

2024 Zoning Amendments – Public Hearing

January 16, 2024 – Town Hall Meeting Room – 7 PM

1. AMENDMENT (1) ARE YOU IN FAVOR OF ADOPTION OF AMENDMENT (1) AS PROPOSED BY THE PLANNING BOARD FOR THE TOWN OF HOLLIS ZONING ORDINANCE AS FOLLOWS:

Amend Section XX Hollis Open Space Planned Development, paragraph 5. DENSITY, DIMENSIONAL, OPEN SPACE AND HEALTH REQUIREMENTS IN A HOSPD, a. Density

- (i) The density of dwelling units in a HOSPD shall be no greater than one dwelling unit per 2 acres of Net Tract Area.
- (ii) The number of Dwelling Units permitted in a HOSPD shall be no greater than the number of units that would be possible if the parent parcel were wholly subdivided in a conventional manner (i.e.: without an open-space set-aside) **adhering to all applicable Zoning Ordinance and Subdivision Regulation requirements.** In order to arrive at this number, the applicant may either submit a conceptual plan showing how the parcel could be subdivided in a conventional manner, or otherwise demonstrate the possible number of conventional lots in a manner acceptable to the Planning Board. The possible number of conceptual conventional lots will be determined with the use of Site Specific Soil Mapping. ~~For purposes of determining the number of HOSPD lots,~~ Each conceptual conventional Lot **and the project as a whole shall** must meet the requirements of a Buildable Lot as defined in the Hollis Zoning Ordinance, and meet all other applicable requirements of the Zoning Ordinance and Land Subdivision Regulations.

Explanation: The purpose of this amendment is to clarify the requirements of HOSPD developments must meet all relevant regulations.

2. AMENDMENT (2) ARE YOU IN FAVOR OF ADOPTION OF AMENDMENT (2) AS PROPOSED BY THE PLANNING BOARD FOR THE TOWN OF HOLLIS ZONING ORDINANCE AS FOLLOWS?

Amend Section ENFORCEMENT AND ADMINISTRATION by adding the following: **L. No building permit(s) shall be issued for a property with an outstanding Zoning, Site Plan Regulation, and/or Subdivision Regulation violation(s).**

Explanation: The purpose of this amendment is to prohibit the issuance of building permits when violations are present on a property.

3. AMENDMENT (3) ARE YOU IN FAVOR OF ADOPTION OF AMENDMENT (3) AS PROPOSED BY THE PLANNING BOARD FOR THE TOWN OF HOLLIS ZONING ORDINANCE AS FOLLOWS?

Amend Section XI: Overlay Zoning Districts, paragraph c. Wetland Conservation Overlay Zone (WCO), paragraph 6. Permitted Uses Within the Wetland Conservation Overlay Zone, paragraph d. as follows:

- (xvi) Buffer disturbances **of less than 3,000 square feet** for driveway access. **Buffer disturbances greater than 3,000 square feet shall require Planning Board Approval.** Buffer disturbances do not need approval from the NH Wetlands Bureau.
- (xvii) Buffer disturbances for **proposed driveway/roads require** Planning Board **approval** approved subdivision road access. **The location of proposed driveway/roadways shall, to the maximum extent possible, be located outside of Buffer zones and Wetlands.**

Explanation: The purpose of this amendment is to clarify the review of wetland buffer disturbance and reduce the impacts to wetland buffers.

4. AMENDMENT (4) ARE YOU IN FAVOR OF ADOPTION OF AMENDMENT (4) AS PROPOSED BY THE PLANNING BOARD FOR THE TOWN OF HOLLIS ZONING ORDINANCE AS FOLLOWS?

Amend Section VIII, Definitions, TEMPORARY STRUCTURE: A structure, which is designed, built, created or occupied for short and/or intermittent periods of time. This shall include, but is not limited to, plastic, fabric, and/or canvas covered frame structures. All temporary structures will require a building permit **shall comply with the currently adopted version of the International Building Code.** Temporary structures shall comply with all applicable setbacks, except as noted in the Farm Stand definition, and/or height requirements for accessory or principal structures, as outlined in Section X. Zoning Districts. ~~Structures which are in use for a period of less than 7 days are exempt from the permit requirement.~~ Temporary structures located within the Historic District shall be appropriately screened from public view and must obtain prior approval from the Historic District Commission.

Explanation: The purpose of this amendment is to align the definition of TEMPORARY STRUCTURE to the current version of the International Building Code.

5. AMENDMENT (5) ARE YOU IN FAVOR OF ADOPTION OF AMENDMENT (5) AS PROPOSED BY THE PLANNING BOARD FOR THE TOWN OF HOLLIS ZONING ORDINANCE AS FOLLOWS?

Amend Section XI Overlay Zoning Districts, B. Floodplain Overlay Zone, as necessary, to comply with requirements of the National Flood Insurance Program. Amendments include changes to definitions, project requirements, and other clarification measures.

Explanation: The purpose of this amendment is to comply with regulatory changes mandated by FEMA in order to maintain compliance with new federal floodplain requirements and mapping. Failure to adopt these amendments could risk insurance eligibility to those who have flood insurance.

6. AMENDMENT (6) ARE YOU IN FAVOR OF ADOPTION OF AMENDMENT (6) AS PROPOSED BY THE PLANNING BOARD FOR THE TOWN OF HOLLIS ZONING ORDINANCE AS FOLLOWS?

Amend Section IX: General Provisions, K. Accessory Dwelling Unit, 1. Purpose as follows: For the purpose of providing expanded housing opportunities and flexibility in household arrangements, accessory dwelling units (in-law apartments) shall be ~~permitted by special exception granted by the Board of Adjustment in any district in conformance with these regulations.~~ **allowed as a Permitted Use as provided for in Section X Zoning Districts consistent with RSA 674:72.1.** In addition, amend Section X Zoning Districts Section A. Agriculture & Business Zone, F. Recreation Zone, G. Residential & Agriculture District, H. Rural Lands and I. Town Center to **deleting** references to Accessory Dwelling Units according to Section IX.K. as a use requiring a Special Exception and allowing Accessory Dwelling Units according to Section IX.K. as a **Permitted Use** within the noted Zoning Districts.

Explanation: The purpose of this amendment is to allow accessory dwelling units as a use allowed by right instead of requiring approval from the zoning board. Accessory dwelling units require Building Department review and permit approval.

7. AMENDMENT (7) ARE YOU IN FAVOR OF ADOPTION OF AMENDMENT (67 AS PROPOSED BY THE PLANNING BOARD FOR THE TOWN OF HOLLIS ZONING ORDINANCE AS FOLLOWS?

Amend Section XXVI: Solar Energy Systems, Section E1. Height as follows: The maximum height of any ground mounted Solar Energy System shall be 40 **15** feet off the ground.

Explanation: The purpose of this amendment is to increase the allowable height of Solar Energy Systems by 5 feet to allow greater flexibility in maximizing sun capture. Buffer requirements to limit visual intrusion shall remain in place.

Petition for Amendment to Zoning Ordinance TO THE SELECTMEN OF HOLLIS, NEW HAMPSHIRE:

The undersigned legal voters of the town of Hollis hereby offer proposed ballot language for the following petition:

AMENDMENT (8) ARE YOU IN FAVOR OF THE ADOPTION OF THE AMENDMENT TO THE TOWN ZONING ORDINANCE AS PROPOSED BY PETITION OF THE TOWN'S RESIDENTS AS FOLLOWS?

Amend Section XVIII: WORKFORCE HOUSING of the Town of Hollis Zoning Ordinance by deleting the words shown in strike through and adding the words underlined in the sections below as follows:?

[This amendment is intended to protect water and natural resources and to clarify the purpose of section XVIII of the ordinance.]

SECTION XVIII: WORKFORCE HOUSING

A. PURPOSE. The purpose of this section is as follows: 1. To encourage and provide for the development of affordable workforce housing; 2. To ensure the continued availability of a diverse supply of home ownership and rental opportunities for low to moderate income households; 3. To meet the goals related to affordable housing provisions set forth in the town's Master Plan; and 4. To comply with the requirements of SB 342, an Act establishing a mechanism for expediting relief from municipal actions which deny, impede, or delay qualified proposals for workforce housing (RSA 674:58-61).

The purpose of this section is to, promote health and the general welfare, to prevent the overcrowding of land and to assure proper use of natural resources and other public requirements by providing restrictions compliant with State Statutes on workforce housing (RSA 674:58-61).

D. CONDITIONAL USE PERMIT CRITERIA:

The Planning Board may issue a Conditional Use Permit (CUP) if it finds, based on the information and testimony submitted with respect to the Workforce Housing Application, that:

- a. The application is consistent with the stated Purpose of the Workforce Housing Ordinance.
- b. If completed, the development in its proposed location will comply with all requirements of Section XVIII and other applicable workforce housing environmental or natural resource protection restrictions ~~provisions~~ contained in other sections of the zoning ordinance without the benefit of waivers.
- c. The applicant has demonstrated that the proposed use shall meet reasonable standards or conditions of approval ~~the requirements~~ related to environmental protection, water supply, sanitary disposal, traffic safety, and fire and life safety protection of this ordinance.
- d. Adequate provisions have been made to ensure that workforce housing units remain affordable consistent with Section G Assurance of Continued Affordability.

G. WORKFORCE HOUSING GENERAL REQUIREMENTS:

1. In order to be considered as a "completed" application eligible for "acceptance" under RSA 676:4.I, and application under this section must contain, at a minimum, the following information:

- a. Calculation of the number of units provided under this section and how these units will be consistent with the Purpose of the Ordinance.
- b. Description of each unit's size, type, estimated cost and other relevant data.
- c. Documentation of affordable household eligibility as required in Section H.
- d. The Planning Board shall request additional information if, in their judgment, it is necessary to make a meaningful determination of affordability.

2. ~~At the Planning Board's discretion, For projects with proposed density greater than that of a conventional development, the applicant shall be required to~~ must submit project cost estimates including land, development and construction costs; financing, profit, and sales costs; and other cost factors shall be provided. The planning board shall request updates of these cost reports as the project progresses.