



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 definition to Article 15 and use to Article 5, Table 1 for Alternative Treatment Center and Cultivation Locations.
4. Add new definition to Article 15 and use to Article 5, Table 1 for Solar.
5. Change definition for Storage Facilities in Article 15 and add Shipping Containers as a use to Article 5, Table 1.
6. Change definition of Day Care Facilities in Article 15 to include all individuals.
7. Change definition of Frontage in Article 15 to clarify that Right-of-Ways do not provide frontage unless they meet the requirements of RSA 674:41.
8. Make changes to the footnotes of Article 5 Table 2, Dimensional Regulations.

Page intentionally left blank.

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

Amendment 1: Add housekeeping clause to Article 1 to allow the Planning Board to make non-substantive changes such as correcting typos and adding bullets without requiring a vote at Town meeting.

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 to allow the Planning Board to make changes as required by RSA after holding two public hearings at regularly scheduled Planning Board meetings.

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.

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

Amendment 3: Incorporate statutory definitions of alternative treatment center and cultivation locations into Article 15 and add alternative treatment centers/cultivation locations as uses permitted by conditional use in the Commercial and Industrial Districts.

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

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

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

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

Amendment 4: Add new definition of solar as any ground or roof mounted solar collection system, add solar as a permitted use in all Zones for agricultural and residential purposes, and add commercial solar as a permitted use in the Commercial and Industrial Zones and permitted by Special Exception in the Rural Zone.

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.

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

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

Amendment 5: Change definition of Storage Facilities in Article 15 to include shipping containers and add Shipping Containers to the Storage Vehicles and Trailers Use in Article 5 Table 1, Table of Permitted Uses.

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.**

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

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

Amendment 6: Expand the definition of Day Care Facilities in Article 15 to include all establishments offering care for any individual, rather than just facilities offering care for young children.

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

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

Amendment 7: Change definition of Frontage to clarify that Right-of-ways do not provide frontage unless they meet the requirements of RSA 674:41.

- 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.**

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

Amendment 8: Make changes to the footnotes of Article 5 Table 2, Dimensional Regulations, deleting Footnote 1 and deleting contradictory language from Footnote A to clarify that when a lot is in two zones, the stricter dimensional requirements shall apply to the entire lot.

Delete Footnote 1 – Density bonus for elderly

~~¹ Density for Multi-family dwellings that are restricted to elderly occupancy as defined and regulated by Federal Regulations is eight dwelling units per acre.~~

Amend Bullet A – One parcel located in two zones

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.**