



Helping Communities face the challenges and impacts of growth while maintaining their character and sense of place.

Zoning Ordinance Process



NOTE:
Adoption of a master plan is a prerequisite to creating or amending zoning ordinances.

iTRaC is the Nashua Regional Planning Commission's new approach to community planning that focuses on integrating transportation, land use and environmental planning. The program was developed to assist communities in dealing with the challenges of growth in a coordinated way that sustains community character and a sense of place.

Zoning ordinances are adopted by the local legislative body (i.e. at town meeting).

- ◆ The planning board does NOT adopt zoning ordinances. Instead the planning board RECOMMENDS adoptions and amendments of zoning ordinances.
- ◆ Local governing bodies may also propose amendments.
- ◆ Zoning ordinances and amendments should support or carry out the goals laid out by the master plan.

What is a zoning ordinance?
Zoning ordinances are regulations that determine exactly how land is going to be used. Zoning ordinances outline whether or not the land will be used for residential, commercial, or industrial purposes. Also, size, placement, density, and structure height can all be regulated by zoning ordinances as well.



Planning Board Zoning Ordinance Process

1. The planning board reviews and drafts proposals based on the town's needs.
2. A public hearing is held by the planning board to receive feedback from citizens and others on the proposed ordinance or amendment. All amendments and petitions require a MINIMUM of AT LEAST ONE public hearing.
3. Now the planning board can vote on whether or not to send the ordinance or amendment to a town meeting.
4. At this point, a warrant article is drafted, placed on the agenda, and presented at a deliberative session (town meeting).
5. The legislative body then votes on the warrant article at the town meeting.
6. If approved by the legislative body, the ordinance will be adopted or the amendment will be incorporated into the existing ordinance.

What is a warrant article?

A warrant article is a document that is prepared annually by the Board of Selectmen. It includes all of the articles for the town to vote on each year and is presented at town meeting



Variances

Variances are exceptions to a zoning ordinance due to special circumstances. Variances can only be handled by the Zoning Board of Adjustment (ZBA).





Specifics

RSA 674:16 provides that the zoning ordinance shall be designed to regulate and restrict:

- The height, number of stories, and size of buildings and other structures.
- Lot sizes, the percentage of a lot that may be occupied, and the size of yards, courts, and other open spaces.
- The density of population in the municipality.
- The location and use of buildings, structures and land used for business, industrial, residential or other purposes.

RSA 674:17 states that a zoning ordinance must be designed for the following purposes:

- To lessen congestion in the streets.
- To secure safety from fires, panic and other dangers.
- To promote health and the general welfare.
- To provide adequate light and air.
- To prevent the overcrowding of land.
- To avoid undue concentration of population.
- To facilitate the adequate provision of transportation, solid waste facilities, water, sewerage, schools, parks, and child day care.
- To assure proper use of natural resources and other public requirements.
- To encourage the preservation of agricultural lands and buildings.
- To encourage the installation and use of solar, wind, or other renewable energy systems.

Drafting

- ◆ The planning board does NOT have authority to adopt or amend zoning ordinances
- ◆ The planning board DOES have authority to draft proposals for zoning ordinances or amendments for the warrant article.
- ◆ The local legislative body determines how zoning ordinances are drafted and amended in towns that have Councils



This guide was published by the Nashua Regional Planning Commission. With over 50 years of planning experience in the Nashua Region, the NRPC is a leader in innovative planning strategies that preserve and improve the quality of life in Southern New Hampshire. The commission provides its 13 member municipalities with comprehensive solutions to local land use, transportation, environmental and regional planning issues as well as cutting-edge mapping and data services. NRPC is staffed by a team of professional planners with extensive experience in land use, transportation and environmental planning. The Geographic Information System (GIS) Department is staffed by experienced GIS planners and contains a wide variety of specialized data sets. NRPC's ability to collaborate with multiple parties results in planning that is innovative, inclusive, technically sound and driven by public participation.

If your community requires assistance with zoning, the Nashua Regional Planning Commission is ready to help. Visit our website for a more comprehensive list of services that NRPC can provide your community at www.nashuarpc.org or call (603) 424-2240 to speak with one of our planning professionals.



Value yesterday. Enhance tomorrow. Plan today. www.nashuarpc.org

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