

1 **New Ipswich Zoning Regs Proposed Mobile Food Vendor Updates (approved for**
2 **Warrant)**

3 Motion to amend Article V Section C, Article VI Section C, Article XIII Section G and Article XVIII Definitions of
4 the New Ipswich Zoning Ordinance by deleting text in strikethrough (~~strikethrough~~) and adding the text underlined
5 in bold.

6

7 **ARTICLE V: VILLAGE DISTRICT II:**

8

9 A. The purpose of this district is to retain the character of the long established villages in New Ipswich;
10 to relieve the pressure of growth on the rural district by allowing a greater density in the village
11 district; to concentrate residential and service businesses in these centers in such a manner as to not
12 cause water quality and water supply problems that would necessitate the town providing means of
13 public sewage disposal and a public water supply.

14

15 B. **PERMITTED USES:** In this district land may be used, created, altered for:

16

17 1. Any use permitted in Village District I in Article IV, Section B.

18

19 C. **SPECIAL EXCEPTIONS:** The following uses may be allowed by special exception of the Board
20 of Adjustment provided they meet the requirements of Article XIV, Section E in addition to all other
21 requirements of this ordinance.

22

23 1. Any use permitted as a special exception of the Board of Adjustment in Village District I in
24 Article IV, Section C.

25 2. Gas stations

26 3. Auto service stations

27 4. Eating and drinking establishments

28 5. Instructional facilities

29 6. Funeral homes

30 7. Buildings in which public business is transacted

31 8. **Mobile Food Vendor Property**

32

33 D. The following uses may be allowed by special exception of the Board of Adjustment if in addition
34 to the requirements set forth in Article V, Section C and Article XIV, Section E, the total area of the
35 foundation of the building does not exceed 1,500 square feet.

36

37 1. Office buildings

38 2. Banks

39 3. Small retail

40 4. Medical facilities

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42 **ARTICLE VI: RURAL DISTRICT**

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44 A. The remaining area of the town outside the Village District is intended to accommodate
45 development at a lesser density; to allow diverse residential and other uses to co-exist in a manner
46 that will preserve the rural agriculture heritage of the town along with its rich inventory of natural
47 resources while allowing the economic development of the town to take place.

48

49 B. **PERMITTED USES:** In this district, land may be used, created, altered for:

50 1. Any use permitted in the Village District I under Article IV, Section B.
51 2. Any use permitted in the Village District II under Article V, Section B.
52 3. Mobile homes subject to provisions in Article XIII, Section C.
53 4. Residential cluster development on 10 acres or more subject to cluster provisions in Article
54 XIII, Section E and to the Subdivision Regulations of the town of New Ipswich
55 5. Agricultural uses
56 6. Recreational uses
57 7. Roadside stands
58 8. Greenhouses
59 9. Stables and riding schools
60 10. Summer camps for children
61 11. Large wind energy systems, subject to the provisions of Article XIII-2 and to
62 the provisions of the Site Plan Review regulations of the Town of New Ipswich
63

64 C. **SPECIAL EXCEPTIONS:** The following uses may be allowed by special exceptions of the Board
65 of Adjustment provided they meet the requirements of Article XIV, Section E.
66

67 1. Those uses allowed under Article IV, Section C in Village District I.
68 2. Those uses allowed under Article V, Sections C and D in Village District II.
69 3. Commercial
70 4. Business
71 5. Industrial
72 6. Excavations
73 7. Group home
74 8. Camping area
75 9. Saw mills
76 10. Slaughter houses
77 11. Junk yard
78 12. Heavy equipment business
79 13. Light industry
80 14. Veterinary clinics
81 15. Kennels
82 16. Residential cluster on a tract of less than 10 acres subject to the cluster provisions
83 in Article XIII, Section E and to the Subdivision Regulations of the Town of New
84 Ipswich
85

86 **17. Mobile Food Vendor Court**
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88 **ARTICLE XIII: GENERAL PROVISIONS**
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90 G. **PARKING:**
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92 1. **Space Determinations:**
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94 Off-street parking shall be provided for motor vehicles as follows in connection with all new
95 buildings hereafter erected in town:
96

97 a. Motels, hotels, inns and other lodging establishments: 1 space per sleeping
98 room.
99

100 b. Dwellings: 2 spaces per dwelling unit.
101 c. Retail stores: 1 space per each 200 square feet of floor space used for display
102 or sale of merchandise.
103 d. Offices: 1 space per 300 square feet of gross floor area or 1.1 spaces for each
104 employee on the largest shift.
105 e. Nursing homes and hospitals: 1 space for every 4 beds at design capacity
106 plus 1 space for each employee on the largest shift.
107 f. Restaurants and theaters: 1 space for each 3 seats.
108 g. Light industrial uses: 1.1 space for each employee on the largest shift.
109 h. **Mobile Vending Property or Court: spaces should match business plan for**
110 **anticipated peak traffic (minimum of 2 per mobile food vending unit)**

111 2. Converting Existing Uses:

112 Any alterations to convert existing residential property to commercial use shall meet the
113 requirements of Section 1.

114 All buildings hereafter remodeled into multi-family dwellings shall meet the requirements
115 of Section 1.

116 3. Dimension Requirements:

117 Each parking space shall contain not less than 162 square feet (9 x 18) exclusive of driveway
118 and turning areas. A garage or carport qualifies as a parking space, but a driveway qualifies
119 as a parking space only to the extent that the portion of the driveway used for parking does
120 not block the garage or another vehicle parked in the driveway. Adequate snow storage area
121 must be provided.

122 4. Surfacing:

123 All parking areas containing more than 4 spaces and driveways thereto shall be surfaced for
124 year round use and must be graded so as to carry off all surface water.

125 5. Landscaping:

126 For parking areas containing more than 20 spaces, a landscaping plan shall be submitted to
127 the Planning Board for approval.

128 6. Placement:

129 ~~In the Limited Commercial District, p~~Parking will be provided to the **side and/or** rear of
130 municipal, retail, office, industrial, **mobile food vendors**, and other commercial buildings
131 whenever feasible.

132 **ARTICLE XVIII: DEFINITIONS:**

133 **ACCESSORY BUILDING:** Any subordinate building or portions of the main building, the use of which
134 is customarily incidental to that of the main building on the same lot or premises and which is used primarily
135 by the occupants of the main building.

150
151 ACCESSORY USE: Any use customarily incidental, related and clearly subordinate to a principal or main
152 use established on the same lot or premises.

153
154 BACK LOT: A lot meeting the minimum lot area requirements of the zoning district in which it is located,
155 but which does not have the required amount of road frontage on an approved public street, and is situated
156 adjacent to a lot having sufficient frontage on an approved street.

157
158 BASAL AREA: The cross-sectional area of a tree measured four-and-a half feet from the ground.

159
160 BED AND BREAKFAST: An owner-occupied home in which the owner rents guest rooms and serves
161 breakfast to those guests as part of the room rent.

162
163 BOAT HOUSE: A building for storing boats and accessory equipment.

164
165 BUFFER OR NATURAL WOODLAND BUFFER: A forested area consisting of various species of trees,
166 saplings, shrubs, and ground covers in any combination and at any stage of growth.

167
168 CLUSTER DEVELOPMENT: A residential subdivision of a tract of land where housing units are grouped
169 on lots of reduced dimensions. The remaining land in the tract which is not built upon is reserved as
170 permanently protected open space.

171
172 COMMON AREA: Any area, other than open space, set aside for common ownership as a result of a cluster
173 development, including areas for common facilities such as roads, rights of way, common or individual
174 utilities including wells, common buildings, and recreational facilities.

175
176 DRAINAGE SWALE: A shallow vegetated trough where water flows during runoff and which is
177 insufficient to create a defined channel or to maintain wetlands vegetation.

178
179 DWELLING: A building, or part of a building, which contains living and sleeping accommodations for
180 permanent occupancy.

181
182 DWELLING UNIT: One room or rooms connected together constituting a separate, independent
183 housekeeping establishment for owner occupancy, rental or lease, and physically separated from any other
184 rooms or dwelling units which may be in the same structure and containing independent cooking, bathroom,
185 and sleeping facilities.

186
187 DWELLING, ONE FAMILY: A detached building designated for, or occupied solely as a dwelling by one
188 family.

189
190 DWELLING, TWO FAMILY: A detached building designated for, or occupied solely as a dwelling by
191 two families living independently of each other.

192
193 DWELLING, MULTI-FAMILY/APARTMENT: A dwelling on one lot containing separate dwelling units
194 for three or more families, having separate or joint entrances, services or facilities.

195
196 EXCAVATION: The commercial excavation and/or removal of sand, gravel, rock soil or construction
197 aggregate.

198
199 FAMILY: Any number of persons related by blood or by marriage, or not more than six persons not related

200 by blood or by marriage, living together as a single housekeeping unit.

201

202 **FRONTAGE**: The width of a lot measured along its common boundary with a Class V or better street, or
203 with a street in a subdivision approved by the Planning Board. In case a lot fronts on more than one street,
204 the common boundary on only one of the streets may be used to measure the width of the lot.

205

206 **GROUND COVER**: Any herbaceous plant which normally grows to a mature height of 4 feet or less.

207

208 **HOME OCCUPATION**: Any use conducted by a member of the family entirely within a dwelling or an
209 accessory building which is clearly incidental and secondary to the use of the dwelling or residence.

210

211 **HOMEOWNERS ASSOCIATION**: A private non-profit organization (corporation, association, or other
212 legal entity) to manage, maintain, support, and finance the common area, common facilities, and open space
213 land of the cluster development, and enforce certain covenants and restrictions.

214

215 **INDUSTRIAL**: A use involving the manufacture of a product and generally requiring many employees,
216 extensive parking facilities, good routes of transportation and requiring other services not needed by
217 commercial or light manufacturing uses.

218

219 **INN**: A building which has accommodations for transient guests and which serves meals to its guests and
220 the public.

221

222 **INTERMITTENT STREAM**: A stream that flows for sufficient time to develop and maintain a defined
223 channel, but which might not flow during dry portions of the year.

224

225 **LIGHT MANUFACTURING**: A use involving the manufacture of a product not requiring heavy, noisy,
226 or otherwise objectionable machinery or transportation equipment.

227

228 **LOT**: A plot or parcel of land occupied, or capable of being occupied, in conformity with these regulations
229 by one principal building and the accessory buildings or uses customarily incidental to it, including such
230 open spaces as are required by these regulations. In the case of multiple dwellings, row dwellings,
231 institutional, industrial or commercial buildings, a group of buildings under one ownership may be
232 considered as occupying the same lot.

233

234 **LOT OF RECORD**: A lot which is part of a subdivision approved by the New Ipswich Planning Board and
235 recorded in the Hillsborough County Register of Deeds, or a lot or parcel described by metes and bounds,
236 the description of which was so recorded prior to enactment of the present zoning ordinance.

237

238 **MARSH**: A wetland (a) that is distinguished by the absence of trees and shrubs; (b) that is dominated by
239 soft-stemmed herbaceous plants such as grasses, reeds, and sedges; and (c) where the water table is at or
240 above the surface throughout the year, but can fluctuate seasonally.

241

242 **MOBILE FOOD VENDOR (MFV) – A commercial business operating from a self-contained**
243 **mobile structure engaged in food preparation and/or distribution of food and drink which may**
244 **apply to carts, trailers, canteen, food truck, mobile kitchen, etc.**

245

246 **MOBILE FOOD VENDOR PROPERTY - A land use involving one Mobile Food Vendor (MFV)**
247 **which will be statically positioned for routine or scheduled operation. The use may be a primary land**
248 **use, or accessory use to an existing commercial business/building (with site plan amendment).**

249

250 **MOBILE FOOD VENDOR COURT – A primary land use involving 2 or more Mobile Food Vendors**
251 **(MFVs) which will be statically positioned for routine or scheduled operation.**

252

253 **MOBILE HOME/MANUFACTURED HOUSING:** A mobile home is any structure transportable in one
254 or more sections, which, in the traveling mode is eight body feet or more in width and forty body feet or
255 more in length, or when erected on site, is three hundred twenty square feet or more, and which is build on
256 a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when
257 connected to required utilities, which include plumbing, heating and electrical heating systems contained
258 herein. Manufactured housing as herein defined shall not include presite built housing as required in RSA
259 674:31-A.

260

261 **NON-CONFORMING USE:** A use which lawfully occupied a building or land at the effective date of this
262 ordinance or amendments thereto and that does not conform to the use regulations of the district in which
263 it is located.

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