

***RE: Article IV, Section 405 – Permitted Uses, Special Exceptions, and Prohibited Uses
for All Districts***

Section 405 Permitted Uses, Special Exceptions, and Prohibited Uses for All Districts

Pursuant to RSA 674:21 the Town of North Hampton Planning Board is hereby authorized and empowered to administer the permitted uses and uses granted by special exception under the following standards.

405.1 Permitted Uses – Industrial-Business/Residential (“I-B/R”) District

North Hampton encourages business development and growth in the I-B/R District because businesses provide jobs, make a significant contribution to the tax base and serve the needs and conveniences of our citizens. Businesses in North Hampton must, however, be compatible with the Town’s environment (particularly given the fact that a number of important aquifers underlie the I-B/R District) as well as with the significant number of residences in and adjacent to the I-B/R District, the safety, health, and quiet enjoyment of which must be protected and maintained.

405.1.1 Each such proposed permitted use shall be submitted to the Planning Board for review under the Planning Board’s Site Plan Review Regulations and, in addition, shall be reviewed under the standards of 405.1.2 and 405.1.3.

405.1.2 The Planning Board shall determine whether any such proposed permitted use shall have or cause any unreasonably adverse effect on abutting or neighborhood residential or other uses, with respect to pollution, discharge of harmful or noxious substances, noise, dust, vibration, smoke, odors, light spillage, or other unpleasant, unhealthy or hazardous by-products of the proposed use.

405.1.3 The Planning Board shall determine whether any such proposed permitted use shall have any unreasonably adverse effect upon any water resource, the environment, the health or welfare of any residents, or the quality of life in or adjacent to the I-B/R District.

405.2 Special Exceptions – Standards for the Zoning Board of Adjustment (ZBA) to Apply in Considering Applications for Special Exceptions

405.2.1 In instances where standards for a listed Special Exception are defined in the Zoning Ordinance, the ZBA shall apply those standards.

***RE: Article IV, Section 405 – Permitted Uses, Special Exceptions, and Prohibited Uses
for All Districts***

405.2.2 In instances where specific standards are not defined for a listed Special Exception, the ZBA shall apply the following standards:

405.2.2.1 The Special Exception, if approved, shall not diminish the value of surrounding properties.

405.2.2.2 The Special Exception, if approved, shall not unreasonably adversely affect the public interest, safety, health, or welfare. The ZBA shall consider whether the proposed Special Exception may cause abutting or neighboring lots, or the I-B/R District generally, to be subjected to any form of pollution or discharge of harmful or noxious substances, noise, dust, vibration, smoke, odors, light spillage, or other unpleasant, unhealthy or hazardous by-products of the proposed business which threatens to adversely and unreasonably affect the environment, welfare of residents, or quality of life in and adjacent to the I-B/R District.

405.2.3 Notwithstanding approval by the ZBA of an application for a Special Exception, in cases where a site plan is normally required, the Planning Board shall independently review a Site Plan for the proposed use.

405.3 Prohibited Uses for All Districts

The types of uses designated as “Permitted Uses” and “Special Exceptions” in the following tables are necessarily broad and general in many cases. The Planning Board will consider specific applications for Site Plan Reviews or Changes of Use as described in 405.1 and 405.2.

Notwithstanding that each of the following uses might be deemed a specific instance of one or more Permitted Use or Special Exception listed in the tables, they are considered inconsistent with goals for development of North Hampton as expressed in the Master Plan, beyond the capacity of the Town’s infrastructure, and incompatible with criteria noted in 405.1 and 405.2. They are, therefore, prohibited in all districts in North Hampton.

Prohibited Uses

Commercial animal husbandry facilities, including but not limited to feed lots, slaughterhouses, breeding facilities, egg farms, and hog, chicken, turkey and other domestic fowl production facilities.

“Commercial animal husbandry facilities” does not include the following: veterinary clinics, kennels and other facilities for boarding domesticated

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animals, equestrian stables for recreational riding, or horse-breeding stables that stable 20 or fewer animals.

Large scale distribution and logistics facilities, including but not limited to facilities like those operated by trucking firms, by package and mail carriers such as FedEx and United Parcel Service, by major retail chains such as Wal-Mart, K Mart, and Sears, and by automobile manufacturers for parts distribution.

Storage of raw materials for processing and the processing of raw materials for distribution or retail sale, including but not limited to stockpiling or storage of dirt and debris for sifting and screening in the production of loam, storage or processing of manure or other materials for production of fertilizer, stockpiling and processing materials for concrete or asphalt production.

R-1 HIGH DENSITY DISTRICT

Permitted Uses	Special Exceptions
1. Agriculture	1. Cemeteries
2. Single-Family Dwellings	2. Home Occupations
3. Public and Parochial Schools	3. Non-Profit-Recreational Uses
4. Public Parks and Playgrounds	4. Nursery Schools
5. Churches	5. Public Utility Buildings
6. Essential Services	6. Water Recreation and Water Storage
7. Duplexes *3/10/92	7. Municipal Buildings and Libraries
8. Manufactured Housing on Individually Owned Lots, as Defined in Section 302-36 of the Zoning Ordinance *3/8/94	8. Hospitals and Clinics for Humans or Animals
	9. Greenhouses
	10. Riding Stables
	11. Private Clubs
	12. Accessory Apartments *3/13/90
	13. Family Day Care *3/13/90

North Hampton Proposed Zoning Ordinance Amendment for 2004

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R-2 MEDIUM DENSITY DISTRICT

Permitted Uses	Special Exceptions
1. Agriculture	1. Cemeteries
2. Single-Family Dwellings	2. Home Occupations
3. Public and Parochial Schools	3. Non-Profit-Recreational Uses
4. Public Parks and Playgrounds	4. Nursery Schools
5. Churches	5. Public Utility Buildings
6. Essential Services	6. Water Recreation and Water Storage
7. Duplexes *3/10/92	7. Municipal Buildings and Libraries
8. Manufactured Housing on Individually Owned Lots, as Defined in Section 302-36 of the Zoning Ordinance *3/8/94	8. Hospitals and Clinics for Humans or Animals
	9. Greenhouses
	10. Riding Stables
	11. Private Clubs
	12. Accessory Apartments *3/13/90
	13. Family Day Care *3/13/90

R-3 LOW DENSITY DISTRICT

Permitted Uses	Special Exceptions
1. Agriculture	1. Home Occupations
2. Single-Family Dwellings	2. Water Recreation and Water Storage
3. Public Parks and Playgrounds	3. Non-Commercial Recreational Uses
4. Cemeteries	4. Nursery Schools
5. Essential Services	5. Churches
6. Duplexes *3/10/92	6. Accessory Apartments *3/13/90
7. Manufactured Housing on Individually Owned Lots, as Defined in Section 302-36 of the Zoning Ordinance *3/8/94	7. Family Day Care *3/13/90

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INDUSTRIAL-BUSINESS / RESIDENTIAL DISTRICT (“I-B/R”)

Permitted Uses	Special Exceptions
1. Agriculture	1. Water Recreation and Storage
2. Motels	2. Municipal Buildings and Libraries
3. Eating and Drinking Establishments	3. Multiple-Family Dwelling *3/6/73
4. Research and Testing Laboratories	4. Light Manufacturing *3/6/73
5. Offices	5. Public and Private Recreational Facilities *3/6/73
6. Hospitals and Clinics for Humans or Animals	6. Planned Unit Industrial and Business Projects
7. Public Utility Buildings *3/6/73	7. Accessory Apartments
8. Accredited Commercial Schools *3/9/82	8. Family Day Care *3/13/90
9. Essential Services *3/13/90	9. Home Occupations
10. Retail Uses *3/6/73	10. Motor-Vehicle Refueling Facilities
11. Wholesale Uses *3/6/73	11. Motor-Vehicle Service Facilities, including without limitation lubrication centers, repair shops, detail and washing facilities, body shops, and tire and battery shops
12. Accessory Uses *3/6/73	
13. Single-Family Dwellings	
14. Group Day Care *3/13/90	
15. Duplexes *3/10/92	
16. Manufactured Housing on Individually Owned Lots, as Defined in Section 302-36 of the Zoning Ordinance *3/8/94	