

**TEMPLE PLANNING BOARD
PUBLIC HEARING
2024 PROPOSED ZONING AMENDMENTS**

**Tuesday, December 5, 2023 at 7:40 PM
Temple Town Hall**

The Temple Planning Board will hold a public hearing on proposed amendments to the Zoning Ordinance to be voted on by ballot at town meeting on March 12, 2024 on Tuesday, December 5, 2023 at 7:40 PM in the Temple Town Hall.

- Amendment 1 is relative to clarifying language in Article I: Authority and Purpose.
- Amendment 2 is relative to reformatting (re-numbering), Article I: Authority and Purpose.
- Amendment 3 is relative to formal adoption of the state building code and fire code, Article VIII, Section 4.
- Amendment 4 is relative to adoption of the state definition of “Impermeable Surface”, Article VIII, Section 28, III (RSA 483-B:4)
- Amendment 5 is relative to the addition of three (3) Tables of Uses in Article V Districts and Uses, Sections A (Village District), B (Rural Residential and Agricultural), & C (Mountain).
- Article 6 is relative to seven (7) new definitions, and revisions of four (4) existing definitions, Article II, Definitions.

Full text of each amendment is available on the town website on the Planning Board page, available by request through the Town Municipal Office, or by emailing TemplePlanning@TempleNH.org.

2024 Temple Planning Board Proposed Zoning Amendments – Ballot Questions

Proposed Zoning Amendment #1

Relative to Permissive Zoning

Article I: Authority and Purpose (page 1)

New Section 3 – Permissive Ordinance

Uses which are not permitted either by right or by Special Exception as set forth in this Ordinance are prohibited.

Proposed Zoning Amendment #2

Relative to Zoning Ordinance Renumbering

Article I: Authority and Purpose (page 1)

New Section 4 – Numbering

The Planning Board has the authority to assign such section numbers to the Zoning Ordinance as it may deem appropriate provided that no substantive change to the Ordinance shall occur as a result of the renumbering.

Proposed Zoning Amendment #3

Relative to Code Enforcement

Article VIII, Section 4 (page 66)

New Section 8 – Building and Fire Code Enforcement

The Town of Temple, pursuant to RSA 674:51, hereby adopts enforcement of the NH State Building Code.

The Code to be enforced includes the State Building Code currently adopted by the State of NH under RSA 155-A, as well as all codes currently adopted by the State of NH Fire Marshal's Office and as contained in Chapter Saf-C 6000 State Fire Code.

Proposed Zoning Amendment #4

Relative to Revising an Existing Definition

Article VIII, Section 28 Aquifer Protection (page 51)

III. DEFINITIONS

Current: Impermeable Surface: A surface that will not allow any substance to penetrate into the ground and is free from cracks.

Revised: Impermeable Surface: As defined in NH RSA 483-B:4, as amended (Shoreland Water Quality Protection)

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For reference only:

NH RSA 483-B:4

Impermeable Surface: Any modified surface that cannot effectively absorb or infiltrate water. Examples of impervious surfaces include, but are not limited to, roofs, and unless designed to effectively absorb or infiltrate water, decks, patios, and paved, gravel, or crushed stone driveways, parking areas, and walkways.

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Proposed Zoning Amendment #5

Relative to Land Use Tables

Article V Districts and Uses (pages 62-63):

V. A. Village and Historic District

New Section 4: Table of Uses

Village & Historic Preservation District			
Permitted By Right		Permitted By Special Exception	
Use	Conditions	Use	Conditions
One-Family Year Round Dwelling		Home Businesses	Article IV, Section 11-C
Seasonal Dwellings		Garage-Public	Article IV, Section 11-D
Farms, Farming, and Related Rural Pursuits		Filling Station	Article IV, Section 11-D
One (1) Attached Accessory Dwelling Unit	Article IV, Section 7A	Retail Business	Article IV, Section 11-D
One (1) Detached Accessory Dwelling Unit	Article IV, Section 7B	Industry	Article IV, Section 11-D, 13
Home Businesses, Article IV, Section 11-A	Article IV, Section 11-A	Commercial	Article IV, Section 11-D, 13
Home Businesses, Article IV, Section 11-B	Article IV, Section 11-B	Non-Commercial	Article IV, Section 11-D, 13

V. B. Rural Residential and Agricultural District

New Section 5: Table of Uses

Rural & Agricultural District			
Permitted By Right		Permitted By Special Exception	
Use	Conditions	Use	Conditions
One-Family Year Round Dwelling		Garage-Public	Article IV, Section 11-D
Seasonal Dwellings		Filling Station	Article IV, Section 11-D
Farms, Farming, and Related Rural Pursuits		Retail Business	Article IV, Section 11-D
One (1) Attached Accessory Dwelling Unit	Article IV, Section 7A	Industry	Article IV, Section 11-D, 13
One (1) Detached Accessory Dwelling Unit	Article IV, Section 7B	Commercial	Article IV, Section 11-D, 13
Home Businesses, Article IV, Section 11-A	Article IV, Section 11-A	Non-Commercial	Article IV, Section 11-D, 13
Home Businesses, Article IV, Section 11-B	Article IV, Section 11-B	Manufactured Housing Park	Article IV, Section 11-D, 13
Home Businesses, Article IV, Section 11-C	Article IV, Section 11-C		
Manufactured Housing, One dwelling per lot			

V. C. Mountain District

New Section 5: Table of Uses

Mountain District			
Permitted By Right		Permitted By Special Exception	
Use	Conditions	Use	Conditions
One-Family Year Round Dwelling		Home Businesses, 11-B & 11-C	Article IV, Section 11-B & 11-C
Seasonal Dwellings		Garage-Public	Article IV, Section 11-D
Farms, Farming, and Related Rural Pursuits		Filling Station	Article IV, Section 11-D
One (1) Attached Accessory Dwelling Unit	Article IV, Section 7A	Retail Business	Article IV, Section 11-D
One (1) Detached Accessory Dwelling Unit	Article IV, Section 7B	Industry	Article IV, Section 11-D, 13
Home Businesses, Article IV, Section 11-A	Article IV, Section 11-A	Commercial	Article IV, Section 11-D, 13
		Non-Commercial	Article IV, Section 11-D, 13

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Proposed Zoning Amendment #6

Relative to New Definitions

Article II DEFINITIONS - *NEW*

Industry/Industrial - the manufacture, fabrication, processing, reduction or destruction of any article, substance or commodity, or any other treatment thereof in such a manner as to change the form, character or appearance thereof, and including storage elevators, truck storage yards, warehouses, wholesale storage and other similar types of enterprise. (Special Exceptions)

Non-Commercial - Non-Commercial means not intended for or directed towards commercial advantages or monetary compensation. Non-Commercial Use means any use or activity where a fee is not charged and the purpose is not the sale of a good or service, and the use or activity is not intended to produce a profit. (Special Exceptions)

Enterprise – A unit of economic organization or a systematic purposeful activity (Special Exceptions)

Transient - Transient use of residential property means the commercial use of residential property for lodging uses where the term of occupancy is less than 90 consecutive calendar days (NH RSA 540:1-a, IV (a)). (Bed & Breakfasts)

Right-of-Way - any state, town and federal highways and the land on either side of the same as covered by statutes to determine the width of right of ways. (Referenced in 9 places)

Year-Round Dwelling - a building of a design or character suitable for year-round purposes, or more than 180 days occupancy in any one calendar year. (Permitted Uses)

Setback - The minimum distance between two points as prescribed by this ordinance. (Referenced in many places.)

Amend Current definitions:

Lodging House or Boarding Houses: Any dwelling, other than a hotel or motel, in which living accommodations without kitchen facilities are rented ~~to five or more~~ non-transient guests.

Family: One or more persons, ~~no more than four of whom are unrelated~~, occupying a dwelling and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, or hotel as herein defined.

One-Family Dwelling: A detached residential dwelling unit, ~~other than a mobile home~~, designed for one family only.

~~Multiple~~ Multi-Family Dwelling: A residential building designed for occupancy by ~~two or more than two~~ families dwelling units. (RSA 674:43)