

LEGAL NOTICE
TOWN OF HAMPTON, NEW HAMPSHIRE

The Planning Board will hold a Public Hearing on Wednesday December 6, 2023 at 7:00 PM in the Selectmen’s Meeting Room, 100 Winnacunnet Road to consider the proposals listed below:

PUBLIC HEARING FOR ZONING ORDINANCE AMENDMENTS

1. Amend Article II - Districts, Section 2.4 - Floodplain Management Ordinance. This amendment involves an update of the existing Floodplain Management Ordinance for the following purposes:
Definitions: Add definitions for “Flood Design Class”, “Sea Level Rise Design Flood Elevation (SLR DFE)”, and “Tolerance For Flood Risk”; Delete the definition for “Crawl Space”; Modify the definition for “Substantial Improvement”. **State Building Code Compliance:** Add language stating that all development in a Special Flood Hazard Area shall be compliant with the applicable requirements of the State Building Code and the applicable standards in this Ordinance, whichever is more restrictive (2.4.7 A.5). **Higher Floodplain Management Standards:** Critical Facilities – Add language indicting that the construction of critical facilities (those that are vital to public health and safety, e.g., police stations, fire and rescue stations, shelters, schools, nursing homes and water supply and waste treatment facilities) is prohibited within the Special Flood Hazard Area unless specified criteria to address flood risk are met (2.4.7 C); Elevation of Utilities - Add language stating that all development in a Special Flood Hazard Area shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities elevated to the Sea Level Rise Design Flood Elevation in Table 1 of Section 2.4.9 (and determined by the Floodplain Administrator in Section 2.4.8) (2.4.7 A.4); Sea Level Rise Design Flood Elevation (SLR DFE) - Insert new Table 1 titled “Sea Level Rise Design Flood Elevation Requirements for Flood Design Classes 1-4 in the Special Flood Hazard Area” under Section 2.4.9. This table provides varying freeboard requirements based on the type of elevation, the flood zone, and the flood design class (also cross-referenced in Sections 2.4.7 A.4, 2.4.9 A.1, 2.4.9 B.1, 2.4.11 C.1.a). **Recreational Vehicles:** Change the number of days that a recreational vehicle can remain on site from 180 consecutive days to 120 consecutive days. **Clarification Changes:** Reference the date of the current Flood Insurance Study for Rockingham County and the current Flood Insurance Rate Maps (2.4.3B); Delete references to basements and/or crawl spaces (2.4.6 A.2, 2.4.9 A.1, 2.4.9 A.2, and 2.4.9 B.2); Change the words “base flood elevation” to “lowest floor” (2.4.9 D); Clarify in the Ordinance that the issuance of a variance to construct below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; Cross reference Section 2.4.11 C.1 in Attachment A of Article IV - Dimensional Requirements.
2. Amend Article I – General, Section 1.3 – Expansion, Alteration, and Abandonment of Non-Conforming Uses. Add new Subsection 1.3.1 to allow for a non-conforming structure located in the Special Flood Hazard Area that does not conform due to dimensional setbacks to be elevated if standards relating to the method of structure elevation, the structure volume, the structure footprint, impervious coverage on the lot, the structure height, and compliance with the Floodplain Management Ordinance are met.
3. Amend Article I – General, Section 1.6 – Definitions to insert a new definition for “Affordable Housing”, by referencing NH RSA 674:58 I, and as amended. Also insert a new definition of “Workforce Housing”, by referencing NH RSA 674:58 IV, and as amended.
4. Amend Article I – General, Section 1.6 – Definitions to insert a new definition for “Alternative Treatment Center (Non-Cultivation Location)”.

Amend Article III – Use Regulations. Add new Section 3.50 identifying an Alternative Treatment Center (Non-Cultivation Location), as regulated by the State of New Hampshire (RSA 126-X), as a permitted use in the following locations: the Business (B) zoning district, but only along Lafayette Road from Ann’s Lane north to the North Hampton town line; the General (G) zoning district, but only along Lafayette Road from the NH-101 interchange south to the Hampton Falls town line; and the Industrial (I) zoning district.

Amend Article II – Districts, Section 2.8 F Town Center District (North and South). Add New Use #28 identifying an Alternative Treatment Center (Non-Cultivation Location), as regulated by the State of New Hampshire (RSA 126-X), as a permitted use in the Town Center-North (TC-N) zoning district only.

Amend Article XIX-A – Interstate Corridor Overlay District, Section 19-A.4 Permitted Uses and Facilities. Add New Use #9 identifying an Alternative Treatment Center (Non-Cultivation Location), as regulated by the State of New Hampshire (RSA 126-X), as a permitted use in said zoning overlay district.

Copies of the proposed text of the amendments are available for review at the Town Planning Office, Lane Memorial Library at 2 Academy Avenue, and the Town of Hampton website (hamptonnh.gov).

THE HAMPTON PLANNING BOARD

Ann Carnaby

Chair

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