



Belmont Land Use Office

The following Zoning Amendments will be on the Town Meeting ballot for voting on Tuesday, March 13, 2018, 7am to 7pm, Belmont High School, 255 Seavey Road. Full text of the proposed amendments is also attached.

1. **Boat Storage:** Amend Art. 5, Table 1 and Art. 15 of the existing Ordinance to regulate indoor and outdoor boat storage separately in the permitted use table and create separate definitions.
2. **Warehousing/Self-Storage:** Amend Art. 5, Table 1 and Art. 15 of the existing Ordinance to regulate indoor and outdoor warehousing/self-storage separately in the permitted use table and create separate definitions.
3. **Accessory Dwelling Units (ADUs):** Amend Art. 8.F of the existing ADU Ordinance to prohibit ADUs as additions to manufactured homes, recreational vehicles, and where one or more single-family units are already attached such as condominium developments and duplexes. Prohibit the condominium sale of an ADU separate from the principal unit.
4. **Subordinate Dwelling Unit allowed in conjunction with an on-site business:** Amend Art. 5, Table 1, delete Article 13.F.1, and add a definition to Art. 15 of the existing Ordinance to allow one subordinate dwelling unit on a lot with a primary business use in the Commercial & Industrial Zones and require a Conditional Use Permit for occupancy by other than the business owner (e.g. business manager or security person).
5. **Aquifer:** Amend Art. 7.C.14 of the existing Ordinance to clarify that a “snow dump” regulates snow brought to a lot from off-site.
6. **Signs:** Amend Art. 4.I.4 of the existing Ordinance to allow internally illuminated signs.

1. Boat Storage

Amend Art. 5, Table 1 and Art. 15 of the existing Ordinance to regulate indoor and outdoor boat storage separately in the permitted use table and create separate definitions.

Italicized to be added/changed– also renumber remaining items as necessary

Article 5, Table 1

Note: P=Permitted Use; CU=Conditional Use Permit Necessary; E=Special Exception Necessary; N=Not Permitted

	Commercial	Industrial	Residential Multi-Family	Residential Single Family	Rural	Village
Commercial Uses						
<i>Boat Storage Facilities-Interior</i>	<i>P</i>	<i>NP</i>	<i>N</i>	<i>N</i>	<i>E</i>	<i>N</i>
<i>Boat Storage Facilities-Exterior</i>	<i>E</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>

Article 15, Definitions

~~**Boat Storage Facilities** – A sheltered structure, or outside storage, that provides for the safekeeping of boats.~~

Boat Storage Facilities-Interior – A fully enclosed structure that provides for the storage and safekeeping of boats.

Boat Storage Facilities-Exterior - The storage and safekeeping of boats outdoors or in other than a fully enclosed structure.

2. Warehousing/self-storage

Amend Art. 5, Table 1 and Art. 15 of the existing Ordinance to regulate indoor and outdoor warehousing/self-storage separately in the permitted use table and create separate definitions.

Italicized to be added/changed– also renumber remaining items as necessary

Article 5, Table 1

Note: P=Permitted Use; CU=Conditional Use Permit Necessary; E=Special Exception Necessary; N=Not Permitted

	Commercial	Industrial	Residential Multi-Family	Residential Single Family	Rural	Village
Commercial Uses						
<i>Warehousing/self-storage-Interior</i>	<i>P</i>	<i>N P</i>	<i>N</i>	<i>N</i>	<i>E</i>	<i>N</i>
<i>Warehousing/self-storage -Exterior</i>	<i>E</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>

Article 15, Definitions

~~**Warehouse**—A building used for storage only; containing no office, assembly, repair, or other incidental facilities.~~

Warehousing/self-storage Facilities-Interior – The storage and safekeeping of vehicles, materials, product and other items in a fully enclosed structure.

Warehousing/self-storage Facilities-Exterior – The storage and safekeeping of vehicles, materials, product and other items outdoors or other than in a fully enclosed structure.

3. Accessory Dwelling Unit

Amend Art. 8.F of the existing ADU Ordinance to prohibit ADUs as additions to manufactured homes, recreational vehicles, and where one or more single-family units are already attached such as condominium developments and duplexes. Prohibit the condominium sale of an ADU separate from the principal unit.

Italicized to be added/changed– also renumber remaining items as necessary

Article 8.F

F. ACCESSORY DWELLING UNITS

1. The accessory dwelling unit shall have a minimum of 300 square feet of net floor area. The accessory dwelling unit shall also not exceed 750 square feet of net floor area or twenty-five percent (25%) of the sum of the net floor area of both the finished primary dwelling unit and the finished accessory dwelling unit whichever is larger.
2. An Accessory dwelling unit does not require a separate Minimum Lot size (Article 5, Table 2).
3. Only one Accessory dwelling unit per single family dwelling unit is allowed.
4. *Accessory Dwelling Units are not permitted in multiple single-family developments where one or more single family dwelling units are attached, such as, but not limited to, condominium developments and duplexes.*
5. *Accessory Dwelling Units are not permitted within or as additions to manufactured housing units or recreational vehicle units.*
6. *Accessory Dwelling Units shall not be conveyed as a condominium unit separate from the principal unit.*
7. The Accessory dwelling unit shall be located within the primary single-family dwelling unit and is not permitted in detached or accessory structures. Accessory dwelling unit must be attached to the primary dwelling unit by means of a common wall, floor or ceiling between conditioned spaces or a conditioned space. For the purposes of this section, conditioned space is space within a building that is provided with heating and or cooling equipment and/or systems capable of maintaining through design heat of 68°F during the heating season and 80°F during the cooling season, or has a fixed opening directly adjacent to a conditioned area. An interior door shall be provided between the principal dwelling unit and the accessory dwelling unit.
8. Accessory dwelling unit shall include no more than two (2) bedrooms.
9. Accessory dwelling unit may be created either through the internal conversion of an existing housing unit or through the creation of a new principal dwelling unit/accessory dwelling unit structure.
10. Either the principal dwelling unit or the accessory dwelling unit shall be occupied by the owner of the property.
11. The construction and occupancy of accessory dwelling unit shall not be detrimental to the neighborhood in which the lot is located by virtue of overcrowding or traffic congestion.
12. Means of egress for both the principal single-family residence and the accessory dwelling unit shall meet all applicable codes.

13. A building permit is required prior to creation/construction of the Accessory dwelling unit and a Certificate of Occupancy is required prior to occupancy of the unit.
14. Off-street parking shall be provided as follows:
 - a. 2 spaces - principal residence, 1 space - accessory dwelling unit;
 - b. Parking spaces must be surfaced in a manner consistent with the neighborhood;
 - c. Parking spaces required pursuant to this section shall not impede traffic, road maintenance or future road improvements.
15. All applications under this section shall demonstrate compliance with NH DES Wastewater Rules for sewage disposal and adequate provision for water, waste and drainage generated by the future occupancy of an accessory dwelling unit.
16. No exterior changes shall be made which do not conform to the character of the neighborhood.
17. Any application filed under this section shall include the following:
 - a. Scaled plot plan showing location of existing structure.
 - b. Detailed floor plan.
 - c. Parking layout and yard area.
 - d. Sketch any proposed expansion or change to the structure showing overall dimensions.
 - e. Square footage of construction or alteration.
 - f. Location and number of exits.
 - g. Any additional information that will adequately describe the proposed work.

4. Dwelling unit subordinate to primary non-residential use

Amend Art. 5, Table 1, delete Article 13.F.1, and add a definition to Art. 15 of the existing Ordinance to allow one subordinate dwelling unit on a lot with a primary business use in the Commercial & Industrial Zones and require a Conditional Use Permit for occupancy by other than the business owner (e.g. business manager or security person).

Italicized to be added/changed– also renumber remaining items as necessary

Article 5, Table 1

Note: P=Permitted Use; CU=Conditional Use Permit Necessary; E=Special Exception Necessary; N=Not Permitted

	Commercial	Industrial	Residential Multi-Family	Residential Single Family	Rural	Village
Dwelling – Single Family (add'l SE criteria Art 13)	E	N	P	P	P	P
<i>Dwelling – Single Family</i>	<i>N</i>	<i>N</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Dwelling – Single Family Subordinate to Non-Residential Use</i>	<i>CU</i>	<i>CU</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>

Article 13.F.1 (Delete in its entirety)

- 1. ~~Dwelling – Single Family in the Commercial Zone.~~
 - a. ~~Use may be allowed only as subordinate and incidental to, and on the same lot or site occupied by, a primary Commercial or Industrial Use as permitted by Article 5, Table 1 of this Ordinance.~~
 - b. ~~Occupancy of the dwelling is restricted to:~~
 - 1. ~~the owner of the on-site business and members of his/her immediate family; or~~
 - 2. ~~the on-site manager or security person and members of his/her immediate family, if such position is considered by the Planning Board to be an necessary part of the proposed business use through Site Plan Review.~~
 - c. ~~The single family dwelling use permit expires upon termination of the primary Commercial or Industrial Use.~~
 - d. ~~Owner of the property must complete and record in the Belknap County Registry of Deeds a Restrictive Covenant provided by the Planning Board stating the restrictions for occupancy of the dwelling.~~

Article 15, Definitions:

Single-family subordinate dwelling unit- One single family subordinate dwelling unit is allowed on a non-residential lot for occupancy limited to (a) the on-site commercial, industrial or institutional business owner & family; or (b) the on-site business manager & family or security person & family provided a Conditional Use Permit is issued by the Planning Board. A single-family subordinate dwelling unit shall not be considered a "single-family dwelling unit" for other purposes under this ordinance.

5. Aquifer

Amend Art. 7.C.14 of the existing Ordinance to clarify that a “snow dump” regulates snow brought to a lot from off-site.

Italicized to be added/changed– also renumber remaining items as necessary

Article 7.C.14.

Snow dump: For the purposes of this ordinance, a location where snow which is cleared from *off-site* roadways and/or *off-site* motor vehicle parking areas is placed for disposal.

6. Signs

Amend Art. 4.I.4 of the existing Ordinance to allow internally illuminated signs.

Italicized to be added/changed– also renumber remaining items as necessary

Article 4.I.4. Prohibited Signs

Prohibited Signs:

- a. Signs or lighting of signs placed in such a position as to endanger vehicular or pedestrian traffic by interfering with vision, by obscuring a clear view or by confusion with official street signs or signals, by glare or by flashing light, or by other means.
- b. Signs attached to trees, rocks, or other parts of a natural landscape, utility poles, fences, guardrails or other highway delineators are not permitted.
- c. Signs on a vehicle or trailer unless such sign is a component of permitted onsite signage are not permitted.
- d. Signs that may project over a public right-of-way or sidewalk unless the situation is such that the building to which the sign is attached is closer than five (5) feet from the public way or sidewalk are not permitted. In such situations the sign shall be at an adequate height so as not to be interfering with pedestrians, vehicular traffic, or snow removal.
- e. Flashing signs, signs that flash, have motion, are animated, *or* create an illusion of movement, ~~or are internally illuminated~~ are not permitted except as allowed in the electronic sign section of this ordinance.
- f. No flashing signs are permitted in any district.
- g. Signs for off-site uses are not permitted with the exception of permitted Directional or Complex signs.