

Article 3 Amendment 11

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Amendment 11

As part of the Town's comprehensive update of its Zoning Ordinance, amend the provisions of Article XI of the Zoning Ordinance, related to Definitions, in the manner reflected in the Zoning Ordinance amendments posted at the Rye Town Hall and the Rye Town Website. Such changes include, but are not limited to:

Re: Article XI Definitions

- Incorporate the definitions of "Agriculture" under RSA 21:32-a, the definition of "Workforce Housing" reflected in RSA 674:58, and incorporate the variance criteria set forth in RSA 674:33 in the definition of "Variance";
- Expand the definition of "Apartment House" to include where the owner of the or principal of the owner lives in the structure;
- Add a definition for "Best Management Wetland Practices – Agriculture";
- Amend the definition of "Business";
- Expand the definition of "Development" to include clearing and site preparation;
- Clarify the definition of "Dwelling Unit" to exclude establishments allowing for "transient occupancies";
- Amend the definition of "Dwelling Unit, Seasonal" to identify "inadequate insulation" as a condition reflected in such structures;
- Add a definition for "Primary Dwelling";
- Expand the definition of "Earth Excavation" to include other types of activities associated with excavation and earth moving activities;
- Amend the definition of "Grade" to clarify the manner in which grade is calculated for structures set back in excess of 100 feet from streets;
- Add a definition for "Isolated Non-Bordering Wetlands";
- Amend the definition of "Junkyard";
- Alter the definition of "Living Space" to change the phrase "dead areas" to "areas that do not constitute living space";
- Reference the definition of "Earth Excavation" in the definition of "Mining of Land";
- Revise the definition of "Neighborhood" to allow for consideration of other factors beyond radius and include "traffic" as a consideration in determining neighborhood impacts;
- Clarify the definition of "Special Exception" and reference the need to satisfy established criteria;

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- Identify that "retaining walls" less than 3 feet in height are not deemed "Structures";
 - Expand the definition of "Toxic or Hazardous Materials";
 - Expand the definition of "Upland Soils" to include slopes less than 20%; and
 - Make such other changes as are reflected in the amendments on file.