales and storage is also allowed and parts may be sold. **Towing is considered an ancillary use unless it includes the storage of vehicles. When the towing does not include the storage of vehicles it will be considered a Contractor's Yard.**

Solar - Any ground mounted or roof mounted solar collection system primarily consisting of one or more free-standing, ground or roof mounted, solar arrays or modules, or solar related equipment, intended to primarily reduce on-site consumption of utility power.

Storage Facilities - Vehicles, trailers, **shipping containers**, or other enclosures being primarily used for on site storage shall be regulated by this Ordinance as to use and shall be considered a structure. Storage vehicles ~~and trailers are limited to two per tax lot~~, **trailers, and/or shipping containers shall be limited to a total of 640sf per lot and shall not exceed 10 feet in height.**

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Amendment 4: Make changes to Article 5 Table 1, Table of Permitted Uses

Make Alternative Treatment Centers/Cultivation Locations a permitted use by CUP in Commercial & Industrial Zones

	Commercial	Industrial	Residential Multi-Family	Residential Single Family	Rural	Village
Commercial Uses						
Alternative Treatment Centers/ Cultivation Locations	CU	CU	N	N	N	N

Make Solar a permitted use in all Zones for agricultural and residential applications. Make Commercial Solar a permitted use in the Commercial and Industrial Zones and permitted by Special Exception in the Rural Zone.

	Commercial	Industrial	Residential Multi-Family	Residential Single Family	Rural	Village
Solar – Agricultural	P	P	P	P	P	P
Solar - Commercial	P	P	N	N	SE	N
Solar – Residential	P	P	P	P	P	P

Make Storage Vehicles, Trailers, and Containers a permitted use in the Rural Zone and allow the use by Special Exception in the RS and RM Zones

	Commercial	Industrial	Residential Multi-Family	Residential Single Family	Rural	Village
Storage Vehicles & Trailers, and Containers	P	P	N CU	N CU	N CU	N

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Amendment 5: Make changes to the footnotes of Article 5 Table 2, Dimensional Regulations

Delete Footnote 1 – Density bonus for elderly

~~[‡] Density for Multi-family dwellings that are restricted to elderly occupancy as defined and regulated by Federal Regulations is eight dwelling units per acre.~~

Footnote 10 – clarify that Open Space setbacks cannot be further reduced

¹⁰ Minimum structure setback requirements from side and rear property lines may be reduced by 50% for accessory buildings not exceeding 300 sq.ft. in total floor area and 14' in height unless a setback reduction has already been allowed under the nonconforming lot setback reduction above **or if the property benefits from already-reduced Open Space setbacks.**

A. All non-residential uses **located on a property containing more than one zone** ~~within the Residential Single Family, Residential Multi Family, Rural and Village zones~~ shall conform to the stricter dimensional regulations ~~which apply to the Industrial and Commercial zones~~ **applied to the whole parcel.**