

# **TITLE LXIV PLANNING AND ZONING**

## **CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS**

### **Emergency Temporary Zoning and Planning Ordinances**

#### **Section 674:25**

**674:25 Districting Under Interim Zoning Ordinance.** – For the purpose of regulating the use of land and the location and construction of buildings, any town adopting the provisions of an interim zoning ordinance shall be considered as one district with the following regulations and restrictions:

I. It shall be a district of residential agricultural use only. Business, commercial and industrial uses are prohibited in this district except as hereinafter provided.

II. Two apartments for permanent residents shall be the maximum allowable in any one given building.

III. Lots shall be at least one acre minimum in size, or larger, depending on soil and slope conditions, as may be suitable to sustain development according to state standards.

IV. There shall be observed the following setbacks in the construction of new buildings or in the relocation of existing ones:

(a) Minimum distance between any building and the edge of a right-of-way shall be 50 feet.

(b) Minimum distance from a lot's sidelines to any building shall be 30 feet; providing, however, that small detached accessory buildings may, as a special exception, be approved to within 15 feet of a lot line if the board of adjustment finds this would not be detrimental to the neighborhood.

(c) Minimum distance from a lot rearline to any building shall be 40 feet; providing, however, that small detached accessory buildings may, as a special exception, be approved to within 20 feet of a lot rearline, upon a finding of no detriment to the neighborhood.

(d) Maximum height of any building shall be 35 feet, with determination being the vertical distance from the average finished grade surrounding the building to a point midway between the highest and lowest points of the highest roof. Silos, barns and church towers are excepted, as are residential television and radio antennas.

(e) A deviation of 20 percent is allowed for side and rear setbacks in extenuating circumstances, as shall be recommended by the planning board or the selectmen if there is no planning board.

V. Home products and produce may be bought and sold and exposed for sale in this district.

VI. Hotels, motels and tourist homes may be maintained and operated, by special exception, provided that there be adequate parking and traffic provisions, that health standards be maintained, and that there be no detriment to the neighborhood.

VII. Private schools, nursing homes and sanitariums may be maintained by special exception, provided that there be adequate parking and traffic provisions, that health standards be maintained, and that there be no detriment to the neighborhood.

VIII. No building or set of buildings shall occupy more than 30 percent of its lot, nor shall it occupy more than 60 percent of its frontage if its front yard is less than 100 feet deep.

IX. No building, residence, or manufactured housing may be located anywhere in this district unless it meets all of the area and yard requirements of a residence in this district.

X. For the purpose of this ordinance, outdoor advertising shall be classified as commercial use and shall be permitted only if conforming to the following regulations:

(a) An outdoor sign shall not be larger than 6 square feet.

(b) It shall not be placed within 25 feet of a right-of-way nor within 150 feet of an intersection of a right-of-way unless affixed to a building and not extending beyond or above the same by more than 3 feet.

(c) Illumination shall be only by continuous nonflashing noncolored light.

(d) A permit for erection shall be procured from the building inspector, where present, and at the usual fee in accordance with the normal procedures in the community.

XI. Cluster development shall be permitted if the density does not exceed the provisions of paragraph III and if all other provisions of RSA 674:25-29 apply.

**Source.** 1983, 447:1, eff. Jan. 1, 1984.