

Proposed Amendments to the Chester Zoning Ordinance

Article 2 – Definitions: 2.30 - Frontage

Current: The distance along a lot line dividing a lot from a Town-approved road.

Proposed: The cumulative distance of a lot line along a Town-approved road that is Class V or better.

Article 2 – Definitions: Add: 2.3x – General Store – A store selling staple food items such as milk, bread, meats and other groceries, coffee, beer and wine and other drinks, sandwiches and baked goods, household paper and cleaning products, health products and other sundries. The size of the store shall not exceed thirty-five hundred (3,500) square feet.

Purpose: The term “general store” is cited as allowed under Special Exception Uses, however, there is no definition for a general store.

Article 2 – Definitions: 2.46 – Recreation Vehicle - "Recreation vehicle" shall mean a self-propelled or towed motor vehicle or trailer that is equipped to serve as temporary living quarters for recreational, camping, or travel purposes and is used solely as a family or personal conveyance.

Purpose: Recommended by the Building Inspector to address multiple situations.

Article 4.4 – Signs

Add: 4.4.4.8 - For subdivisions, one permanent, common sign, per entrance, containing the subdivision name, is permitted. Each sign shall not exceed 15 square feet in area, the height of which shall not exceed six (6) feet from ground level, including the mounting structure. These signs shall not be located within five (5) feet of the front property line and must comply with side setbacks.

(Renumber 4.4.4.8 to 4.4.4.9 accordingly.)

Add: 4.4.4.9.3.d - During construction of a subdivision, one temporary sign not exceeding 32 square feet in area, the height of which shall not exceed eight (8) feet from ground level, including the mounting structure, shall be allowed at the primary entrance to a subdivision. These signs may be installed after the asphalt binder course is laid and shall be removed immediately upon issuance of the last building permit for the last dwelling unit in the subdivision. These signs shall not be located within five (5)

feet of the front property line and must comply with side setbacks.

Purpose: These two amendments reinstate provisions that previously existed in the ordinance but were accidentally omitted during the redrafting after the U.S. Supreme Court's 2015 First Amendment ruling on sign regulations.

Article 4.6 – Recreation Vehicles

4.6.1 - Permanent Residence

Recreation vehicles shall not be used as a permanent residence and may be stored only unoccupied in all zones of the Town of Chester, **except as permitted below**.

4.6.2 - Temporary Residence

Recreation vehicles and the like may be used as a temporary residence **by the property owner** while constructing a house **their permanent residence**. The applicant must first obtain a building permit **for the proposed dwelling**. Occupancy is **for one year only permitted from 1 March to 31 October***, provided said trailer is hooked up to an approved septic system and well, verified by the Building Inspector. **Up to 12 additional months the vehicle complies with the conditions below. An extension** may be granted by the Building Inspector, provided it can be shown that an **the** occupancy permit **for the dwelling**, will be obtained during this additional time.

Permit conditions for Temporary residence:

- The vehicle must be connected to approved sewage disposal system; and
- The vehicle must be connected to approved water source; and
- The vehicle must meet all underlying zoning ordinances (setbacks, etc.).

(* May be for 12 consecutive months if documentation is provided showing vehicle is designed for year-round occupation in energy code Zone 5).

4.6.3 - Temporary Occupancy by Visitors

Recreation vehicles and the like may be used for temporary occupancy by visitors to an existing residence, **for a period not to exceed 14 consecutive days**.

Purpose: Recommended by the Building Inspector to address multiple situations.

Article 5.3.5 - Dimensional and Area Requirements

5.3.5.3 – Frontage – Every lot shall have the minimum required frontage on a Class V or better Town-approved highway (see definition of Frontage in Article 2).

Add: Preexisting lots with frontage on more than one Class V or better roads may combine these frontages to meet minimum frontage requirements. All other

dimensional requirements shall still apply.

In cases where a lot fronts on two roads, the front setback requirement prescribed for that zone shall apply to both sides fronting on a Class V or better roads, and the remaining sides shall conform to the prescribed side & rear setbacks. The “internal lots” of open space subdivisions shall be exempted from this specific requirement.

If a section of a Class VI road is upgraded to Class V or better, the front setback requirement prescribed for that subdivision shall apply to the frontage of any lot along the upgraded section of road.

Purpose: To address shortcomings in the current definition to address different development circumstances encountered by Town’s Planning and Zoning Use Boards.

Article 7B – Fair Market Rental Housing (FMR) – See separate document for full text.

Purpose: To add Article 7B - Fair Market Rental Housing (FMR) to the zoning ordinance, and update zoning Tables 1 and 2 to reflect the addition of this article. FMR open space subdivisions are intended to allow a limited number of small and affordable rental homes with rents permanently restricted to the annually updated HUD Fair Market Rental Rates for one- and two-bedroom dwellings. This article is also intended to provide Chester with an additional option to meet its fair share of workforce housing required under RSA 674:58-61.

Article 9.2 - Approval Process for Accessory Dwelling Units

Current: The addition of a single dwelling unit within or attached to a detached single-family dwelling existing at the time of application shall be permitted by special exception issued by the Zoning Board of Adjustment in any residential district, if the requirements of Article 9.4 and Article 11.4 of the Chester Zoning Ordinance are satisfied.

Proposed: Upon application to the Building Inspector, the addition of a single dwelling unit, within or attached to, a detached single-family dwelling, existing or proposed, at the time of application, shall be permitted by right, in any residential district, if the requirements of Article 9.4 of the Chester Zoning Ordinance are satisfied.

Purpose: To simplify and reduce the expense of the approval process for ADUs by no longer requiring Special Exception approvals by the Zoning Board of Adjustment.

(Note the references to special exception permit and the ZBA will be removed from the Notice of Limited Occupancy form.)

Table 1 - Table of Dimensional and Area Requirements

Purpose: To add an impervious surface limitation for internal lots in Article 6 & 7A subdivisions, and to add the dimensional requirements for Article 7B subdivisions.

Zoning District	Minimum Lot Size	Unit Density	Minimum Frontage	Maximum Impervious Surface Area	Maximum Building Width	Maximum Height (Stories/Ft.)	Minimum Front Setback	Minimum Side Setback	Minimum Rear Setback
	(Acres)	(Acres per Unit)	(Feet)	(% of each Lot Area)	(Feet)	(See Note 1)	(Feet)	(Feet)	(Feet)
R1 - Single Family	2 Acres	2	(See Note 4) 290'	15%	NA	2.5 / 33'	40'	25'	25'
R1 - Duplex / Two Family	3 Acres	1.5	430'	15%	NA	2.5 / 33'	40'	25'	25'
C1, C2	2 Acres	NA	290'	40%	30'?	2.5 / 30'	75'	50'	50'
R1 - Article 6 Open Space Parent Lot	25 Acres	See Article 6.7	60'	NA	NA	2.5 / 33'	75'	75'	75'
(See Note 2)									
R1 - Article 6 Open Space Internal Lots	See Article 6.12.2.2	See Article 6.7	See Article 6.12.2.2	15%	NA	2.5 / 33'	25'	15'	15'
(See Note 3)									
R1 - Article 7A Age-Friendly Parent Lot	12 Acres	See Article 7A.8.1	60'	NA	NA	2.5 / 33'	75'	75'	75'
R1 - Article 7A Age-Friendly Internal Lots	See Article 6.12.2.2	See Article 7A.8.1	See Article 6.12.2.2	15%	NA	2.5 / 33'	25'	15'	15'
R1 - Article 7B FMR Parent Lot	10 Acres	See Article 7B.10.1	60'	NA	NA	1.5 / 16'	75'	75'	75'
Assisted Living Residences & Nursing Homes	10 Acres	NA	60'	15%	NA	2.5 / 33'	100'	100'	100'