

**ARTICLE # 04
AMENDMENT # 3**

**Hampton Zoning Ordinance Amendment
Section 2.3 – Wetlands Conservation District
2.3.7 – Special Provisions**

~~Strikethrough~~ = Proposed Deletion
Underline = Proposed Addition
Highlighting = All Proposed Changes

ARTICLE II – DISTRICTS

2.3.7 SPECIAL PROVISIONS

- A.** Where the Wetlands Conservation District is superimposed over another zoning district, the more restrictive regulations shall apply.
- B.** Lands, which may have been wetlands but were legally filled prior to March 12, 1985 shall be judged according to the soils and flora existing at the site at the time application for building permit or subdivision is made. (Amended 1998)
- C.** ~~For newly created lots and existing lots of record where the Wetland Conservation District is present Criteria C-1 through C-4 shall apply to new created lots and Criteria C-2, C-3, and C-4 shall apply to existing lots of record. Land in the Wetlands Conservation District, excluding bodies of water, may be used to satisfy minimum lot area, and minimum lot area per dwelling unit, and set back requirements for newly created lots, existing lots of record, and lots increasing the number of dwelling structures provided that the following criteria are met:~~ (Amended March 2012, March 2015)
- 1.** ~~A minimum of 75% of~~ The minimum lot area required in the underlying zoning district or 30,000 square feet (whichever is less) shall be contiguous and outside of the Wetlands Conservation District. The proposed development within the contiguous area shall not result in any permanent adverse impacts to the Wetland Conservation District. (Amended March 2015, March 2016)
 - 2.** For lots that will contain more than one dwelling unit, ~~a minimum of 75% of~~ the minimum lot area per dwelling unit required in the underlying zoning district or 30,000 square feet per dwelling unit (whichever is less) shall be contiguous and outside of the Wetlands Conservation District. The proposed development within the contiguous area shall not result in any permanent adverse impacts to the Wetland Conservation District. (Amended March 2015, March 2016)
 - 3.** Where on-site sewage disposal is required the 30,000 contiguous square feet minimum lot area outside of the Wetlands Conservation District shall apply, provided that the septic system location and design are approved by the NH Department of Environmental Services, Water Supply and Pollution Control Division or successor State agency. (Amended 1998, 2003, March 2012, March 2015)

4. In zones RAA, RA, RB, RCS, G, and I, a 12 ft. setback shall separate the dwelling structure(s) including attached garages from the Wetlands Conservation District. (Amended March 2015)

Section 4.1 (minimum lot area) and 4.1.1 (minimum lot area per dwelling unit)

ARTICLE IV – DIMENSIONAL REQUIREMENTS

Section 4.1 (Minimum Lot area) and **4.1.1** (Minimum lot area per dwelling unit) - Add a footnote that states if the property contains wetlands or areas of poorly and very poorly drained soils or their buffers, refer to Section 2.3.7 (C) – Special Provisions regarding minimum lot size and minimum lot size per dwelling unit..

Section 1.6 - Definitions

ARTICLE 1 – GENERAL

Section 1.6 - Definition – “Lot Area”: The total area measured on the horizontal plane within the property boundaries. When calculating the “Percentage of Impervious Coverage” of a given lot area, the “Lot Area” shall exclude areas of wetlands and poorly or very poorly drained soils. (Adopted March 2017)

If the property contains wetlands or areas of poorly and very poorly drained soils or their buffers, refer to Section 2.3.7 (C) – Special Provisions regarding minimum lot size and minimum lot size per dwelling unit.