

Proposed 2021 Zoning Ordinance Amendments
November 4, 2020

ZONING AMENDMENT #1: Article II: General Provisions. Amend Section 2.02 E 1 by deleting: *That the lot is not adjacent or contiguous to other property in the same ownership and* renumbering the remaining 4 paragraphs.

ZONING AMENDMENT #2: Article V Use Regulations amend Section 5.02 Table of Use Regulations, Type of Land Use, Residential: by inserting a new type following number 7 titled “Home Services Contractor” and allowed by Permitted by Right in the R and MX districts. Renumber the reminder of the table accordingly.

ZONING AMENDMENT #3: Article V Use Regulations amend Table 5.02 F by deleting “Small scale part time” and adding “Accessory use”. To read: *(f-1) Accessory use agricultural operations whether commercial or not, including the keeping of livestock and poultry.*

ZONING AMENDMENT #4: Article VII, Manufactured Housing, Mobile Home Subdivision, and Mobile Home Parks to amend by deleting Section 7.02 H4: *In any mobile home park where there will be more than 10 housing units confined in an area of less than 10 acres, one fire hydrant will be installed for each 10 housing units or fraction thereof.*

ZONING AMENDMENT #5: Article XII, Telecommunications/Personal Wireless Service Facilities to amend by deleting Section 12.06 Administration and Enforcement: *It shall be the duty of the Board of Selectmen, and they are hereby given the power and authority, to enforce the provisions of this ordinance. The Selectmen may appoint an agent to enforce this ordinance.*

Upon any well founded information that this ordinance is being violated, the Selectmen shall take immediate steps to enforce the provisions of this ordinance by seeking an injunction in the Superior Court or by any other legal action.

ZONING AMENDMENT #6: Article XVI, Administration and Enforcement to amend by adding a new Section 16.04E Violations and Penalties to read: *It shall be the duty of the Board of Selectmen, and they are hereby given the power and authority, to enforce the provisions of this ordinance. The Selectmen may appoint and agent to enforce this ordinance.*

ZONING AMENDMENT #7: Article X, Wetlands Protection to amend Section 10.06: A Buffer Protection by adding “...very poorly drained soil or 50 feet from poorly drained soils...” and deleting “...of the edge of any wetland.” To read: *No septic system, leach field or other waste disposal facility shall be installed within 75 feet of very poorly drained soils or 50 feet of poorly drained soils.*

Explanation of Changes

Zoning Amendment #1: This proposed amendment deletes a restriction on the use of an existing non-conforming lot due only to the fact it is next to another lot (conforming or non-conforming) owned by the same owner.

Zoning Amendment #2: This proposed amendment is a “housekeeping” item only. It adds the existing Home Services Contractor allowed use to the Table of Uses. No changes to any Ordinance will occur.

Zoning Amendment #3: This proposed amendment changes the term “Small scale part time” to a more appropriate “Accessory use” for better clarification. No changes to the actual Ordinance will occur. This proposed amendment has been agreed upon by the Candia Agricultural Commission.

Zoning Amendment #4: This proposed amendment eliminates an unnecessary section as the Town of Candia has no fire hydrants and the current Zoning Ordinance does not currently allow for additional subdivisions referred to in this section. This proposed amendment has been agreed upon by the Fire Chief.

Zoning Amendment #5: This proposed amendment removes the Administration and Enforcement section from Article XII, Section 12.06 as part of a clarification to move the Administration and Enforcement requirement to Article XVI Administration and Enforcement.

Zoning Amendment #6: This proposed amendment adds the formal authority to enforce the total Zoning Ordinance to the Board of Selectmen or their agent.

Zoning Amendment #7: This proposed amendment ensures consistency with current NH Department of Environmental Services regulations.