

Amendment No. 1

Are you in favor of Zoning Amendment #1, to amend Article, 2, Districts, to amend the Zoning Map by moving Map 33, Lot 3, 53 Martin’s Ferry Road, from the Mixed-Use District 4 (MUD4) to the Medium Density Residential District (MDR)? (Recommended by the Hooksett Planning Board)

The purpose of the proposed amendment is to allow the lot to be more consistent with other lots and uses in the neighborhood.

Amendment No. 2

Are you in favor of Zoning Amendment #2, to amend Other Ordinance #7, Floodplain Development Ordinance as necessary to comply with requirements of the National Flood Insurance Program? The amendment adds a definition for “Base Floor Elevation” and “Flood Opening”, amends the definition for “Mean Sea Level”, “Substantial Improvement” and “Water Surface Elevation”; deletes “Functionally Dependent Use”; corrects the title of the Wetlands Bureau; clarifies where base flood elevations are to be determined and how a recreational vehicle may be attached to a site in a floodplain; and eliminates language stating the amount of flood insurance required. (Recommended by the Hooksett Planning Board)

FLOODPLAIN DEVELOPMENT ORDINANCE # 00-7

This ordinance, adopted pursuant to the authority of RSA 674:16 shall be known as the Town of Hooksett Floodplain Development Ordinance. The regulations in this ordinance shall overlay and supplement the regulations in the Town of Hooksett Zoning Ordinance, and shall be considered part of the Zoning Ordinance for purposes of administration and appeals under state law. If any provision of this ordinance differs or appears to conflict with any other provision imposing the greater restriction or more-stringent standard shall be controlling.

The following regulations in this ordinance shall apply to all land designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Merrimack, NH", dated April 19, 2010, or as amended, together with the associated Flood Insurance Rate Maps dated April 19, 2010, or as amended, which are declared to be a part of this ordinance and are hereby incorporated by reference.

***SECTION A
DEFINITIONS***

The following definitions shall apply only to this Floodplain Development Ordinance, and shall not be affected by, the provisions of any other ordinance of the Town of Hooksett.

"Area of Special Flood Hazard" ~~is~~ if-is the land in the floodplain within the Town of

Hooksett subject to a one-percent or greater possibility of flooding in any given year. The area is designated as Zone (s) A and AE on the Flood Insurance Rate Map.

"Base Flood" means the flood having a one-percent possibility of being equaled or exceeded in any given year.

"Base Flood Elevation" (BFE) means the elevation of surface water resulting from the "base flood".

"Basement" means any area of a building having its floor subgrade on all sides.

"Building" see "Structure".

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operation or storage of equipment or material.

"FEMA" means the Federal Emergency Management Agency.

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- A. The overflow of inland or tidal waters.
- B. The unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Insurance Study" means an examination, evaluation, and determination of flood hazards and if appropriate, corresponding water surface elevations, or an examination and determination of mudslide or flood-related erosion hazards.

"Flood Insurance Rate Map" (FIRM) means an official map incorporated with this ordinance, on which FEMA has delineated both the special flood hazard areas and the risk premium zones applicable to the Town of Hooksett.

"Flood Opening" means an opening in a foundation or enclosure wall that allows automatic entry and exit of floodwaters. See FEMA "Technical Bulletin 1, Openings in Foundation Walls and Walls of Enclosures."

"Floodplain" or "Flood-prone Area" means any land area susceptible to being inundated by water from any source (see definition of "Flooding").

"Flood Proofing" means any combination of structural and non-structural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures and their contents.

"Floodway" see "Regulatory Floodway"

~~*"Functionally Dependent Use" means a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term include only docking and port facilities that are necessary for the loading/unloading of cargo or passengers, and ship building/repair facilities but does not include long-term storage or related manufacturing facilities.*~~

"Highest Adjacent Grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic Structure" means any structure that is:

- A. *Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.*
- B. *Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.*
- C. *Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or*
- D. *Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by either:*
 - 1. *An approved state program as determined by the Secretary of the Interior, or*
 - 2. *Directly by the Secretary of the Interior in states without approved programs.*

"Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed 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 180 consecutive days. This includes manufactured homes located in a manufactured home park or subdivision.

"Mean Sea Level" means the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"New Construction means, for the purposes of determining insurance rates, structures for which the start of construction commenced on or after the effective date of an initial FIRM (09/19/1990), or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a flood plain management regulation adopted by a community and includes any subsequent improvements to such structures.

~~"100-year Flood" see "Base Flood"~~

"Recreational Vehicle" means a vehicle which is (i) built on a single chassis, (ii) 400 square feet or less when measured at the largest horizontal projection, (iii) designed to be self-propelled or permanently towable by a light duty truck, and (iv) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory Floodway" 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 cumulatively increasing the water surface elevation more than a designated height. These areas are designated as floodways on the Flood Insurance Rate Maps.

~~"Special Flood Hazard Area" means an area having flood, mudslide, and/or flood related erosion hazards and shown on an FIRM as zone A, AE (see "Area of Special Flood Hazard").~~

"Structure" means for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

"Start of Construction" includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does

not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or sidewalks; nor does it include excavation of a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

~~"Substantial Improvement" means any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure. The market value of the structure should equal 1) the appraised value prior to the start of the initial repair or improvement, or 2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures, which have incurred substantial damage, regardless, or actual repair work performed.~~

~~The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".~~any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- B. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

"Violation" means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44CFR § 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation

is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD of 1988), (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains.

SECTION B PERMIT REQUIRED

All proposed development in any special flood hazard areas shall require a permit.

SECTION C CONSTRUCTION REQUIREMENTS

The Code Enforcement Officer shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is located in a special flood hazard area, all new construction or substantial improvements shall:

- A. Be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamics and hydrostatic loads, including the effects of buoyancy,
- B. Be constructed with materials resistant to flood damage,
- C. Be constructed by methods and practices that minimize flood damage and
- D. Be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

SECTION D WATER AND SEWER SYSTEMS

Where new or replacement water and sewer systems (including onsite systems) are proposed in a special flood hazard area, the applicant shall provide the Code Enforcement Officer with assurance that these systems will be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems will be located to avoid impairment to them or contamination from them during periods of flooding.

SECTION E
INFORMATION REQUIRED

For all new or substantially improved structures located in Zones A and AE, the applicant shall furnish the following information to the Code Enforcement Officer:

- A. *The as-built elevation (in relation to ~~the~~ NGVD mean sea level) of the lowest floor (including the basement) and include whether or not such structures contain a basement.*
- B. *If the structure has been floodproofed, the as-built elevation (in relation to ~~the~~ NGVD mean sea level) to which the structure was floodproofed.*
- C. *Any certification of floodproofing.*

The Code Enforcement Officer shall maintain for public inspection, and shall furnish such information upon request.

SECTION F
GRANTING OF BUILDING PERMIT

The Code Enforcement Officer shall not grant a building permit until the applicant certifies that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

SECTION G
CERTIFICATION REQUIRED

The following certifications shall be required prior to the granting of a building permit by the Code Enforcement Officer:

- A. *In riverine situations, prior to the alteration or relocation or a watercourse, the applicant for such authorization shall notify the Wetlands ~~Board~~ Bureau of the New Hampshire Department of Environmental Services and submit copies of such notification to the Code Enforcement Officer, in addition to the copies required by N.H. RSA 482-A:3. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Code Enforcement Officer, including notice of all scheduled hearings before the Wetlands ~~Board~~ Bureau.*
- B. *The applicant shall submit to the Code Enforcement Officer,*

certification provided by a registered professional engineer, assuring that the flood carrying capacity of an altered or relocated watercourse can and will be maintained.

- C. *Along watercourse with a designated Regulatory Floodway, no encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the proposed encroachment would not result in any increase in flood levels within the community during the base flood discharge.*
- D. *Along watercourses that have not had a Regulatory Floodway designated, no new construction, substantial improvement, or other development (including fill) shall be permitted within Zone AE on the FIRM, unless it is demonstrated by the applicant that the cumulative effect of the proposed development, when combined with all existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within community.*
- E. *The Building Inspector shall obtain, review, and reasonably utilize any floodway data available from Federal, State, or other sources as criteria for requiring that all development located in Zone A meet the following floodway requirement:*

“No encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway that would result in any increase in flood levels within the community during the base flood discharge.”

**SECTION H
DETERMINATION BY CODE ENFORCEMENT OFFICER**

- A. *The Code Enforcement Officer shall make the following determination:*
 - 1. *In special flood hazard areas, the Code Enforcement Officer shall determine the ~~100-year~~base flood elevation in the following order of precedence according to the data available.*
 - 2. *In Zone AE, refer to the elevation data provided in the community's Flood Insurance Study and accompanying FIRM and FHBM.*
 - 3. *b. In ~~A-zones~~Zone A, the Code Enforcement Officer shall obtain, review and reasonably utilize any ~~100-year~~base flood elevation data available from any federal, state or other source including data submitted for development*

proposals submitted to the community. (i.e. subdivisions, site approvals). Where a base flood elevation is not available or not known for Zone A, the base flood elevation shall be determined to be at least 2 feet above the highest adjacent grade.

- B. The Code Enforcement Officer's ~~100-year~~base flood elevation determination will be used as criteria for requiring in Zones A and AE that:
1. All new construction or substantial improvement of residential structures have the lowest floor (including basement) elevated to or above the ~~100-year~~base flood elevation;
 2. That all new construction or substantial improvements of non-residential structures have the lowest floor (including basement) elevated to or above the ~~100-year~~base flood level; or together with attendant utility and sanitary facilities, shall:
 - a) be floodproofed so that below that ~~100-year~~base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
 - b) have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and
 - c) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section;
 3. All manufactured homes to be placed or substantially improved within special flood hazard areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood level; and be securely anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces;
 4. Recreational vehicles placed on sites within ~~zones~~Zones A and AE shall either (i) be on the site for fewer than one hundred and eighty (180) consecutive days, (ii) be fully licensed, attached to the site only by quick disconnect type utilities and

~~*security devices and have no permanently attached additions, and ready for highway use, or (iii) meet all standards of Section 60.3 (b) (1) of the National Flood Insurance program regulations this ordinance and the elevation and anchoring requirements for "manufactured homes" in paragraph (c) (6) of Section 60.3. this ordinance.*~~

5. *For all new construction and substantial improvement, fully enclosed areas below the lowest floor that are subject to flooding are permitted provided they meet the following requirements:*
 - a) *the enclosed area is unfinished or flood resistant, usable solely for the parking of vehicles, building access or storage;*
 - b) *the area is not a basement;*
 - c) *shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:*
 - 1) *a minimum of two (2) flood openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.*
 - 2) *the bottom of all openings shall be no higher than one (1) foot above grade.*
 - 3) *openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.*

SECTION I VARIANCES AND APPEALS

- A. *Any order, requirement, decision or determination of the Code Enforcement Officer made under this ordinance may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5.*
- B. *If the applicant upon appeal, requests a variance as authorized by RSA 674:33, I(~~b~~), the Zoning Board of Adjustment, in determining whether or not any variance will be contrary to the spirit of this*

ordinance, shall consider the following:

1. That the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense.
2. That if the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result.
3. That the variance is a minimum necessary, considering the flood hazard, to afford relief.

C. The community shall:

1. Maintain a record of all variance actions, including their justification for their issuance; and
2. Report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.

D. The Zoning Board of Adjustment shall notify the applicant in writing that:

1. the issuance of a variance to construct below the base flood level will result in increased premium rates for flood insurance ~~up to amounts as high as \$25 for \$100 of insurance coverage~~; and

2. such construction below the base flood level increases risks to life and property Such notification shall be maintained with a record of all variance actions.

ADOPTED: 09/19/90

AMENDED: 04/13/94

AMENDED: 03/10/10

AMENDED:

The purpose of the proposed amendment is to bring the Town of Hooksett Floodplain regulations in compliance with National Flood Insurance Program requirements. Such compliance ensures the community remains eligible to participate in NFIP.

Amendment No. 3

Are you in favor of Zoning Amendment #3, as proposed by the Hooksett Planning Board, to amend the following verbiage in the Town of Hooksett Zoning Ordinance, Article 3, General Provisions, Section J, to require all building lots to have contiguous frontage?

All building lots shall have contiguous frontage on a publicly approved street of Class 1 through Class 5. Frontage along a limited access highway, and frontage along any other public highway over which the control of access does not rest with the Town of Hooksett, or the State of New Hampshire, and Class 6 highways, shall not be deemed to meet the frontage requirements set forth in this Ordinance. Frontage along private roads, conforming to the definition in Article 22, shall meet the frontage requirements for only those lots owned by the party(ies) controlling access to those private roads.

The purpose of the proposed amendment is to prevent the creation of odd shaped or “flag” lots to promote the more orderly development of the town.

Amendment No.4

Are you in favor of Zoning Amendment #4, as proposed by the Hooksett Planning Board, to amend the Town of Hooksett Zoning Ordinance, Article I, Preamble, to repeal the existing Preamble and replace it with a new Preamble?

ARTICLE 1, PREAMBLE

~~*Pursuant to the authority conferred by RSA Chapters 672-677 and for the purpose of promoting the health, safety, morals, prosperity, convenience of the development of the inhabitants of the incorporated Town of Hooksett, New Hampshire, for security, for safety from fire, for the avoidance of panic and other dangers, for the provision of adequate area between buildings and various rights of way, for the preservation of the rural charm now attached to our town, for the promotion of good civic design and arrangements, for the wise and efficient expenditure of public funds, and for the adequate provision of public utilities and other public requirements, and for other means,*~~

~~*The Town of Hooksett has adopted its Zoning Ordinances for the following purposes, including but not limited to:*~~

- ~~*1. Protecting and promoting the public safety, convenience, comfort, aesthetics, prosperity, health, and general welfare of the inhabitants of the Hooksett, New Hampshire;*~~
- ~~*2. Secure safety from fires, panic, explosion, noxious fumes, and other such hazards and dangers, and to control nuisance-producing uses of land;*~~
- ~~*3. Promote adequate light, air, privacy, and convenience of access to property;*~~
- ~~*4. Avoid undue concentration of population, to prevent the overcrowding of land, and to lessen congestion in the streets;*~~
- ~~*5. Facilitate the adequate provision of transportation, solid waste facilities, water, sewerage, schools, parks, child day care, and other public requirements;*~~
- ~~*6. Assure the proper use of natural resources, to prevent pollution of air and water, to protect property from flooding and accelerated erosion, to protect historic and*~~

archeological resources, to protect wetlands, and to conserve natural beauty and open space;

7. Conserve property values by preventing the harmful encroachment of incompatible uses, and by providing for the elimination of those uses which adversely affect the neighborhood character, development, and value of property, and to insure that any proposed development is compatible in use, scale and building design within the neighborhood in which the development is proposed; and

8. Encourage the most appropriate use of land, and to allow for planned, orderly, and beneficial growth as envisioned by the Master Plan.

Now therefore, the following Ordinance is hereby enacted by the voters of the Town of Hooksett, New Hampshire, in official Town Meeting convened May 12, 2015 (1957 – original authorization).

(End of Article 1)

The purpose of this amendment is to revise the Preamble statement to more accurately capture the intent of the Ordinance.

Amendment No. 5

Are you in favor of Zoning Amendment #5, as proposed by the Hooksett Planning Board, which adds a purpose statement to the beginning of the Town of Hooksett Zoning Ordinance, Article 4, Low Density Residential District and renumbers the Article accordingly?

ARTICLE 4, LOW DENSITY RESIDENTIAL DISTRICT – LDR

Add a purpose statement to the beginning of the Article and renumber the Article accordingly.

- A. The purpose of this residential district is to provide for conventional single-family neighborhoods on lots not less than two acres (87,120 square feet). The homes in this district may be served by municipal sewer and water, but there are some areas that still have on-site septic systems and wells. These districts are located further away from major roadways. Agriculture and farming are promoted in this district.

A building may be erected, altered or used and a lot may be used or occupied for any of the following purposes and in accordance with the following provisions.

The purpose of this amendment is to define the intent of the Article.

Amendment No. 6

Are you in favor of Zoning Amendment #6, as proposed by the Hooksett Planning Board, which adds a purpose statement to the beginning of the Town of Hooksett Zoning Ordinance, Article 5, Medium Density Residential District and renumbers the Article accordingly?

ARTICLE 5, MEDIUM DENSITY RESIDENTIAL DISTRICT – MDR

Add a purpose statement to the beginning of the Article and renumber the Article accordingly.

- A. The purpose of this residential district is to provide an environment suitable for a variety of moderate density housing types, including single-family, two family, and multi-family dwellings on lots not less than 65,340 square feet.

A building may be erected, altered, or used and a lot may be used or occupied for any of the following purposes and in accordance with the following provisions:

The purpose of this amendment is to define the intent of the Article.

Amendment No. 7

Are you in favor of Zoning Amendment #7, as proposed by the Hooksett Planning Board, which adds a purpose statement to the beginning of the Town of Hooksett Zoning Ordinance, Article 5A, Urban Density Residential District and renumbers the Article accordingly?

ARTICLE 5-A, URBAN DENSITY RESIDENTIAL DISTRICT – URD

(Adopted 05/08/07)

Add a purpose statement to the beginning of the Article and renumber the Article accordingly.

- The purpose of this residential district is to provide for conventional single-family neighborhoods that may contain some historic homes. The properties in this district may be built close to sidewalks and intersecting streets. The homes in this district are all served by municipal sewer and water and the lot area shall not be less than 9,000 square feet.

A building may be erected, altered, or used and a lot may be used or occupied for any of the following purposes and in accordance with the following provisions:

The purpose of this amendment is to define the intent of the Article.

Amendment No. 8

Are you in favor of Zoning Amendment #8, as proposed by the Hooksett Planning Board, which adds a purpose statement to the beginning of the Town of Hooksett Zoning Ordinance, Article 6, High Density Residential District and renumbers the Article accordingly?

ARTICLE 6, HIGH DENSITY RESIDENTIAL DISTRICT - HDR

Add a purpose statement to the beginning of the Article and renumber the Article accordingly.

A. The purpose of this residential district is to provide an environment suitable for a variety of higher density housing types, including multi-family dwellings. These districts are closest to the Town’s main arteries, including Routes 3, 3A and 28, and contain many homes that are built close together with access to sidewalks and traffic lights. The homes in this district are all served by municipal sewer and water.

A building may be erected, altered, or used and a lot may be used or occupied for any of the following purposes and in accordance with the following provisions:

The purpose of this amendment is to define the intent of the Article.

Amendment No. 9

Are you in favor of Zoning Amendment #9, as proposed by the Hooksett Planning Board, which adds a purpose statement to the beginning of the Town of Hooksett Zoning Ordinance, Article 9, Manufactured Housing Parks and renumbers the Article accordingly?

ARTICLE 9, MANUFACTURED HOUSING PARKS

Add a purpose statement to the beginning of the Article and renumber the Article accordingly.

A. The purpose of this ordinance is to establish minimum standards for the construction and maintenance of mobile home parks. The intent of the ordinance is that mobile home parks provide a healthful, safe, pleasant, and attractive residential atmosphere for their occupants, while at the same time being compatible with existing and anticipated future development in the surrounding areas.

The purpose of this amendment is to define the intent of the Article.

Amendment No. 10

Are you in favor of Zoning Amendment #10, as proposed by the Hooksett Planning Board, which adds a purpose statement to the beginning of the Town of Hooksett Zoning Ordinance, Article 10, Commercial Districts and renumbers the Article accordingly?

ARTICLE 10, COMMERCIAL DISTRICTS - COM

Add a purpose statement to the beginning of the Article and renumber the Article accordingly.

A. This Article shall govern the erection and alteration of buildings, structures, and the use of land in the Commercial District. All site plans in this district should ensure that the architectural style and the development maintains the historical character of Hooksett, including complying with the Town's architectural design standards. This district promotes a pedestrian-friendly design while maintaining efficient traffic circulation and safety.

A building may be erected, altered, or used and a lot may be used or occupied for any of the following purposes and in accordance with the following provisions:

The purpose of this amendment is to define the intent of the Article.

Amendment No. 11

Are you in favor of Zoning Amendment #11, as proposed by the Hooksett Planning Board, which adds a purpose statement to the beginning of the Town of Hooksett Zoning Ordinance, Article 11, Industrial Districts and renumbers the Article accordingly?

ARTICLE 11, INDUSTRIAL DISTRICTS - IND

Add a purpose statement to the beginning of the Article and ~~renumber~~ the Article accordingly.

This district is intended to provide for industrial uses suitable for location in areas of close proximity to non-industrial development. An environmentally friendly design with resource-efficient structures is encouraged.

The purpose of this amendment is to define the intent of the Article.

Amendment No. 12

Are you in favor of Zoning Amendment #12, as proposed by the Hooksett Planning Board, which adds a purpose statement to the beginning of the Town of Hooksett Zoning Ordinance, Article 20, Signs, and renumbers the Article accordingly, and amends Section

A, Permit Required, to clarify waivers for signs located in the Route 3 Corridor Performance Zone District are required to be granted by the Planning Board?

ARTICLE 20, SIGNS

(Amended 5/13/14)

This Article encourages the effective use of signs as a means of communication in the Town of Hooksett. All signs should strive to maintain and enhance the aesthetic environment of the Town while retaining the Town's ability to attract and encourage economic development and growth. This Article also seeks to minimize possible adverse effects of signs on nearby public and private property, improve pedestrian and traffic safety, and enable fair and consistent enforcement of these sign regulations.

A. Permit Required

No sign shall be permitted in the Town of Hooksett, except in accordance with this Ordinance. No sign, other than those specified in Sections E.1., E.3., and E.6. of this Article, shall be erected or placed, nor shall any existing sign be altered in structure or material, relocated or replaced, in the Town without issuance of a permit by the Code Enforcement Officer after he has satisfied himself that the sign will meet all the requirements of this Article. Application for a sign permit shall include plan, sketches, photographs, and written information adequate to clearly identify the size, materials, message, and location of the sign. *For signs location in the U.S. Route 3 Corridor Performance Zoning District that do not meet the provisions of this Article, a waiver is required to be granted by the Planning Board.*

The purpose of this amendment is to define the intent of the Article and to clarify waivers for signs located in the Route 3 Corridor Performance Zone District are granted by the Planning Board.

Amendment No. 13

Are you in favor of Zoning Amendment #13, as proposed by the Hooksett Planning Board, which amends Article 27, Accessory Dwelling Units, Section C (3), General, to amend where access to the ADU is permitted?

ARTICLE 27, ACCESSORY DWELLING UNITS

(Amended 3/14/18)

C. General

1. Only one (1) ADU shall be permitted for each single-family dwelling.
2. The ADU must provide independent living facilities for one or more persons containing the four elements of sleeping, eating, cooking, and sanitation.

3. The ADU shall have a means of ingress and egress. This access can be through a common space such as a shared hallway ~~to~~ or an exterior door. An interior door shall be provided between the principal dwelling unit and the accessory dwelling unit.

4. The ADU shall be within or attached to the principal dwelling unit. In order to be considered an attached ADU, there must be a common wall between the principal dwelling unit and the ADU. Detached accessory dwelling units are prohibited.

5. Either the ADU or the principal dwelling unit shall be the principal residence and legal domicile of the owner of the property.

6. If the primary single family dwelling unit is less than or equal to 2,500 square feet in habitable living area, then the ADU may be a maximum of 700 square feet in habitable area. If the primary single family dwelling unit is greater than 2,500 square feet in habitable living area, then the ADU may be a maximum of 30 percent of the primary single family dwelling unit.

11. An ADU shall be provided a minimum of one (1) off-street parking space.

11. An ADU shall make provision for adequate water supply and sewage disposal service in compliance with RSA 485-A: 38 and regulations adopted by the New Hampshire Department of Environmental Services. Separate systems shall not be required for the principal and accessory dwelling units.

11. The structure and lot shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the principal single-family dwelling.

10. Every Accessory Dwelling shall be deemed a unit of workforce housing for purposes of satisfying the municipality's obligation under RSA 674:59.

11. The aesthetic continuity with the principal dwelling unit as a single-family dwelling shall be maintained.

The purpose of this amendment is to amend where access to the ADU is permitted.

Amendment No. 14

Are you in favor of Zoning Amendment #14, as proposed by the Hooksett Planning Board, which creates a new Article 35 entitled Portable Storage Structures, and renumbers the subsequent Articles?

PORTABLE STORAGE STRUCTURES

A. Purpose

The Town of Hooksett acknowledges a landowner may have a need for a means to provide temporary on site storage. The purpose of this Article is to provide guidance on the use of such structures.

B. General

- 1. This Article governs all Portable Storage Structures, intended to be temporary or permanent, delivered to any property in the Town of Hooksett.*
- 2. Any Portable Storage Structures associated with construction at a property must be indicated on the building permit, is only permitted for the duration of construction activities on the property, and shall be removed from the property prior to the issuance of a certificate of occupancy.*
- 3. Failure to comply with the provisions of this ordinance is subject to penalties as noted in Article 36, Penalty.*

C. Portable Storage Structures in Residential Districts

- 1. There shall be no permanent Portable Storage Structure on any residential property located within a residential district. However, temporary use of such a structure may be allowed for no longer than 6 months. Its use must be reported to the Town's Code Enforcement Officer on a form provided by that office.*

D. Portable Storage Structures in Commercial Districts

- 1. There shall be no more than one portable storage structure allowed per property.*
- 2. The portable storage structure must be no larger than ten feet wide, forty feet long, and 10 feet high.*
- 3. A portable storage structure shall not remain at any property in excess of six (6) consecutive months, unless otherwise approved as part of a site plan.*
- 4. The portable storage structure shall be set back a minimum of 30 feet from any side or rear lot lines, and 60 feet from any front property line.*
- 5. The portable storage structure shall be set back a minimum of ten (10) feet from the nearest wall of a building.*
- 6. The portable storage structure shall be required to be placed on pavement, concrete, other appropriate impervious surface, and shall not obstruct any required parking spaces on the site. For those containers which will utilize required onsite parking spaces, a waiver from the Planning Board is required.*
- 7. Portable storage structures associated with construction at a property where a building permit has been issued are permitted for the duration of construction activities on the property and shall be removed from the property prior to the issuance of a certificate of occupancy.*

E. Portable Storage Structures in Industrial Districts

- 1. There shall be no more than one portable storage structure per property.*
- 2. The portable storage structure must be no larger than ten feet wide, forty feet long, and 10 feet high.*
- 3. A portable storage structure shall not remain at any property in excess of six (6) consecutive months unless otherwise approved as part of a site plan.*

4. *The portable storage structure shall be set back a minimum of 20 feet from any side or rear lot lines, and 30 feet from any front property line.*
5. *The portable storage structure shall be set back a minimum of ten (10) feet from the nearest wall of a building.*
6. *The portable storage structure shall be required to be placed on pavement, concrete, other appropriate impervious surface, and shall not obstruct any required parking spaces on the site. For those containers which will utilize required onsite parking spaces, a waiver from the Planning Board is required.*

The purpose of this amendment is to define how temporary and permanent portable storage structures are utilized within the Town of Hooksett, with regard to the length of time the structure can be on a property, and the permitting process.