

TITLE LXIV PLANNING AND ZONING

CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS

Emergency Temporary Zoning and Planning Ordinances

Section 674:27

674:27 Commercial Exceptions Under Interim Zoning Ordinance. – Business, commercial or industrial ventures other than those mentioned in RSA 674:25 or 674:26 may be given special exception by the board of adjustment upon submission and approval of a site plan; provided, however, that the following regulations and restrictions shall be observed:

I. No business, commercial or industrial venture or use shall be permitted which could cause any undue hazard to health, safety or property values or which is offensive to the public because of noise, vibration, excessive traffic, unsanitary conditions, noxious odor, smoke or other similar reason.

II. Sufficient acreage shall be included to allow the following setbacks:

(a) In the front, not less than 75 feet from a right-of-way to any building or parking lot having both an exit and an entrance and with grass or beautification in the buffer area.

(b) Side and rear: Not less than 50 feet from a building or parking lot to the lot line.

(c) Sufficient off-street parking to allow 300 square feet for each 3 anticipated patrons or employees on premises at the same time. In the case of service establishments, one car shall be deemed to contain 4 patrons.

III. On-premise advertising signs in connection with businesses receiving approval shall be exempt from the provisions of RSA 674:25, X and shall be considered as part of the application for commercial exception. They shall be limited to not more than 20 square feet in size and may be illuminated only by noncolored, nonflashing lights. Location may not be within any right-of-way nor within 150 feet of any intersection unless attached to a building.

IV. Before mining, excavation, or removal of soil, rock, sand or gravel or similar material, a special exception shall be received from the board of adjustment, subject to the usual fee permit. Excavation of earth shall be made in accordance with RSA 155-E.

V. All known abutters of any proposed business, commercial, or industrial site shall be notified by the board of adjustment by certified mail at least one week prior to any public hearing regarding the site. The names and addresses of the known abutters shall be supplied by the applicant on a plat plan to be submitted to the board of adjustment.

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