



**LEBANON CONSERVATION COMMISSION  
DECEMBER 11, 2025 - 6:30 PM  
COUNCIL CHAMBERS, CITY HALL OR  
REMOTE VIA VIRTUAL PLATFORM  
LEBANONNH.GOV/LIVE**

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**1. Call to Order**

- A. To participate in this meeting, please [join live via Microsoft Teams](#) or call 929-229-5356 (access code: 822 846 634#). If you have trouble accessing this meeting, please [email Mark Goodwin](#)

**2. Approval of Minutes**

- A. November 13, 2025

**3. Open to the Public**

**4. Permit Review**

- A. **Mark C. & Mary E. Manikian**, Review and Comment on Zoning Board Riverbank Use Variance application. Applicant proposes to construct a new 520 SF garage & associated site work. Applicant requests a Use Variance pursuant to Article IV, Section 401.5 (Permitted Uses), & 410.8.B (Interested Parties) of the Zoning Ordinance. 69 NH Route 4A, Map 84, Lot 46. CC2025-05

**5. Study Items**

- A. Review and Comment on proposed Zoning Amendments — continued from November 13, 2025

**6. Committee Reports**

- A. Biodiversity Group (Invasives)  
B. Stewardship  
- Ranger  
-Trail Coordinator  
-Monitors and Stewards  
C. Wild about Lebanon  
D. Amphibian Crossings  
E. LUCT/Current Use  
F. Other Subcommittees

**7. Other Business**

- A. FYIs  
B. Follow Up  
C. Workshops and Educational Opportunities

**8. Future Agenda Items**

**9. Adjournment**

**The order of agenda items is subject to change.**

Meetings are open for in-person and remote attendance. Members of the public who wish to attend remotely may do so by going to [LebanonNH.gov/Live](https://LebanonNH.gov/Live) where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the City's virtual platform or by phone. Please note: Should technical difficulties occur during the meeting that disrupt virtual or phone connection(s), the meeting will continue without remote access capabilities.

Any person with a disability who wishes to attend this public meeting and needs additional accommodation, please contact the ADA coordinator at City Hall by calling 603-448-4220 at least 72 hours in advance so that the City can make any necessary arrangements.

DRAFT

**LEBANON CONSERVATION COMMISSION  
MEETING MINUTES  
Remote Via Microsoft Teams  
LebanonNH.gov/Live  
November 13, 2025  
6:30 PM**

**MEMBERS PRESENT:** Sarah Riley (Chair), Bruce James (Vice Chair), Susan Almy (Alt.),  
Barbara Hirai, Chris Johnson, Donald Lacey, Ernst Oidtmann

**MEMBERS ABSENT:** Erling Heistad

**STAFF PRESENT:** Mark Goodwin (GIS Coordinator)

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**\*\*There is no recording for this meeting until item 5, Study Items, starting at approximately 7:00 PM. Amendments are below, as written in RS notes.  
Chair Riley started with “petitioned amendments, stating she was taking these out of order.**

**1. CALL TO ORDER:**

A. Chair Riley called the meeting to order at 6:31 PM.

**2. APPROVAL OF MINUTES:**

A. September 11, 2025

Correct to reflect that Mr. Bruce James was in attendance

Pg. 1, lines 13 & 15, spelling of last names provided

Pg. 3, line 9, change to Wilmot

Pg. 3, line 39 tweaked sentence

Page 4, line 39, delete an r from Forest

Pg. 5, line 16 True’s Ledges

Pg. 6 line 8, delete the word Organization for Red Bird Consulting

Pg. 6, line 25, delete West

***Mr. Ernst Oidtmann MOVED to approve the minutes as amended***

***Seconded by Mr. Chris Johnson***

***\*The MOTION was approved (5-0)***

***Barbara Hirai Abstained since she was absent from that meeting***

***Susan Almy (Alt.) abstained; no reason stated***

B. October 9, 2025

Pg. 2, line 4, correct name to Spaulding

Pg. 3, line 5, change Mr. Erling to Mr. Heistad

Pg. 3, line 34, changed glazed to blazed

Pg. 3, line 48, change sized to scythed

***Mr. Chris Johnson MOVED to approved the minutes as amended***

1 *Seconded by Mr. Ernst Oidtmann*

2  
3 *\*The MOTION was approved (7-0)*

4  
5 **3. OPEN TO THE PUBLIC:**

6  
7 **4. PERMIT REVIEW:** None

8  
9 **5. STUDY ITEMS:**

10  
11 A. Review and comment on proposed Zoning Amendments

12 **Resident proposed amendment #3 adding “Vehicular Repair” as an allowed use within the City’s**  
13 **Light Industrial zone**

14 Chair Riley began this discussion with Citizen Petition Amendments. Mr. Chip Brown, a local  
15 Commercial real estate expert, attending this meeting remotely, submitted an amendment to add vehicular  
16 repair to Industrial Use (page 104) , and referenced a letter dated August 21, 2025 to the City Council.

17  
18 Mr. Brown said that he also provided some examples which he did not see in the meeting package. He  
19 said that this looks like Class A Industrial and requires large sites (e.g. 3-4 acres) and includes a 25,000  
20 square ft. steel building that is part of this. It is auto repair but quite different than in the past, and the new  
21 format is exclusive to auto body repair. Currently, vehicle repair is only allowed in General Commercial,  
22 but the majority of General Commercial has much smaller lot sizes. This is not “retail focused” and does  
23 not need traffic flow to see their building, rather they need a large site. Regarding the environment, since  
24 it is not a mechanical shop, there are no oil or fluid disposal issues there. This business is very  
25 environmentally sensitive and uses a water-based paint product, BASF 100 Line, considered a top-of-the-  
26 line product.

27  
28 Inside the shop is a dustless environment where they maintain state-of-the-art dust collection systems, the  
29 floors are kept immaculate with scrubbers, but it does not align with where it is and what is currently  
30 allowed.

31  
32 Ms. Riley said that she does not see any conservation implications for this proposal and thinks it is more  
33 strictly a planning matter. The question was posed regarding the way the proposal is written, “adding  
34 vehicle repair”, how would they ensure that going forward, others would be as environmentally  
35 conscientious as Key Auto. Mr. Nate Reichert, Director, Planning & Development , said that this would  
36 be addressed by Planning in the future, as needed.

37  
38 *Mr. Don Lacey MOVED that the Lebanon Conservation Commission make the following comment to*  
39 *City Council: The Conservation Commission does not think this rezoning request has any*  
40 *conservation environmental/natural resource impacts that they can speak to.*

41  
42 *Seconded by Mr. Ernst Oidtmann*

43  
44 *\*The MOTION was approved (7-0)*

45  
46 **Resident Amendment #2** was addressed next, page 99, b., **Petitioned Amendment 2: Map**  
47 **Amendment Rezone Parcel 26-2 on Etna Road from IND-L and RL-3 to GC-1.** Representative Dan  
48 Nash, PE (not in attendance). Ms. Riley provided background to this proposal from Mr. Dan Nash; it is a  
49 proposal to rezone all or part of 26-2 to GC-1.



Ms. Riley is against the City Council approving this for the reasons they previously stated including the fact that this is an area of significant natural resources, there are steep slopes, there is surface and ground water, and this proposed amendment would have an adverse effect on the wildlife corridor that runs through the area and would impact the abutting Nicole Cormen Memorial Nature Preserve.

Mr. James, Vice Chair, stated that hydrologically concerning watershed and wildlife corridor wise, this conservation area is an important drainage way and *any changes to this connectivity* would negatively impact water flows.

Since the representative for this proposal was not present, Con Com did not have the opportunity to ask any questions. Therefore, they read the proposal as written and noted above.

***Mr. Chris Johnson MOVED that the Conservation Commission does not recommend approval of the proposed amendment as there are significant natural resource elements that exist on parcel 26-2.***

***Furthermore, the proposal is in direct conflict with proposed zoning amendment #6 which the Conservation Commission strongly endorses.***

***Seconded by Ms. Hirai***

***\*The MOTION was approved (7-0)***

- a. **Petitioned Amendment 1: Map Amendment Rezoning of Parcels along Old Pine Tree Cemetery Rd. from RL-2 to R-3.** Representative Dan Nash, PE

The Conservation Commission reviewed pg. 92 (94 of the PDF document), along with the map provided by the applicant.

There are already several projects approved in this area along with open space being committed to. This proposal is to extend Residential 3 area into steep slopes, wildlife and amphibian crossing areas. There are also issues with this proposed amendment for both Planning and Public Works.

***Chair Riley MOVED that the Conservation Commission recommends that the City Council not approve petition amendment 1 as presented in the November packet. The area in question along Old Pine Tree Cemetery Road is an area of very steep slopes and is a significant amphibian migration location, located between the Mascoma River flood plain and significant upland forests.***

***Seconded by Mr. Don Lacey***

***\*The MOTION was approved (7-0)***

Mr. Erling Heistad arrived at approximately 8:00PM.

Mr. Reichert provided a concise description of Zoning Amendments 1-4, and 11-20.

***Mr. Oidtmann MOVED that the Lebanon Conservation Commission does not think that proposed zoning amendments 1, 2, 3, 4, 11, 12, 13, 14, 15, 16, 17, 18, 19, & 20 have any conservation environmental/natural resource impacts that they can speak to.***

***Seconded by Mr. Chris Johnson***

***\*The MOTION was approved (8-0)***

Next, the Conservation Commission discussed the map amendments.

1 Amendment 5: Centerra/Altaria – They showed maps of the CBD (Central Business District), along with  
2 residential rural, and rural along with the Medical Center and their properties in the Centerra and Altaria  
3 areas.

4  
5 Referencing this area, Chair Riley said that the land at Rix Ledges Conservation area is protected and that  
6 the mission of Rix Ledges is not recreation, and it is managed as a trailless space, and is not there for  
7 human recreation . It is written in the description of the property, and the land trust is beholden to the  
8 DES. Chair Riley said there are other areas to have soft boundaries, but this is not the place, and she  
9 suggest leaving it “pink”, IND-L rather than “brown”, GC-1, thereby providing a buffer. She  
10 recommended approval for everything here except for the Altaria brown line along the right.

11  
12 Vice Chair James does not think of IND-L as a buffer, and he would prefer to have this be GC-1, rather  
13 than IND-L. He has less concerns about dogs and people and cited numerous reasons including the  
14 aesthetics, waste, noise, human habitation and he sees IND-L as having much more adverse  
15 environmental impact than GCI-1. He thinks that the boundary should be dealt with at the site planning  
16 level, and he also said it is important that they speak up about this proposed zoning.

17  
18 Mr. Goodwin commented on the RL-3 (green area), a preservation area. His observation is that the area is  
19 less impacted by some businesses than residential areas, because people leave at the end of the day. It is  
20 the behavior of the people that makes the difference. Mr. James, Vice Chair, does not see human impacts  
21 as being that significant unless there are a lot of people doing things like camping, kids building forts, etc.  
22 Mr. Heistad concurred that impact on the land tends to depend on the attitude of the people that live there,  
23 giving Prospect Hills as an example.

24  
25 ***Mr. Lacey MOVED that the Council approve the proposed amendment excepting the Altaria lots along***  
26 ***the eastern lots along the eastern area of the graphic depicted (brown, GC-1)***  
27 ***Seconded by Mr. Johnson***

28  
29 ***\*The MOTION was approved (7-1)***

30  
31 ***Chair Riley MOVED to extend the meeting 30 minutes until 9:30PM.***  
32 ***Seconded by Ms. Hirai***

33  
34 ***\*The MOTION was approved (7-1)***

35  
36 ***Mr. Don Lacey MOVED that the Conservation Commission recommend that the proposed zoning be***  
37 ***approved excepting the Altaria lots along the eastern area of the graphic depicted.***  
38 ***Seconded by Mr. Johnson***

39  
40 ***\*The MOTION was approved (7-1 )***

41  
42 ***Ms. Hirai MOVED to reconsider their comments they made on Amendment 5.***  
43 ***Seconded by Mr. Johnson***

44  
45 ***\*The MOTION was approved (8-0)***

46  
47 ***Map Amendments and corresponding text amendments:***

48 a. Amendment 5: Centerra/Altaria

49  
50 ***Mr. Lacey MOVED*** for reconsideration of the term they used in the MOTION above and that Council  
51 approve the proposed amendment excepting the Altaria lots along the eastern area of the graphic depicted

1 because of the potential negative impacts of increased residential density on the adjacent ecological  
2 preserve.

3 ***Seconded by Mr. Oidtmann***

4  
5 ***\*The MOTION was approved (7-0)***

6 ***Vice Chair James abstained on this amendment to the MOTION.***

7  
8 b. Amendment 6: **Northern Lebanon Map Amendment - Conservation Area**

9  
10 The solution to expand RL-3 as well as the industrial lots already developed, including Rix Ledges and  
11 the Quarry Hills development. Mr. Goodwin said that this amendment mirrors what the Master Plan and  
12 future land use calls for and provides many more protections (Mt. Support area). It protects the natural  
13 resources.

14  
15 ***Ms. Hirai MOVED that the Conservation Commission moves that the City Council approve the***  
16 ***proposed amendment. The rationale being that it aligns with the Master Plan and Future Land Use***  
17 ***Map and the recommendation in the Northern Lebanon Community Plan. This action will help protect***  
18 ***areas of steep slopes, wetlands, and a wildlife corridor.***

19 ***Seconded by Mr. Don Lacey***

20  
21 ***\*The MOTION was approved (8-0)***

22  
23 c. Amendment 7: **LeBombard Road (e.g. Signal Park, Hatch, Elks, etc.)**

24  
25 Mr. Reichert explained this area is fairly well developed. The Hatch property already has 47 acres of  
26 conservation area, and they have added Elks/Dartmouth Coach, and they removed all properties on Etna  
27 Road, based on feedback from property owners there. All that is green on this map is included in this  
28 amendment. Ms. Riley said she has concerns about converting RL-1 and RL-3 into GC-1. She said it's  
29 important to take into consideration the topography and the tree lines and how it is zoned (e.g. Hatch  
30 property would be surrounded by GC-1.

31  
32 Mr. Goodwin sees an opportunity for more multi-use development. The Hatch property will go with  
33 the same zoning as its neighbors go.

34  
35 Ms. Hirai has some concerns about the large parcels on the upper parts. Chair Riley posed if they could  
36 add steep slopes protections to GC-1? Mr. Goodwin said that small changes are okay and taking away  
37 from a map but not adding to it.

38  
39 Discussions on the proposed amendments will continue in the December 11, 2025 meeting.

40  
41 **6. COMMITTEE REPORTS:**

42  
43 A. Biodiversity Group (Invasives)

44  
45 B. Stewardship

46 -Ranger

47 -Trail Coordinator

48 -Monitors and Stewards

49  
50 C. Wild about Lebanon

51 D. Amphibian Crossings

- E. LUCT/Current Use
- F. Other Subcommittees

**7. OTHER BUSINESS:**

- A. FYIs
- B. Follow Up
- C. Workshops and Educational Opportunities

**8. FUTURE AGENDA ITEMS:**

**9. ADJOURNMENT: None**

**The meeting ended at 9:36PM.**

Respectfully submitted,  
Cinda Mersel  
Recording Secretary

**CITY OF LEBANON  
ZONING BOARD OF APPEALS  
APPLICATION**

|                                                     |                                                         |
|-----------------------------------------------------|---------------------------------------------------------|
| SPECIAL EXCEPTION <input type="checkbox"/>          | <input type="checkbox"/> BUILDING CODE BOARD OF APPEALS |
| WETLANDS SPECIAL EXCEPTION <input type="checkbox"/> | <input type="checkbox"/> APPEAL OF AN ADMIN DECISION    |
| VARIANCE <input checked="" type="checkbox"/>        | <input type="checkbox"/> REHEARING REQUEST              |
| EQUITABLE WAIVER <input type="checkbox"/>           | <input type="checkbox"/>                                |

**PROPERTY OWNER (APPLICANT):**

NAME: MANIKIAN, MARK C. + Mary E

MAILING ADDRESS:

E-MAIL ADDRESS:

**CO-APPLICANT, AGENT, OR LESSEE:**

NAME:

TEL. #:

MAILING ADDRESS:

E-MAIL ADDRESS:

**PROJECT LOCATION:**

TAX MAP #: 84-46 LOT#: 5766 PLOT #: 4481 ZONE: R22

STREET ADDRESS: 69 NH RT 4A

IS THIS PROPERTY LOCATED IN THE: **WETLANDS** ☐ YES ☒ NO **HISTORIC DISTRICT** ☐ YES ☒ NO  
**FLOOD PLAIN** ☐ YES ☒ NO

**REQUEST DESCRIPTION:**

**USE TYPE:**

EXISTING: ☐ VACANT ☒ ONE FAMILY ☐ TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL

PROPOSED: ☐ VACANT ☒ ONE FAMILY ☐ TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL

If use is **COMMERCIAL OR INDUSTRIAL** please note specific use: \_\_\_\_\_

**SIGNATURE BLOCK:**

I, the undersigned, hereby submit this application on the date noted below with the knowledge and understanding that the Planning Board shall determine if the submitted application is complete according to its regulations at its next regularly scheduled meeting on 12-1-25, unless I personally request, in writing, that the Board delay its determination of completeness to a later date.

Owner Signature: Mary E. Manikian

DATE: 11-5-25

**NOTE: IF, AS OWNER, YOU WISH TO DESIGNATE AN AGENT TO ACT ON YOUR BEHALF, PLEASE READ THE FOLLOWING AND SIGN BELOW:** I hereby designate the person listed above as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made on the basis of such representation.

Owner Signature: \_\_\_\_\_

DATE: \_\_\_\_\_

11-10-2025

ZB2025-26-VAR



## SUPPORT STATEMENT FOR A VARIANCE

1. NHDOT has determined that there are no safety issues with a garage in the proposed location (copy attached). Construction of the garage built to NHDES lake friendly standards will significantly lessen any negative impact our property currently has into Mascoma Lake, the City of Lebanon water supply.
2. Construction of this detached garage will have no impact on light, air circulation or visual impairment on neighbors. The only impacted neighbor's property line is 57' from the proposed site and isolated by a line of conifers taller than the proposed garage.
3. With the harsh winter conditions on our lake and NH considering garages a common amenity, we would consider it to be an injustice to deny a garage to 80 year old homeowners when garages are common in the neighborhood and construction of the garage will have no negative impact on the neighborhood or the general public.
4. The construction of the garage will enhance the the value of the property, and therefore the value of the neighborhood.
5. We have a non-conforming legacy lot which is common to our neighborhood but not to the city in general. Historically homes in our locale have been allowed to build garages because of their necessity for safety issues (dealing with snow and ice).

11-5-25

## Zoning Board of Appeals

### Board members:

We are proposing to construct a freestanding 26x20' garage with no plumbing nor sewer system. We are now in our 80's and it has become increasingly difficult to deal with the harsh NH winters. We have applied to and received a permit from NHDES for our project with the stipulation that we place the garage with the front in line with our existing porch in order to place the back out of the 20 ft buffer zone to the lake.

We have been informed by the Lebanon Building Department that construction of our proposed garage will require two variances. The first for the front setback and the second for the percentage of under roof coverage.

In regards to the first variance, we request that this be granted because NHDES requires it's placement. Also, NHDOT has looked at the plans and has found no safety issues with the proposed location. A copy of their evaluation is attached.

In regards to the second variance, we realize that we have a non-conforming legacy lot. The existing non-pervious percentage coverage (NH criteria for pervious/non-pervious ratio) is already over the stipulated amount at 22.6%. The construction of the garage and the subsequent landscaping of the property, also required by NHDES, will actually lower the percentage of the non-pervious area to 21.9%. NHDES found this to be favorable. With respect to the City of Lebanon's criteria, construction of the garage will increase the roofed area of the lot from .22% to .3%. This increase is minimized by the lake friendly construction of the garage which will eliminate a large organic area adjacent to the lake.

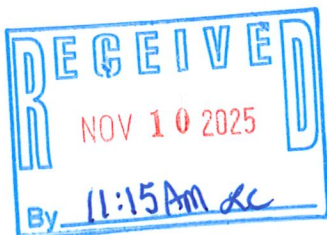
Attached is our application, a copy of our NHDES permit, pictures of the site (jpeg files are available), a scaled site plan, a site plan with highlighted setbacks, a front view of the proposed structure which is in keeping with the style of the main house, letters from our immediate neighbors and a list of the abutters.



Mark C Manikian



Mary E Manikian







The State of New Hampshire  
**Department of Environmental Services**

Robert R. Scott, Commissioner



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**SHORELAND IMPACT PERMIT 2025-00774**

**NOTE CONDITIONS**

**PERMITTEE:** MANIKIAN FAMILY TRUST  
MARK C & MARY E MANIKIAN TTEES  
PO BOX 1134  
LEBANON NH 03766

**PROJECT LOCATION:** 69 NH RT 4A, LEBANON  
Tax Map/Block/Lot(s): 84/no block/26

**WATERBODY:** MASCOMA LAKE

**APPROVAL DATE:** JULY 24, 2025 **EXPIRATION DATE:** JULY 24, 2030

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Shoreland Permit Application 2025-00774 has been found to meet or exceed the requirements of RSA 483-B as required per RSA 483-B:6, II. The New Hampshire Department of Environmental Services (NHDES) hereby issues this Shoreland Impact Permit with conditions pursuant to RSA 483-B:6, II.

**PERMIT DESCRIPTION:**

Impact 957 square feet of protected shoreland in order to construct a garage and driveway, as well as retain an after-the-fact retaining wall.

**Impervious Surface Percentage Approved:** Reduced to 21.9%

**Natural Woodland Area Required per RSA 483-B:9, V(b):** 375 square feet

**THE FOLLOWING PROJECT-SPECIFIC CONDITIONS HAVE BEEN APPLIED TO THE PERMIT PURSUANT TO ENV-WQ**

**1406.15(c):**

1. All work shall be in accordance with revised plans by Mary E. Manikian, revision dated June 26, 2025, and received by the New Hampshire Department of Environmental Services (NHDES) on June 26, 2025, pursuant to Env-Wq 1406.15(f).
2. Pursuant to RSA 483-B:9, V(b)(2), no native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line.
3. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V(d) Erosion and Siltation, (1).
4. Within 90 days of framing the proposed garage, at least 520 square feet of existing impervious surface areas must be removed in order to maintain compliance with RSA 483-B:9, V(g).
5. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction as required pursuant to RSA 483-B:6, I(b).
6. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

[www.des.nh.gov](http://www.des.nh.gov)

20 Hazen Drive • PO Box 95 • Concord, NH 03302-0095



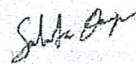
**THE FOLLOWING STANDARD PROJECT CONDITIONS SHALL BE MET PURSUANT TO ENV-WQ 1406.20:**

1. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
2. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
3. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700, and the requirements in Env-Wq 1404.01(a) and(b).
4. Any fill used shall be clean sand, gravel, rock, or other suitable material.
5. For any project where mechanized equipment will be used, orange construction fence shall be installed prior to the start of work at the limits of the temporary impact area as shown on the approved plans; be maintained throughout the project; and remain in place until all mechanized equipment has been removed from the site.

**ANY INDIVIDUAL CONDUCTING WORK UNDER THIS PERMIT IS ADVISED OF THE FOLLOWING:**

1. During construction, a copy of this permit should be posted on site in a prominent location visible to inspecting personnel.
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
3. Pursuant to Env-Wq 1406.21, transfer of this permit to a new owner requires notification to, and approval of, NHDES.
4. This project has been screened for potential impact to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or only cursory surveys have been performed, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.

APPROVED:



Salvatore Ferragine  
Shoreland Permitting, Shoreland Program  
Wetlands Bureau, Land Resources Management  
Water Division

**THIS PERMIT IS NOT VALID UNTIL SIGNED BY THE PARTIES BELOW (Env-Wq 1406.21(c))**

  
PERMITTEE SIGNATURE (required)

\_\_\_\_\_  
PRINCIPAL CONTRACTOR SIGNATURE (required, if any)

10-16-25

Zoning Board of Appeals  
51 North Park St.  
Lebanon, NH 03766

Board Members:

I Live at 73 US Rt 4A, Lebanon, NH 03766, next door to the Manikians. I. Have seen the plans for the proposed garage and although it will be toward my home, I have no objections.

 10/16/2025  
Jeffrey Cyr

10-16-25

Zoning Board of Appeals  
51 North Park St.  
Lebanon, NH 03766

Board Members:

We live at 67 NH Rt 4A, Lebanon, NH 03766, next door to the Manikians. We have seen the plans for their proposed garage and have no objections.

Gary Parent

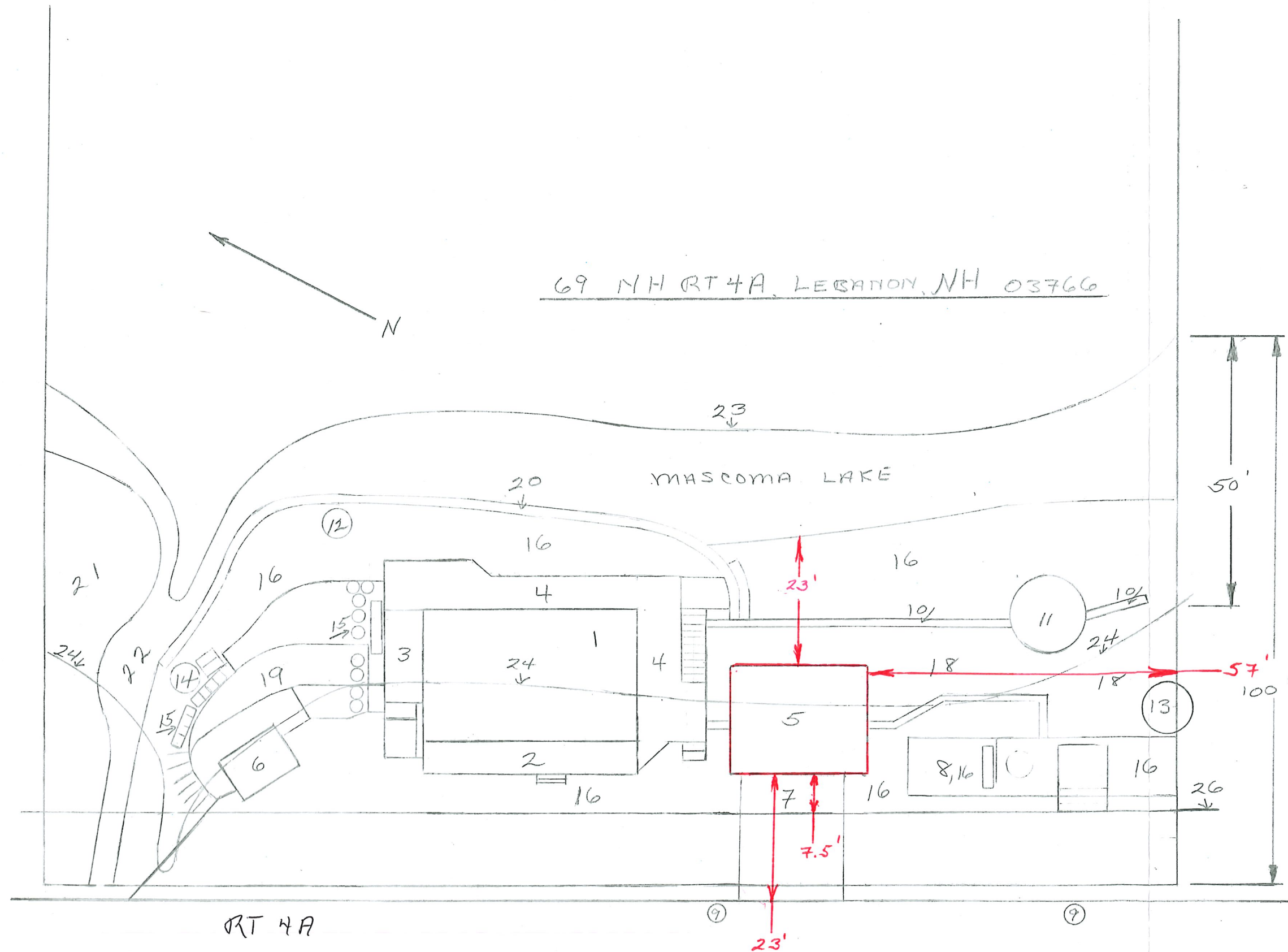
 10/16/25

Sharon Parent

 10/16/25

# LEGEND

1. House 39.33'x24'
2. Covered Deck 6'x39.33'
3. Covered Deck 7.25'x16.5'
4. Open Deck
5. Proposed Garage 26'x20'
6. Shed 12.25'x8.25'
7. Proposed Driveway 20'x20'
8. City Sewer Easement 10' x 50'
9. Storm Drain
10. Proposed Wall 56'x.67'&12.5'x.67'
11. Dappled Willow
12. 4 Maple Trees
13. Cedar Tree
14. 6 Ash Trees
15. Stone Stairs
16. Grass
17. Gravel
18. Perennial Garden
19. Perennial garden with open rock terracing walls
20. Lake Wall
21. Woods
22. Storm Drain Easement
23. Reference Line
24. 50' Line
25. 100' Line
26. Front Property Line

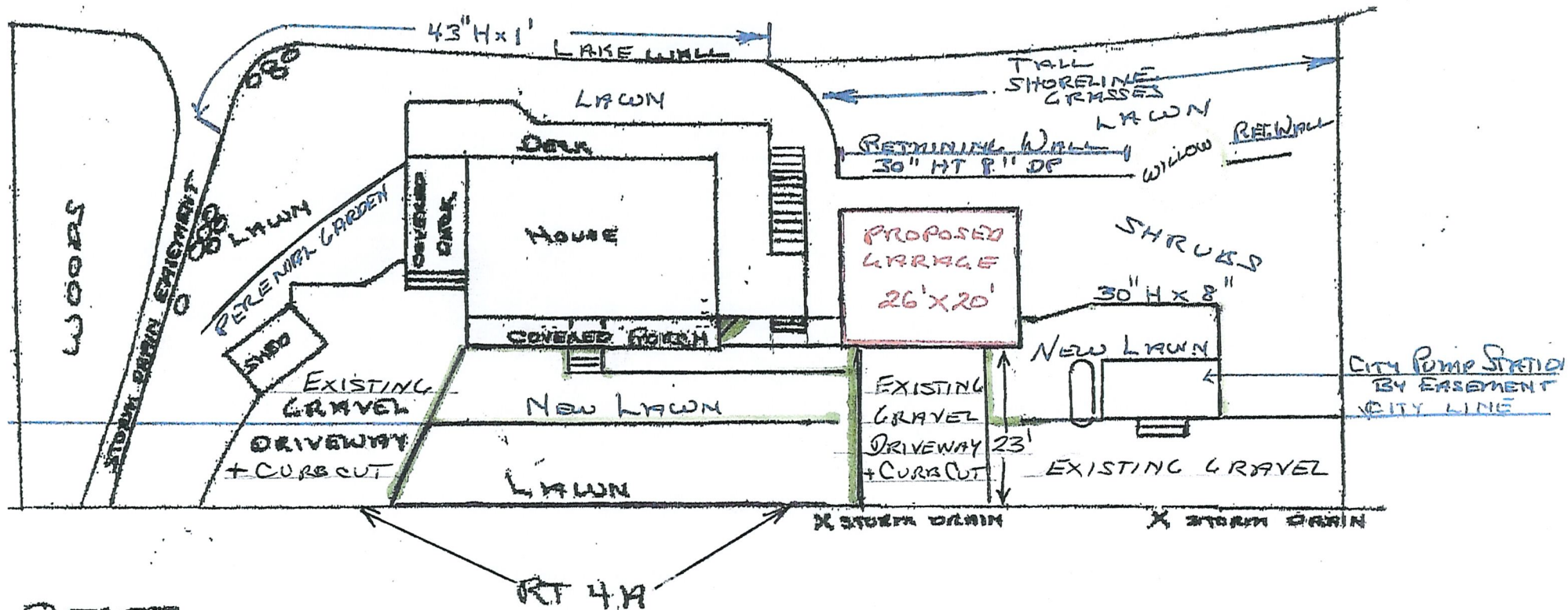




69 NH RT 4A, LEBANON, NH 03766



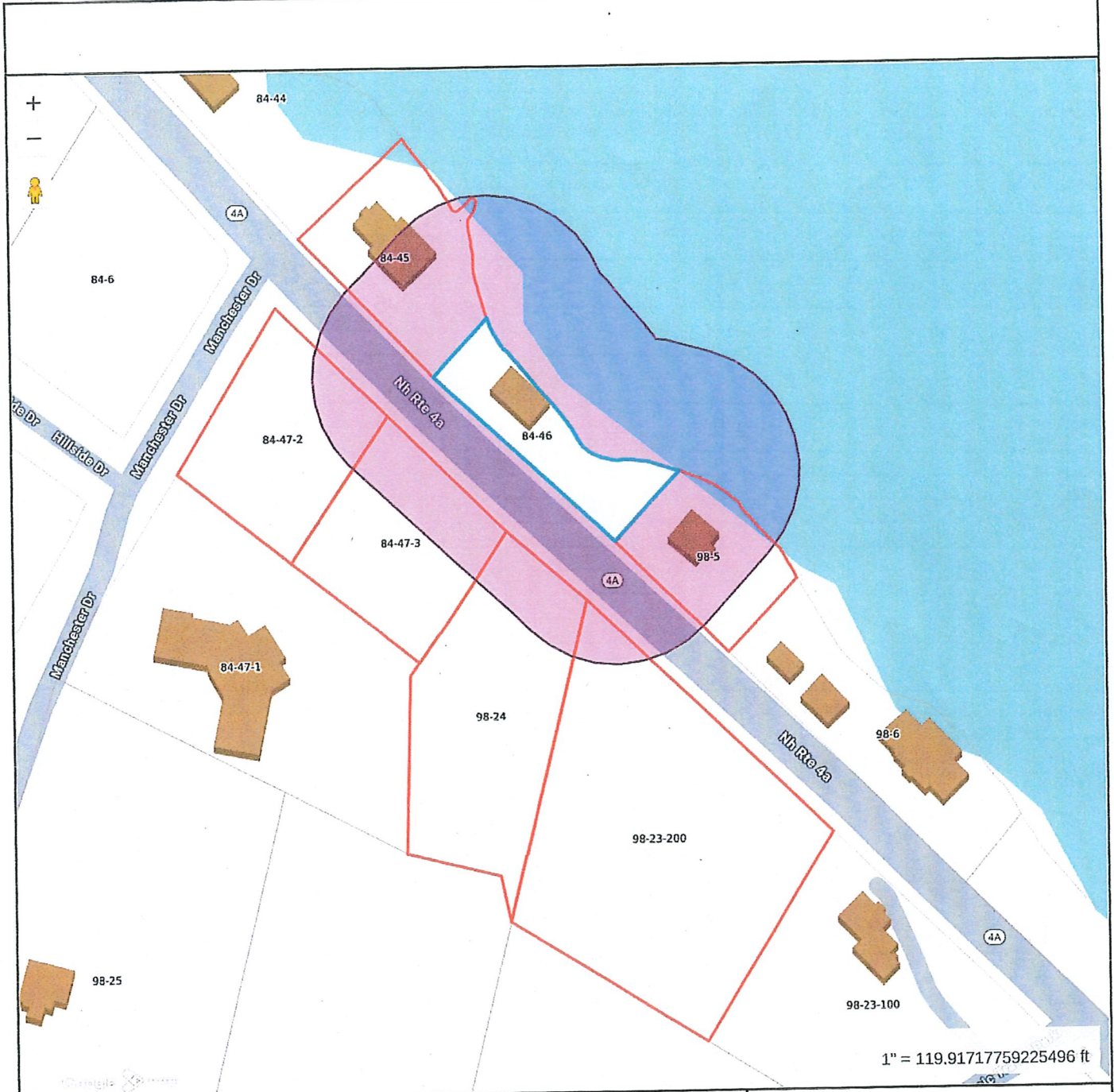
MASCOMA LAKE



○ TREES

SCALE 1:20





**Property Information**

Property ID 84-46  
Location 69 NH ROUTE 4A  
Owner MANIKIAN, MARK C & MARY E TTEES

**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

City of Lebanon, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 01/30/2025  
Data updated 11/18/2018

Print map scale is approximate.  
Critical layout or measurement  
activities should not be done using  
this resource.

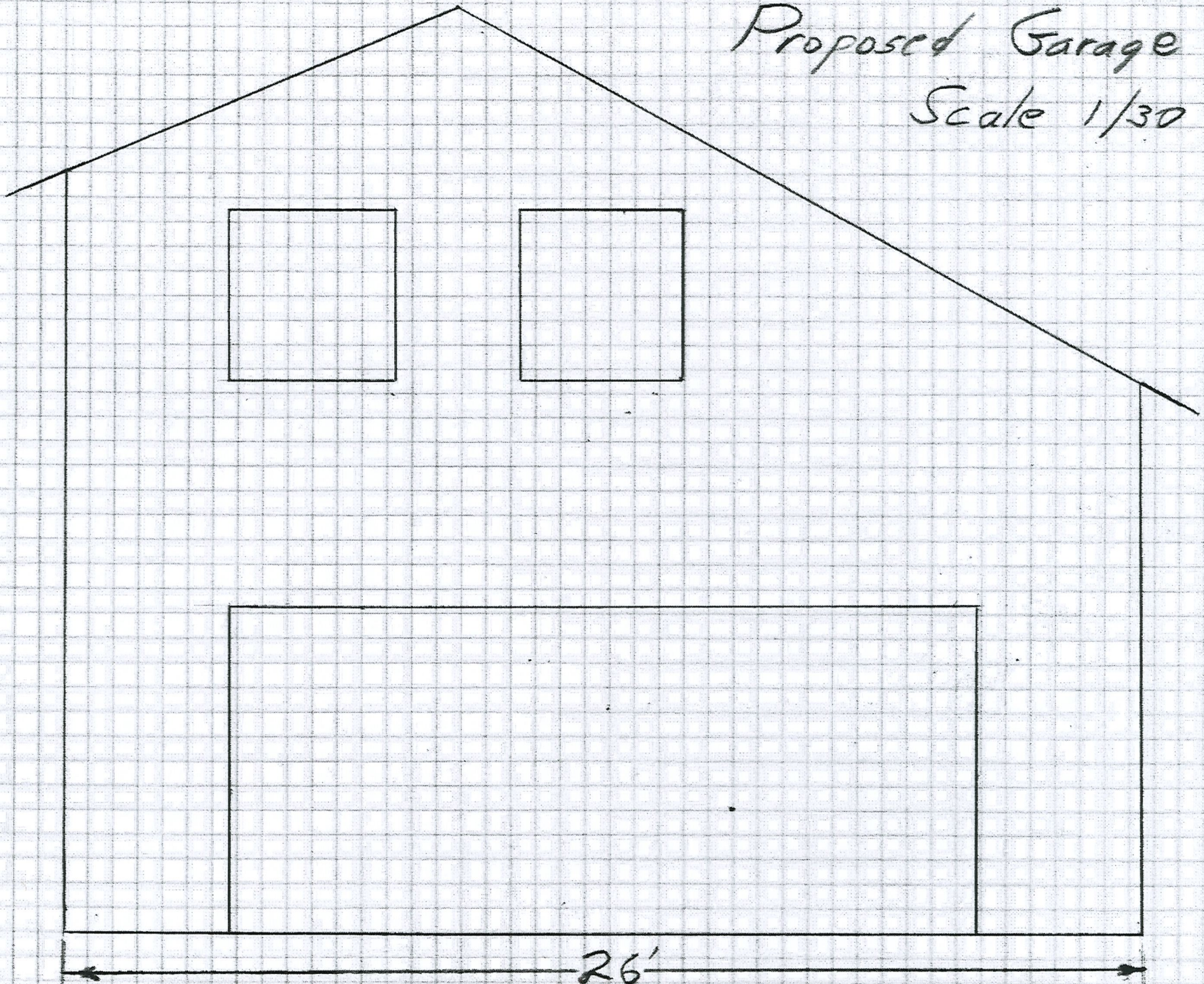








Proposed Garage  
Scale 1/30





| ID        | Site Address    | Owner Name                      | Owner Address            | Owner City | State | Zip   |
|-----------|-----------------|---------------------------------|--------------------------|------------|-------|-------|
| 98-5      | 73 NH ROUTE 4A  | CYR, JEFFREY V                  | 2 STRAWBERRY BANK RD #17 | NASHUA     | NH    | 03062 |
| 84-45     | 67 NH ROUTE 4A  | PARENT, GARY R & SHARON         | 67 NH ROUTE 4A           | LEBANON    | NH    | 03766 |
| 84-47-200 | 0 MANCHESTER DR | BELLINGER, JOHN & KRISTIN TTEES | 5 MANCHESTER DR          | LEBANON    | NH    | 03766 |
| 84-47-300 | 0 NH ROUTE 4A   | BELLINGER, JOHN & KRISTIN TTEES | 5 MANCHESTER DR          | LEBANON    | NH    | 03766 |
| 98-24     | 74 NH ROUTE 4A  | MONTGOMERY JUSTIN               | 74 NH ROUTE 4A           | LEBANON    | NH    | 03766 |
| 98-23-200 | 0 NH ROUTE 4A   | KLEINHANS DANIEL B TTEE         | 78 NH ROUTE 4A           | LEBANON    | NH    | 03766 |
| 84-46     | 69 NH ROUTE 4A  | MANIKIAN, MARK C & MARY E TTEES | PO BOX 1134              | LEBANON    | NH    | 03766 |



12-2-25

Lebanon Zoning Board of Appeals and  
Conservation Commission

Board Members:

We are proposing to construct a freestanding 26x20' (2 car) garage with no plumbing nor sewer system. We are now in our 80's and it has become increasingly difficult to deal with the harsh NH winters. We have applied to and received a permit from NHDES for our project with the stipulation that we place the garage front face in line with our existing porch in order to place the structure outside of the 20 ft buffer zone to the lake. A copy of their permit is attached.

We have been informed by the Lebanon Building Department that construction of our proposed garage will require two variances; the first for the front setback and second for the increase in percentage of under roof coverage. The project also requires a variance from the Lebanon Conservation Commission regarding Regulation 410.5 - Permitted Uses. A hearing before them is scheduled on 12/11/25.

In regards to the first variance, we request that this be granted because NHDES requires its placement there and that it matches the forward projection of the house. Also NHDOT has reviewed the plans and finds no safety issues with the proposed location. A copy of their evaluation is attached.

In regards to the second variance, we realize that we have a non-conforming legacy lot typical of our neighborhood. The existing non-pervious percentage coverage is already over the NH stipulated maximum at 22.6%. Construction of the garage and the subsequent landscaping of the property, also required by NHDES, will actually lower the percentage of non-pervious area to 21.9% by eliminating 750 square feet of driveway. NHDES found this to be a favorable change by reducing runoff into the lake. With respect to the City of Lebanon's criteria, construction of the garage will increase the roofed area of the lot from .22% to .30%. The impact of this change will, however, be a positive change for lake health because it will be built with lake-friendly concepts and eliminate a large organic runoff area which slopes to the lake.

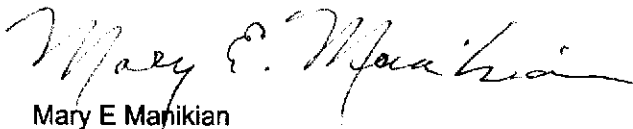
Our presentation to the Conservation Commission will reiterate these points and more. Firstly, I (Mark Manikian) am a retired chemical engineer and dentist. In that capacity I am the Mascoma Lake Director of Water Quality. We would do nothing detrimental to the water quality of the lake. We seek to do the best that we can do to enhance it especially because it is Lebanon's public water supply. The project was accepted by NHDES because it will benefit the lake by channeling water from the roofed area, which formerly would have been organic runoff into the lake, into a drainage cistern. Runoff quantity will also be reduced due to the net reduction in impervious areas. The newly established pervious areas will be gardens, grassed or shrubbed. There are no trees involved in this project. This property is served by Lebanon's sewer system and, therefore, there is no onsite septic system.

Attached is our application, a copy of our DES permit, pictures of the site (jpegs are available), a scaled site plan, a site plan with highlighted setbacks, a front view of the proposed structure which reproduces the lines of the existing house, favorable letters from our immediate neighbors and a list of abutters.

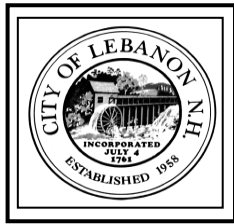
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark C. Manikian', written in a cursive style.

Mark C Manikian

A handwritten signature in black ink, appearing to read 'Mary E. Manikian', written in a cursive style.

Mary E Manikian



## CITY OF LEBANON ~ PLANNING & DEVELOPMENT

### MEMORANDUM

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**TO:** Lebanon Conservation Commission

**FROM:** Planning and Development Department Staff

**RE:** 2025-2026 Proposed Zoning Amendments

**DATE:** November 5, 2025

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Attached is the list of proposed zoning amendments for the 2025-2026 cycle.

The purpose of the Conservation Commission review of the amendments is to provide feedback to City Staff and City Council. A review of the amendments will also be done by the Zoning Board of Adjustment and the Planning Board. Leading up to this meeting, the Planning Department Staff has held public information sessions about the map amendments and presented the amendments to the Planning Board and Heritage Commission at public meetings to get feedback. Staff has taken the feed back into account in the versions presented to City Council. Two more public question and answer sessions are scheduled for December.

The amendments are broken up in to six categories. The first category is amendments required due to State legislative updates. The second category is map amendments. These map amendments are the result of the 120 Corridor Study that was completed in 2024. The study area was broken in to three areas for the purpose of rezoning: Centerra/Alteria, LaBombard Road, and Heater Road. The final map amendments for this area are for conservation purposes that protect an existing wildlife corridor from further development. Included in the map amendments are corresponding text amendments. The third category consists of amendments that are sponsored by City Boards. The fourth category is larger text amendments to entire sections of the Zoning Ordinance. The fifth category is smaller miscellaneous and technical amendments, such as changes to definitions. And the final category is petitioned amendments. Petitioned amendments are amendments brought forward by members of the public and not City staff or Boards.

Please note that there are two amendments proposed for Section 607.8 "Electric Vehicles". The City Council has created a working group to navigate having multiple amendments proposed for the same topic.



The amendments included in this packet include:

1. State Legislative Updates:
  - a. **Amendment 1:** HB1361: Manufactured Homes
  - b. **Amendment 2:** HB631: Multifamily Residential
  - c. **Amendment 3:** HB284: Residential Parking Requirements
  - d. **Amendment 4:** HB577: ADUs
2. Map Amendments and corresponding text amendments:
  - a. **Amendment 5:** Centerra/Altaria
  - b. **Amendment 6:** Conservation Area
  - c. **Amendment 7:** LaBombard Road
  - d. **Amendment 8:** Heater Road
  - e. **Amendment 9:** Wildlife Corridor Map and Text
  - f. **Amendment 10:** Northern Lebanon Use Tables & Text
3. City Board, Commission, Committee Sponsored Amendments
  - a. **Amendment 11:** Section 408: Historic District (Heritage Commission Sponsored)
  - b. **Amendment 12:** Mobile Food Service Vending Ordinance (Food Truck Task Force)
  - c. **Amendment 13:** EV Regulations Section 607.8 (LEAC Sponsored)
4. Text Amendments
  - a. **Amendment 14:** Section 608: Signs; Definitions: Window Signs & regulatory streamlining
  - b. **Amendment 15:** Section 411: Pattern Zones Overlay District
  - c. **Amendment 16:** Section 509: Cottage Cluster Developments
5. Misc & Technical Amendments
  - a. **Amendment 17:** Definition of ***Care and Treatment of Animals*** broken down & change of corresponding use tables.
  - b. **Amendment 18:** Section 1000
  - c. **Amendment 19:** Definition of **Lot** & Definition of **Agriculture**
  - d. **Amendment 20:** Changes to Impact Fees
6. Petitioned Amendments
  - a. **Petitioned Amendment 1: Map Amendment** Rezoning of Parcels along Old Pine Tree Cemetery Rd from RL-2 to R-3. Representative: Dan Nash, PE
  - b. **Petitioned Amendment 2: Map Amendment** Rezone Parcel 26-2 on Etna Road from IND-L and RL-3 to GC-1. Representative: Dan Nash, PE
  - c. **Petitioned Amendment 3:** Change of Light Industrial Use Table: Addition of "Vehicular Repair" to IND-L. Representative: Chip Brown
  - d. **Petitioned Amendment 4:** Amendment to the Electric Vehicle Ordinance, Section 607.8. Representative: Jon Livadas

**STAFF MEMORANDUM**

Proposed Zoning Amendments

November 5, 2025

Page 3 of 3

Below is the 2025-2026 Zoning Amendment Schedule. Over the next few months, the 20 Zoning Amendments and the 4 petitioned amendments will be reviewed by the land use boards. Any comments from the Boards will be compiled and given to City council for the review and Public Hearings in January.

| Amendment              | Date                           | Who                     | Staff Responsibility                             |
|------------------------|--------------------------------|-------------------------|--------------------------------------------------|
| 2025-26 Amendments     | 8/18/2025                      | Planning Staff          | Get packet to Crystal for PB meeting             |
| 2025-26 Amendments     | 8/25/2025                      | Planning Board          | PB Final Consideration Meeting                   |
| 2025-26 Amendments     | 9/2/2025                       | Planning Staff          | Get packet to Crystal for PB meeting             |
| 2025-26 Amendments     | 9/8/2025                       | Planning Board          | Extra: PB Final Consideration Meeting, if needed |
| 2025-26 Amendments     | End of Aug - Beginning of Sept | Planning Staff          | Staff Complete Writing Draft Ordinances          |
| 2025-26 Amendments     | 9/22/2025                      | Planning Staff          | Packet due to David for City Council Meeting     |
| 2025-26 Amendments     | 10/1/2025                      | City Council            | Order to Land Use Boards                         |
| 2025-26 Amendments     | 10/9/2025                      | Planning Staff          | Send to Legal for Review                         |
| 2025-26 Amendments     | 10/27/2025                     | Legal                   | Legal Review Letters Due                         |
| 2025-26 Amendments     | 10/27/2025                     | Planning Staff          | Get ZBA Packet to Tiffany                        |
| 2025-26 Amendments     | 11/3/2025                      | ZBA                     | ZBA Review of Amednments                         |
| 2025-26 Amendments     | 11/6/2025                      | Planning Staff          | Get ConCom Packet to Crystal                     |
| 2025-26 Amendments     | 11/13/2025                     | Conservation Commission | ConCom Review of Amendments                      |
| 2025-26 Amendments     | 11/17/2025                     | Planning Staff          | Get PB Packet to Crystal                         |
| 2025-26 Amendments     | 11/24/2025                     | Planning Board          | PB Review of Amendments                          |
| 2025-26 Amendments     | 12/18/2025                     | Planning Staff          | Due: Public Notices and RSA written and reviewed |
| 2025-26 Amendments     | 12/29/2025                     | Planning Staff          | Get Packet to David for Countil Meeting          |
| 2025-26 Amendments     | 1/7/2026                       | City Council            | Council call for Public Hearing                  |
| 2025-26 Amendments     | 1/8/2026                       | Planning Staff          | RSA Letters go out                               |
| 2025-26 Amendments     | 1/12/2026                      | Planning Staff          | Get Packet to David for Countil Meeting          |
| 2025-26 Amendments     | 1/21/2026                      | City Council            | Council Public Hearing                           |
| Planning Board Meeting |                                |                         |                                                  |
| City Council Meeting   |                                |                         |                                                  |
| ZBA Meeting            |                                |                         |                                                  |
| ConCom Meeting         |                                |                         |                                                  |

# Amendment 1

## Manufactured Homes

From: State Law Changes – 2024 HB 1361

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1 The amendment is necessary to be in compliance with changes in State statute 2024 HB 1361.

2 State Change:

3 2024 HB 1361 – Manufactured Homes

4 This bill requires municipalities that adopt land use control measures to provide reasonable and  
5 realistic opportunities for the siting of manufactured housing on individual lots and in  
6 manufactured housing parks and subdivisions within residential districts. The bill also directs  
7 municipalities to provide reasonable and realistic opportunities for expansion of existing  
8 manufactured housing parks.

9  
10 1 Local Land Use Planning and Regulatory Powers; Manufactured Housing. RSA 674:32, I is  
11 repealed and reenacted to read as follows:

12 I.(a) Municipalities shall afford reasonable and realistic opportunities for the siting of  
13 manufactured housing as required in subparagraph

14 (b) and a municipality shall not exclude manufactured housing completely from the  
15 municipality by regulation, zoning ordinance or by any other police power.

16 (b) A municipality that adopts land use control measures shall allow, in its sole discretion,  
17 manufactured housing to be located:

18 (1) On individual lots in most, but not necessarily all, land areas and lots in districts  
19 zoned to permit residential uses within the municipality; or

20 (2)(A) In manufactured housing parks, as defined in RSA 205-A:1, II, in most, but  
21 not necessarily all, land areas and lots in districts zoned to permit residential uses  
22 within the municipality; and

23 (B) In subdivisions created for the placement of manufactured housing on  
24 individually owned lots in most, but not necessarily all, land areas and lots in  
25 districts zoned to permit residential uses within the municipality; or

26 (3) In all 3 types of locations.

27 (c) Manufactured housing located on individual lots pursuant to subparagraph (b)(1) shall  
28 comply with lot size, frontage requirements, space limitations and other reasonable  
29 controls that conventional single-family housing in the same district must meet. No special  
30 exception or special permit shall be required for manufactured housing located on  
31 individual lots pursuant to subparagraph (b)(1) or manufactured housing subdivisions  
32 pursuant to subparagraph (b)(2)(B) unless such special exception or permit is required by  
33 the municipality for single family housing located on individual lots or in subdivisions.

34 (d) Municipalities permitting manufactured housing parks pursuant to subparagraph  
35 (b)(2)(A) shall afford reasonable and realistic opportunities for their development. In order  
36 to provide such opportunities, lot size and overall density requirements for manufactured  
37 housing parks shall be reasonable and realistic.

38 (e) Municipalities shall allow reasonable and realistic opportunities for the expansion of  
39 manufactured housing parks existing as of July 1, 2024. For expansion of existing  
40 manufactured housing parks, municipalities shall not require standards stricter than NFPA  
41 501A, "Standard for Fire Safety Criteria for Manufactured Home Installations, Sites, and  
42 Communities".



# Amendment 1

## Manufactured Homes

From: State Law Changes – 2024 HB 1361

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Proposed Zoning Changes:

### SECTION 209 MANUFACTURED HOUSING.

Manufactured housing units are permitted only in manufactured housing parks or in manufactured housing PURDs. See Section 503 (“MANUFACTURED HOUSING PARKS”) and Section 504 (“MANUFACTURED HOUSING PURDs”). Manufactured Housing Units shall also be allowed in zoning districts that allow one-family dwellings with the following conditions:

1. The Manufactured housing unit shall be a one-family dwelling
2. The Manufactured housing unit shall be on a foundation
3. A manufactured housing unit shall not be used as an ADU
4. Design elements such as landscaping, porches, pitched roofs, and stone or bricks accents are encouraged
- 4.5. The manufactured housing unit shall follow all setbacks, parking, and regulations of the zoning district.
- 2.6. Manufactured housing units are not eligible for the Pattern Zones Overlay District zoning enhancements.

## Amendment 2

### Multi-family Residential Development

From: State Law Changes – 2025 HB 631

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1 The amendment is necessary to be in compliance with changes in State statute HB 631.

2  
3 HB 631 requires municipalities to allow multi-family residential development on commercially  
4 zoned land, provided that adequate infrastructure for roads, water and sewerage systems are  
5 available to support that development. Municipalities may still restrict residential development in  
6 zones where industrial and manufacturing uses are permitted. Nevertheless, municipalities may  
7 require that ground floor space in the commercial zone property may be required to be  
8 dedicated in whole or in part to retail or similar uses. Where an existing building is being  
9 repurposed to adaptive reuse for residential purposes, municipalities shall afford exemptions to  
10 setbacks, height or frontage of a building, provided these dimensional elements do not change.  
11 When implementing this new mandate locally, the definitions in the statute must be adhered to  
12 in determining whether the proposed use must be permitted; however, municipalities are not  
13 required to update their zoning ordinances with these definitions.

14 The City of Lebanon already allows for multi-family residential development in all impacted  
15 zoning districts except for the MC district. MC is limited in area within the city and contains the  
16 DHMC main campus. A code change for the MC district will resolve the State mandated  
17 changes. The proposed use code change is as follows:

# Amendment 2

## Multi-family Residential Development

From: State Law Changes – 2025 HB 631

SECTION 315 MEDICAL CENTER DISTRICT (MC).

### 315.2 Table of Uses.

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <u>Uses by <b>Special Exception</b></u><br>(see Section 801.3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>1. Recovery Houses</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <u>Uses by <b>Conditional Use Permit</b></u><br>(see Section 302.4)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li>1. <b>Essential service</b></li> <li>2. <b>Group day care facility</b> per Section 604</li> <li>3. <b>Health club</b></li> <li>4. <b>Hospice</b></li> <li>5. <b>Medical center complex</b> per Section 506</li> <li>6. Medical office building</li> <li>7. <b>Medical research facility</b></li> <li>8. <b>Renewable energy system</b> per Section 612</li> <li>9. <b>Retail product pickup</b></li> </ol> | <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li>1. <b>Drive-through facility</b></li> <li>2. <b>Financial institution</b></li> <li>3. <b>Inpatient rehabilitation facility</b></li> <li>4. <b>Motel</b></li> <li>5. <b>Hotel</b></li> <li>6. <b>Office</b></li> <li>7. <b>Parking facility</b></li> <li>8. <b>Personal service</b></li> <li>9. <b>Restaurant</b></li> <li><b>10. Retail store</b></li> <li><b>10-11. Multi-Family Residential</b></li> </ol> <u>Planned Developments</u> <ol style="list-style-type: none"> <li><b>11-12. Commercial PUD</b> per Section 501</li> </ol> |

# Amendment 3

## Residential Parking Minimums / Maximums

From: State Law Changes – 2025 HB 284

The amendment is necessary to be in compliance with changes in State statute HB 284. The legislature and the governor are reducing the minimum parking requirements for a dwelling unit to one space per unit. The reduction in the minimum required also triggers the need to change the maximum parking spaces allowed as well.

### SECTION 607 PARKING.

#### 607.1 Table of Minimum Off-Street Parking Requirements.

- A. Except as otherwise provided below, a **lot** shall provide the minimum number of **off-street parking spaces** as set forth in the following "Table of Minimum Off-Street Parking Requirements." For uses not listed in the table, the minimum requirement shall be that of the closest similar use as determined by the Zoning Administrator.
- B. The minimum number of required **off street parking spaces** for **lots** with more than one principal use shall be determined per Section 607.6 ("Shared Parking").
- C. The minimum number of required off-street parking spaces for **accessory uses** shall be calculated separately from the principal use where the minimum parking requirement for the **accessory use** is less than that required for the **principal use**.
- D. For residential uses as defined in RSA 676:16-a, I, an alternative parking solution as that term is defined in RSA 676:16-a, I, may be authorized by the Planning Board notwithstanding the requirements of the Table of Minimum Off-Street Parking Requirements pursuant to RSA 676:16-a ("On Site Parking Requirements").

**TABLE OF MINIMUM OFF-STREET PARKING REQUIREMENTS**  
(Rounded down to the nearest whole - See Section 607.2)

| <u>TYPE OF USE</u>                                           | <u>UNITS OF MEASUREMENT</u> | <u>PARKING SPACES PER UNIT (I.E. RATIO)</u> |
|--------------------------------------------------------------|-----------------------------|---------------------------------------------|
| <b>RESIDENTIAL</b>                                           |                             |                                             |
| <b>Dwelling, One-family/Two-family</b> detached and attached | <b>Dwelling units</b>       | <del>1.02-0</del>                           |
| <b>Dwelling</b> , Studio Apartment                           | <b>Dwelling units</b>       | 1.0                                         |
| <b>Dwelling</b> , Apartment, One-bedroom and up              | <b>Dwelling units</b>       | <del>1.04-5</del>                           |
| Senior Housing                                               | <b>Dwelling units</b>       | 1.0                                         |



# Amendment 3

## Residential Parking Minimums / Maximums

From: State Law Changes – 2025 HB 284

| <b><u>TYPE OF USE</u></b>                                                                                                                                   | <b><u>UNITS OF MEASUREMENT</u></b>                                   | <b><u>PARKING SPACES PER UNIT (I.E. RATIO)</u></b>                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| <b><i>Group residence</i></b>                                                                                                                               | Residents                                                            | 0.33                                                                              |
| <b><i>Lodging house</i></b>                                                                                                                                 | Rental units                                                         | 2.0 base + 1.0/bed                                                                |
| <b><i>Cottage Development</i></b>                                                                                                                           | <b><i>Cottage</i></b>                                                | 1.0                                                                               |
| <b>INSTITUTIONAL, ETC.</b>                                                                                                                                  |                                                                      |                                                                                   |
| <b><i>Medical center complex</i></b>                                                                                                                        | <b><i>Gross floor area</i></b>                                       | 1.0/425 sq. ft.                                                                   |
| Hospital, <b><i>nursing home</i></b>                                                                                                                        | Beds & Employees on largest shift                                    | 0.33/bed & 0.33/employee                                                          |
| Houses of worship and other places of public assembly (i.e. theaters, auditoriums, recreational facilities, conference or meeting facilities and the like.) | Seats or <b><i>gross floor area</i></b> of assembly area if no seats | 0.33/seat or 1/20 sq. ft.                                                         |
| Group day care                                                                                                                                              | Employees and clients                                                | 1.0/employee & 1.0/8 clients                                                      |
| <b><i>Membership club</i></b>                                                                                                                               | <b><i>Gross floor area</i></b>                                       | 1/300 sq. ft.                                                                     |
| <b>SCHOOLS</b>                                                                                                                                              |                                                                      |                                                                                   |
| Elementary, Jr. High                                                                                                                                        | Classrooms                                                           | 3.0                                                                               |
| Senior High                                                                                                                                                 | Classrooms                                                           | 5.0                                                                               |
| Post secondary and Voc-Ed                                                                                                                                   | <b><i>Gross floor area</i></b>                                       | 1/300 sq. ft.                                                                     |
| <b>COMMERCIAL</b>                                                                                                                                           |                                                                      |                                                                                   |
| <b><i>Motel, hotel</i></b>                                                                                                                                  | Rental Units                                                         | 1.2 plus <b><i>restaurant</i></b> component, if applicable.                       |
| <b><i>Tourist home</i></b> , bed and breakfast                                                                                                              | Rental units                                                         | 2.0 (base) + 1.0 per unit plus <b><i>restaurant</i></b> component, if applicable. |
| <b><i>Restaurant</i></b>                                                                                                                                    | Seats                                                                | 0.33                                                                              |
| Bowling alleys                                                                                                                                              | Lane                                                                 | 4.0                                                                               |
| <b><i>Office</i></b>                                                                                                                                        | <b><i>Gross floor area</i></b>                                       | 1.0/250 sq. ft.                                                                   |
| Retail                                                                                                                                                      | <b><i>Gross floor area</i></b>                                       | 1.0/200 sq. ft.                                                                   |
| Retail- e.g. convenience store, bakery, take-out food establishments                                                                                        | <b><i>Gross floor area</i></b>                                       | 1.0/200 sq. ft.                                                                   |
| <b><i>Personal service</i></b>                                                                                                                              | <b><i>Gross floor area</i></b>                                       | 1.0/250 sq. ft.                                                                   |
| Banks                                                                                                                                                       | <b><i>Gross floor area</i></b>                                       | 1.0/250 sq. ft.                                                                   |

# Amendment 3

## Residential Parking Minimums / Maximums

From: State Law Changes – 2025 HB 284

| <u>TYPE OF USE</u>                                                                                  | <u>UNITS OF MEASUREMENT</u>               | <u>PARKING SPACES PER UNIT (I.E. RATIO)</u>                                     |
|-----------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------------------------------------------------------|
| Furniture store, major appliance store, carpet store, <b>vehicular sales</b> , nursery, greenhouses | <b>Gross floor area</b>                   | 1.0/600 sq. ft.                                                                 |
| Automotive services (i.e. repair facilities, tire sales and mounting)                               | Service bays                              | 4.0/Bay                                                                         |
| Funeral home                                                                                        | <b>Gross floor area</b> in assembly rooms | 1.0/75 sq. ft.                                                                  |
| Other commercial                                                                                    | <b>Gross floor area</b>                   | 1.0/600 sq. ft.                                                                 |
| <b>Alternative Treatment Center</b>                                                                 | <b>Gross Floor Area</b>                   | 1.0/250 sq. ft.                                                                 |
| <b>Alternative Treatment Center (Cultivation Location Only)</b>                                     | <b>Gross Floor Area</b>                   | 1.0/600 sq. ft.                                                                 |
| <b>INDUSTRIAL</b>                                                                                   |                                           |                                                                                 |
| <b>Warehouse</b> (includes self-storage) and truck/ <b>bus terminal</b>                             | <b>Gross floor area</b>                   | 1.0/1,000 sq. ft.                                                               |
| <b>Light industry</b> & Research lab                                                                | <b>Gross floor area</b>                   | 1.0/600 sq. ft. or<br>1.0/employees for the largest shift (whichever is larger) |
| Outdoor storage and sales                                                                           | Gross area of storage/sales               | 1.0/2,000 sq. ft.                                                               |

### 607.2 Reduction of Minimum Required Parking Spaces.

The Planning Board may allow by **conditional use** permit a reduction of up to 30% in the number of **off-street parking spaces** required to be built, provided an area is reserved on the approved site plan to accommodate the minimum number of required **off-street parking spaces** should they become necessary in the future. The construction of any unbuilt parking spaces shall be reviewed and approved by the Planning Board as a modification of the approved site plan.

### 607.3 Maximum Off-Street Parking Requirement.

A. The maximum off-street parking allowed is 120% of the minimum requirement set forth in Section 607.2. (For example, if a use or development is required to have 100 **off-street parking spaces**, then the maximum allowed for that use or development is 120 **off-street parking spaces**.) ~~The maximum parking requirement shall not apply to one-family and two-family dwellings.~~

# Amendment 3

## Residential Parking Minimums / Maximums

From: State Law Changes – 2025 HB 284

The maximum off-street parking allowed for residential uses is 200% of the minimum requirement set forth in **TABLE OF MINIMUM OFF-STREET PARKING REQUIREMENTS**.

B. Off-street parking in excess of 120% but not more than 150% of the minimum requirement for commercial or mixed-use properties set forth in Section 607.2 may be permitted as set forth below.

1) The following categories of parking spaces shall not be counted towards the 120% maximum set forth in subsection A, but shall be subject to the 150% cap set forth in subsection B:

- a. Spaces provided within a ***parking structure***.
- b. Spaces dedicated for vehicles participating in a carpool, vanpool, or car-share program. Such spaces shall be reserved and used only for carpool, vanpool, or car-share program parking, and shall be signed or marked accordingly.

2) For spaces other than those described in subsection B.1), the Planning Board may approve parking in excess of the 120% maximum set forth in subsection A by ***conditional use*** permit provided that the following criteria are met:

- a. The need for additional parking cannot reasonably be met through provision of on-street parking or shared parking with adjacent or nearby uses;
- b. The proposed development demonstrates that its design and intended uses will continue to support high levels of existing or planned transit and pedestrian activity; and,
- c. The site plan indicates where additional parking can be redeveloped to a more intensive transit supportive use in the future.
- d. In no case shall the Planning Board approve parking for any use or development that exceeds 150% of the minimum requirement as set forth in Section 607.2.

C. Exception. The maximum parking requirements set forth in subsections A and B shall not apply to any change of use within an existing ***building*** which does not require Site Plan review or where no additional parking spaces are proposed or required per Section 607.1.

### 607.4    CB, LD and PB Parking.

Uses in the CB District, LD District, and the PB District are subject to the maximum off-street parking requirements of Section 607.3, but are exempt from the minimum off-street

# Amendment 3

## Residential Parking Minimums / Maximums

From: State Law Changes – 2025 HB 284

parking requirements of Section 607.1 because of the availability of public parking. However, parking requirements in these districts shall be as required by the Planning Board through its Site Plan Review of new uses or changes or expansion of use.

### 607.5 Off-Lot Parking.

Parking shall be provided on the same **lot** as the use for which the parking is accessory, except as follows:

A. In the IND-L, IND-H, IND-RA, GC, GC-1, CB, LD, RO, RO-1, PB, and MC Districts, the Planning Board may approve private off-lot parking as a **conditional use** permit. Instead of the findings required by Section 302.4, the Board shall determine that:

1. The minimum number of required **off-street parking spaces** as calculated pursuant to Section 607.1, and per Section 607.4 for developments in the CB, LD, and PB Districts, cannot feasibly be accommodated on-site.
2. The off-lot use to be served is an allowed use in the zoning district in which the off-lot parking area will be located.
3. The off-lot parking area is in an appropriate location for the use served by the parking and will not be detrimental to abutting properties.
4. Such parking arrangements are either permanently deeded and recorded or conveyed by an irrevocable 99-year lease or some other legal instrument, acceptable to an attorney representing the City, and submitted with the Conditional Use Permit application for approval by the Planning Board. Such legal agreement shall ensure that such parking arrangement will remain as long as the need exists.
5. The off-lot parking will not constitute a hazard to traffic or pedestrians.

B. For conversions of **one- or two-family dwellings** to **multi-family dwellings** or where adding additional **dwelling units** to an existing **multi-family dwelling**, the Planning Board may approve private off-lot parking, as a **conditional use** permit. Instead of the findings required by Section 302.4, the Board shall determine that:

1. The minimum number of required **off-street parking spaces** cannot feasibly be accommodated on-site.
2. The off-lot parking area is on a lot that is (i) adjacent to the **dwelling** involved, and (ii) located in a zoning district that allows **multi-family dwellings** to the same extent as allowed in the zoning district where the **multi-family dwelling** is located.



Amendment 3  
Residential Parking Minimums / Maximums  
From: State Law Changes – 2025 HB 284

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3. The off-lot parking area is appropriately screened from abutting properties.
  4. The off-lot parking will not be detrimental to abutting properties.
  5. Such parking arrangements are permanently and irrevocably deeded and recorded or conveyed by an irrevocable 99-year lease or some other legal instrument, acceptable to an attorney representing the City, and submitted with the Conditional Use Permit application for approval by the Planning Board. Such legal agreement shall ensure that such parking arrangement will remain as long as the need exists.
  6. The off-lot parking will not constitute a hazard to traffic or pedestrians

# Amendment 4

## Accessory Dwelling Unit

From: State Law Changes – 2025 HB 577

The amendment is necessary to be in compliance with changes in State statute HB577.

### SECTION 610 ACCESSORY DWELLING UNIT (ADU).

**Accessory dwelling units** are intended as an option for homeowners to offer separate and independent living space for their extended families, or to offer small **dwelling units** as rentals to offset the expense of maintaining the **dwelling**.

An **accessory dwelling unit** shall comply with the following criteria:

A. An **ADU** is allowed on any **lot** in any zoning district with a **one-family dwelling or two-family dwelling**. ~~For lots in any zoning district with a two-family dwelling, a detached or attached ADU is allowed.~~ Only one such **ADU** is permitted per **lot**. The dwelling unit density requirements of the underlying zoning district shall not apply to ADUs.

B. ~~If attached, the appearance and character of the existing or proposed ADU shall remain single family in nature if converting a one-family dwelling to a one-family dwelling with an ADU, and shall remain two-family in nature if converting a two-family dwelling to a two-family dwelling with an ADU. If detached, the A detached~~ **ADU** shall maintain the primary building's architectural style, proportional mass, size, and height to ensure it is not taller than the principal building on the lot. A **detached ADU** may be permitted to be taller than the principal building by **special exception**.

C. The property owner must occupy one of the **dwelling units** as their permanent residence. A temporary leave of absence of no more than one (1) year by the property owner is allowed, provided the owner-occupied unit is not rented or occupied by anyone other than the property owner during the temporary leave or absence.

Prior to the issuance of a zoning permit, the owner shall record in the Grafton County Registry of Deeds an Accessory Dwelling Unit Owner Occupancy Restriction, in a form satisfactory to the Zoning Administrator, in order to put prospective buyers on notice of the prohibition against renting out both units. All recording fees shall be the responsibility of the applicant.

D. ~~The ADU must be located in the same building as the principal dwelling unit(s) unless the lot meets or exceeds the minimum required lot size for the respective zoning district. If the lot meets or exceeds the required minimum lot size, the ADU may be located in a separate detached accessory structure such as a garage or barn, provided the existing accessory structure conforms with the minimum required yard requirements for the respective zoning district. An ADU may also be in a new structure. By special exception, the Zoning Board of Adjustment may~~

# Amendment 4

## Accessory Dwelling Unit

From: State Law Changes – 2025 HB 577

allow an **ADU** to be located in a detached **structure** on a **lot** that is non-conforming to the minimum lot size and/or to be allowed in an existing accessory **structure** that is legally non-conforming to the applicable minimum yard requirements.

E. ~~If the **ADU** is located within or by an addition to the existing **principal building**, an interior door shall be provided between the **ADU** and the principal **dwelling unit** or between the **ADU** and one of the principal **dwelling units** if the principal building is a **two-family dwelling**.~~

F. If applicable, the owner must seek a permit from the State of NH Dept. of Environmental Services Subsurface Systems Bureau, in accordance with NH RSA 485-A:38 and NH RSA 674:72, V, for any increased load on an existing sewage disposal system as a result of the addition of an **ADU** to the **lot**.

G. Size of ADU.

1. One-family dwellings. If the **gross living area** of the principal **dwelling unit** is 1,500 square feet or less, the **gross living area** of the **ADU** ~~shall not exceed may be no the~~ greater ~~than of~~ 750 sq. ft. or 65% of the **gross living area** of the principal **dwelling unit**. If the **gross living area** of the principal **dwelling unit** is greater than 1,500 square feet, but less than 3,000 square feet, the **gross living area** of the **ADU** shall not exceed 960 square feet. If the principal **dwelling unit** is greater than 3,000 square feet, the **gross living area** of the **ADU** can exceed 960 square feet provided the **ADU** is no greater than 33% of the **gross living area** of the principal **dwelling unit**. If the **ADU** is located on a parcel of land greater than 4 acres a **detached ADU** can exceed 960 square feet provided that the **detached ADU** is no greater than 50% of the gross living area of the principal dwelling unit.

2. Two-family dwellings. If the **gross living area** of the smaller of the two principal **dwelling units** is 1,500 square feet or less, the **gross living area** of the **ADU** ~~may beshall not exceed the no~~ greater ~~of~~ 750 sq. ft. or ~~than~~ 65% of the **gross living area** of the smaller of the two principal **dwelling units**. If the **gross living area** of the smaller of the two principal **dwelling units** is greater than 1,500 square feet, but less than 3,000 square feet, the **gross living area** of the **ADU** shall not exceed 960 square feet. If the smaller of the two principal **dwelling units** is greater than 3,000 square feet, the **gross living area** of the **ADU** can exceed 960 square feet provided the **ADU** is no greater than 33% of the **gross living area** of the smaller of the two principal **dwelling units**.

H. ~~Any necessary additional entrances or exits to the **principal building**, to serve the **ADU**, shall be located to the side or rear of the **building**.~~ All new or altered **structures**, intended to be used as an **ADU**, must be located behind the **front building line** of the existing **principal building** except by **special exception** if the

# Amendment 4

## Accessory Dwelling Unit

From: State Law Changes – 2025 HB 577

Zoning Board finds that the placement of the **ADU** on the **lot** will not adversely affect the character of the neighborhood; traffic on roads and highways; safety of pedestrians, and will not create a hazard or nuisance to abutting property owners.

- I. In addition to the two-one (21) parking spaces required for each principal **dwelling unit**, one (1) additional parking space for the **ADU** must be provided either on-site or at a legally dedicated off-site location, at the property owner's discretion.
- J. An **ADU** located within the **principal building** shall have interconnected smoke and carbon monoxide alarms.
- A. An ADU Permit application submission shall include a minimum of the following materials and exhibits demonstrating compliance with the applicable Zoning Ordinance requirements:
  1. Existing and proposed site conditions and parking plan.
  2. Existing and proposed floor plans for all dwelling units and structures.
    - a. If applicable this floor plan shall show compliance with ADU entrance, interconnection and the smoke and carbon monoxide alarm plan requirements.
  3. A gross living area square footage calculation which includes existing and proposed floor plans, and a square footage calculation for both the primary dwelling and ADU demonstrating adherence with 610.G ADU Size pursuant to the definition of gross living area within Appendix A Definitions.
  4. A signed, recordable "Accessory Dwelling Unit Owner Occupancy Restriction".
  5. A bank or business check or money order for all recording fees made payable to the Grafton County Registry of Deeds.
  6. If applicable a copy of the State of NH Dept. of Environmental Services Subsurface Systems Bureau Approval and plans.
  7. If applicable a Water Connection Permit Application.
  8. If applicable a Sewer Connection Permit Application.
  9. Impact Fee Invoice Acknowledgment.



Amendment 4  
Accessory Dwelling Unit  
From: State Law Changes – 2025 HB 577

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**APPENDIX A DEFINITIONS**

**ACCESSORY BUILDING:** A *building* subordinate and customarily incidental to the main *building* on the same lot. The term "accessory building", when used in connection with *agriculture* shall include all buildings customarily used for farm purposes.

**ADU-ACCESSORY DWELLING UNIT (ADU):** This term shall have the meaning as set forth in RSA 674:71, I, as amended, except that an ADU may also be located on a lot containing a two-family dwelling and the definition set forth in RSA 674:71, I, shall be interpreted and applied accordingly. A separate complete housekeeping unit that is either contained within or is attached to a *one-family dwelling*, or within a detached *accessory building* on the same lot, for which the title is inseparable from the primary *dwelling*. (See Section 610)

**ADU, ATTACHED:** This term shall have the meaning as "attached unit" as set forth in RSA 674:71, II, as amended.

**ADU, DETACHED:** This term shall have the meaning as "detached unit" as set forth in RSA 674:71, III, as amended.

# Amendment 5

## Northern Lebanon Map Amendment – Centerra / Altaría

From: Zoning Staff and 120 Corridor Study

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Amendment 5 seeks to Rezone the Centerra / Altaría neighborhood to promote additional development in the area. The Centerra area of the amendment reflects the existing Deed Restricted uses within the neighborhood. The rezone will preserve the established use structure within the Centerra neighborhood. The rezone includes changing Alaría from Ind-L to GC-1. The zoning change will promote more possible housing and mixed-use development in the neighborhood. Please note that the existing Industrial lots within Centerra will remain unchanged as IND-L lots.

The Following Parcels are included:

| Address             | Parcel     | Proposed Zoning | Current Zoning |
|---------------------|------------|-----------------|----------------|
| 0 Centerra Parkway  | 10-11-1400 | CBD             | IND-L          |
| 2 Morgan Drive      | 10-11-1300 | CBD             | IND-L          |
| 10 Morgan Drive     | 10-11-1302 | CBD             | IND-L          |
| 12 Centerra Parkway | 10-11-100  | CBD             | IND-L          |
| 34 Centerra Parkway | 10-11-300  | CBD             | IND-L          |
| 35 Centerra Parkway | 10-11-1500 | GC-1            | IND-L          |
| 38 Centerra Parkway | 10-11-400  | GC-1            | IND-L          |
| 41 Centerra Parkway | 10-11-1600 | GC-1            | IND-L          |
| 46 Centerra Parkway | 10-11-2000 | GC-1            | IND-L          |
| 11 Lafayette Street | 10-11-2100 | GC-1            | IND-L          |
| 33 Morgan Drive     | 10-11-700  | GC-1            | IND-L          |
| 21 Lafayette Street | 10-11-2300 | GC-1            | IND-L          |
| 20 Morgan Drive     | 10-11-1200 | GC-1            | IND-L          |
| Cavendish Court     | 10-34      | GC-1            | IND-L          |
| Cavendish Court     | 10-33      | GC-1            | IND-L          |
| Cavendish Court     | 10-32      | GC-1            | IND-L          |
| Cavendish Court     | 10-35      | GC-1            | IND-L          |
| Cavendish Court     | 10-31      | GC-1            | IND-L          |
| Cavendish Court     | 10-26      | GC-1            | IND-L          |
| Cavendish Court     | 10-30      | GC-1            | IND-L          |

# Amendment 5

## Northern Lebanon Map Amendment – Centerra / Altaria

From: Zoning Staff and 120 Corridor Study

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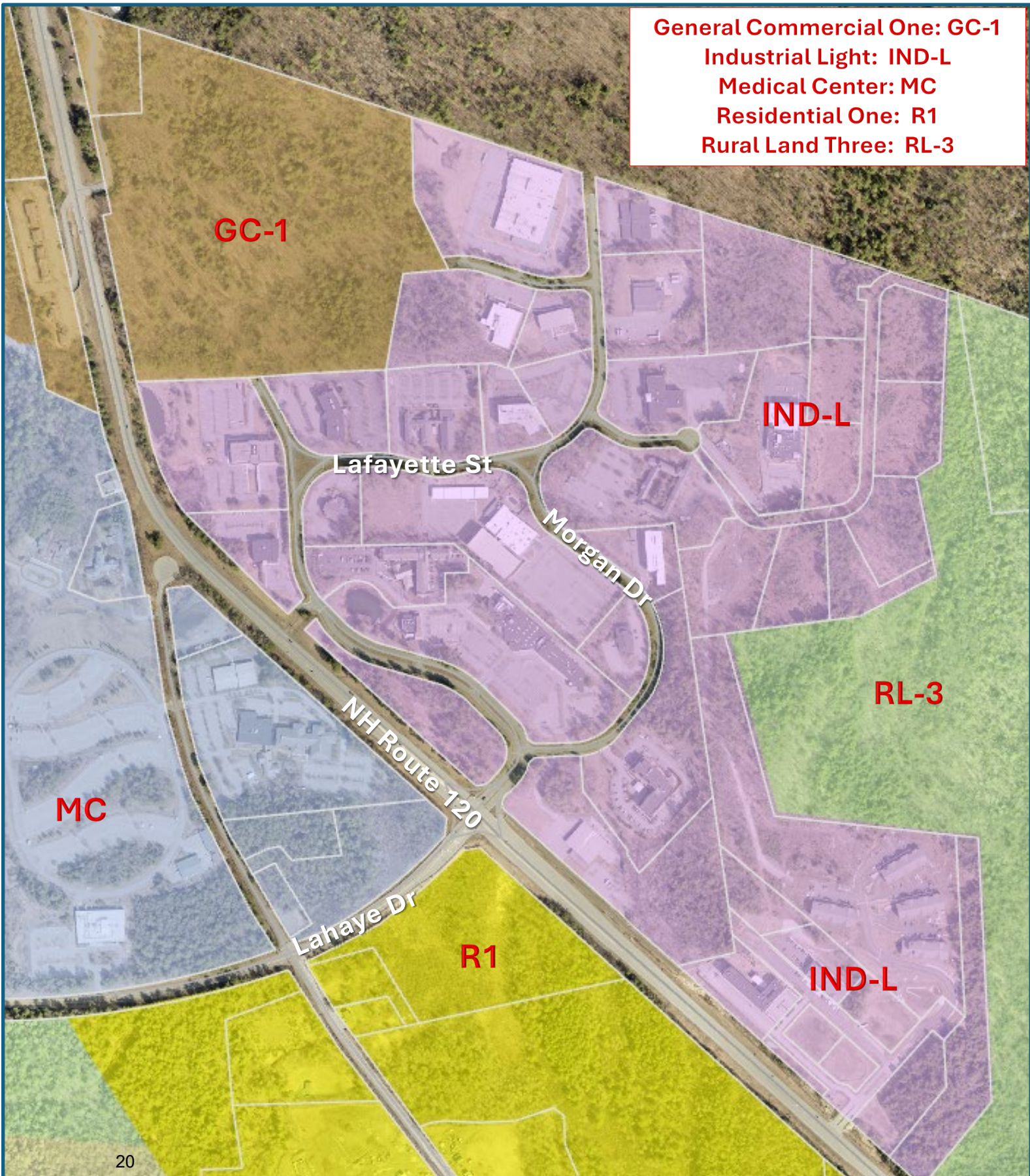
|    |                        |           |      |       |
|----|------------------------|-----------|------|-------|
| 30 | Cavendish Court        | 10-27     | GC-1 | IND-L |
| 31 | Cavendish Court        | 10-29     | GC-1 | IND-L |
| 32 | Cavendish Court        | 10-28     | GC-1 | IND-L |
| 33 | 25 Foothill Street     | 24-14-100 | GC-1 | IND-L |
| 34 | Foothill Street        | 24-14-800 | GC-1 | IND-L |
| 35 | 260 NH Route 120       | 24-14     | GC-1 | IND-L |
| 36 | 14 Merchant Street     | 24-14-600 | GC-1 | IND-L |
| 37 | NH Route 120           | 24-16     | GC-1 | IND-L |
| 38 | 15 Merchant Street     | 24-14-400 | GC-1 | IND-L |
| 39 | 5 Merchant Street      | 24-14-500 | GC-1 | IND-L |
| 40 | 6 Merchant Street      | 24-14-300 | GC-1 | IND-L |
| 41 | 18 Merchant Street     | 24-14-200 | GC-1 | IND-L |
| 42 | 0 Merchant Street      | 24-14-700 | GC-1 | IND-L |
| 43 | 60 Alta Boulevard      | 10-12     | GC-1 | IND-L |
| 44 | Map Amendment follows: |           |      |       |



# Amendment #5

## Existing Zoning

General Commercial One: GC-1  
Industrial Light: IND-L  
Medical Center: MC  
Residential One: R1  
Rural Land Three: RL-3

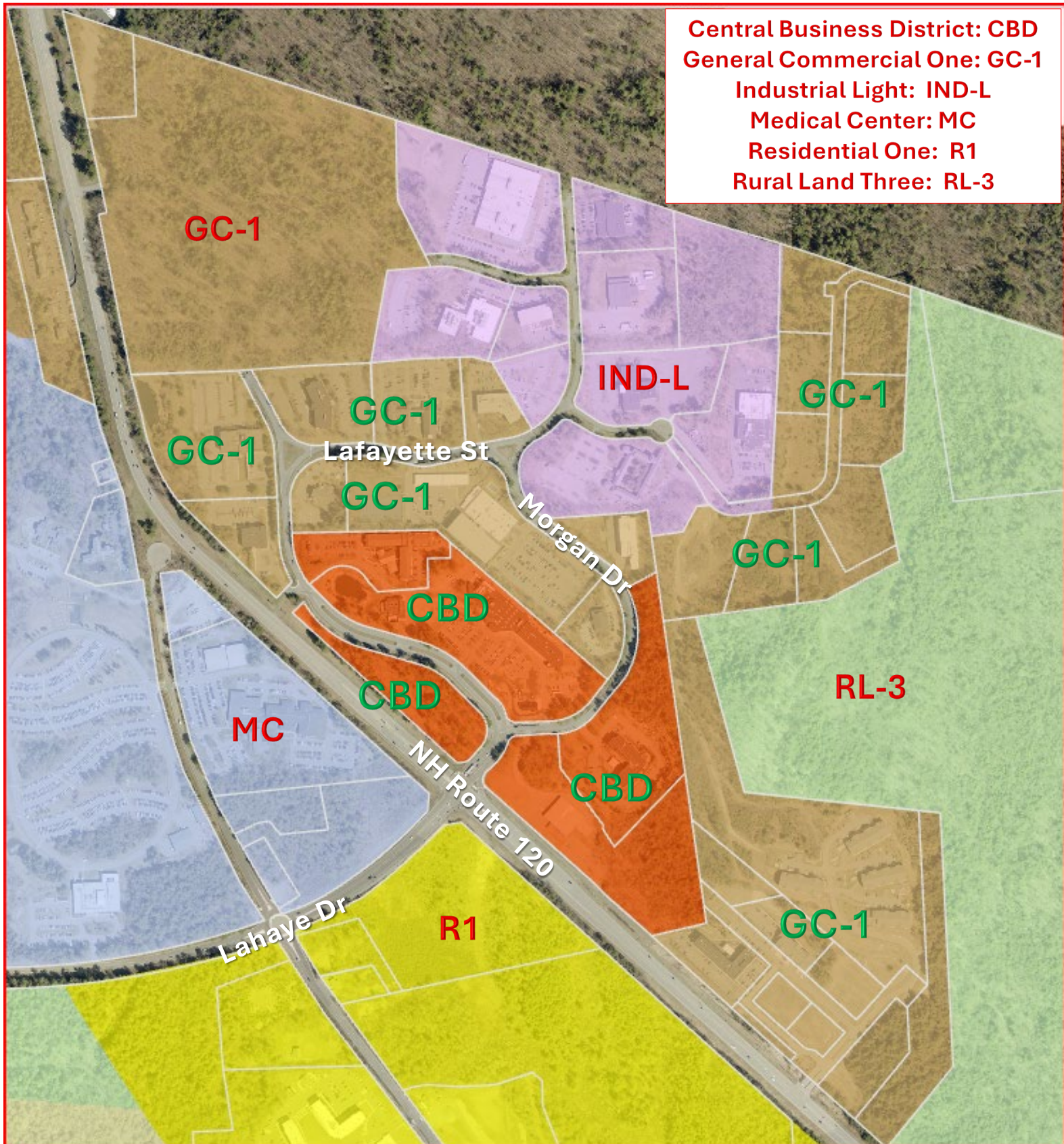




# Amendment #5

## Proposed Zoning

(Fall 2025 Amendment)



# Amendment 6

## Northern Lebanon Map Amendment – Conservation Area

From: Zoning Staff and 120 Corridor Study

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Amendment 6 seeks to Rezone the several key properties in the area due to unique geographic features. Rezoning these areas to RL-3 will reduce the possible uses of the area from IND-L to RL-3 and will provide steep slopes protection. RL-3 includes steep slope protection. The change will target limited areas identified in studies over the years and referenced in the Northern Lebanon planning conversation. The alteration of the RL-3 map area in key sensitive locations allows for the Wildlife Overlay to be greatly reduced in scope by eliminating the need for wetland and steep slope protections by policy. This approach is much more limited and targeted to key sensitive geological and wildlife areas.

The Following Parcels are included:

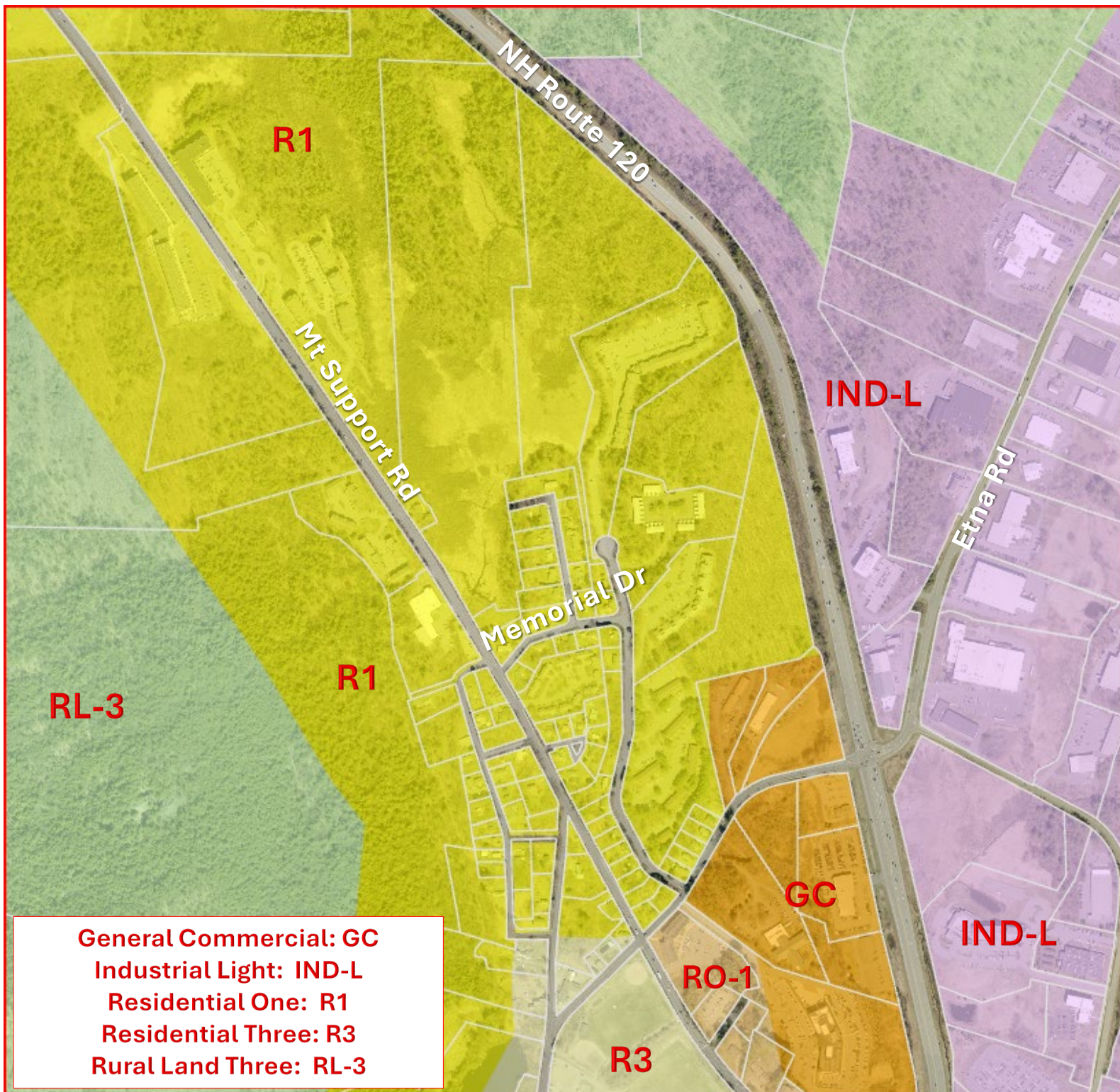
| Address            | Parcel | Proposed Zoning            | Current Zoning |
|--------------------|--------|----------------------------|----------------|
| 67 – 69 Etna Road  | 26-2   | RL-3 and IND-L Line Change | RL-3 and IND-L |
| 85 Etna Road       | 37-4   | RL-3 and IND-L Line Change | RL-3 and IND-L |
| 96 Etna Road       | 37-5   | RL-3 and IND-L Line Change | RL-3 and IND-L |
| 101 Etna Road      | 37-7   | RL-3 and IND-L Line Change | RL-3 and IND-L |
| 0 Mt. Support Road | 76-10  | R-1 and RL-3 Line Change   | RL-3 and R-1   |

Map Amendment follows:



# Amendment #6

## Existing Zoning

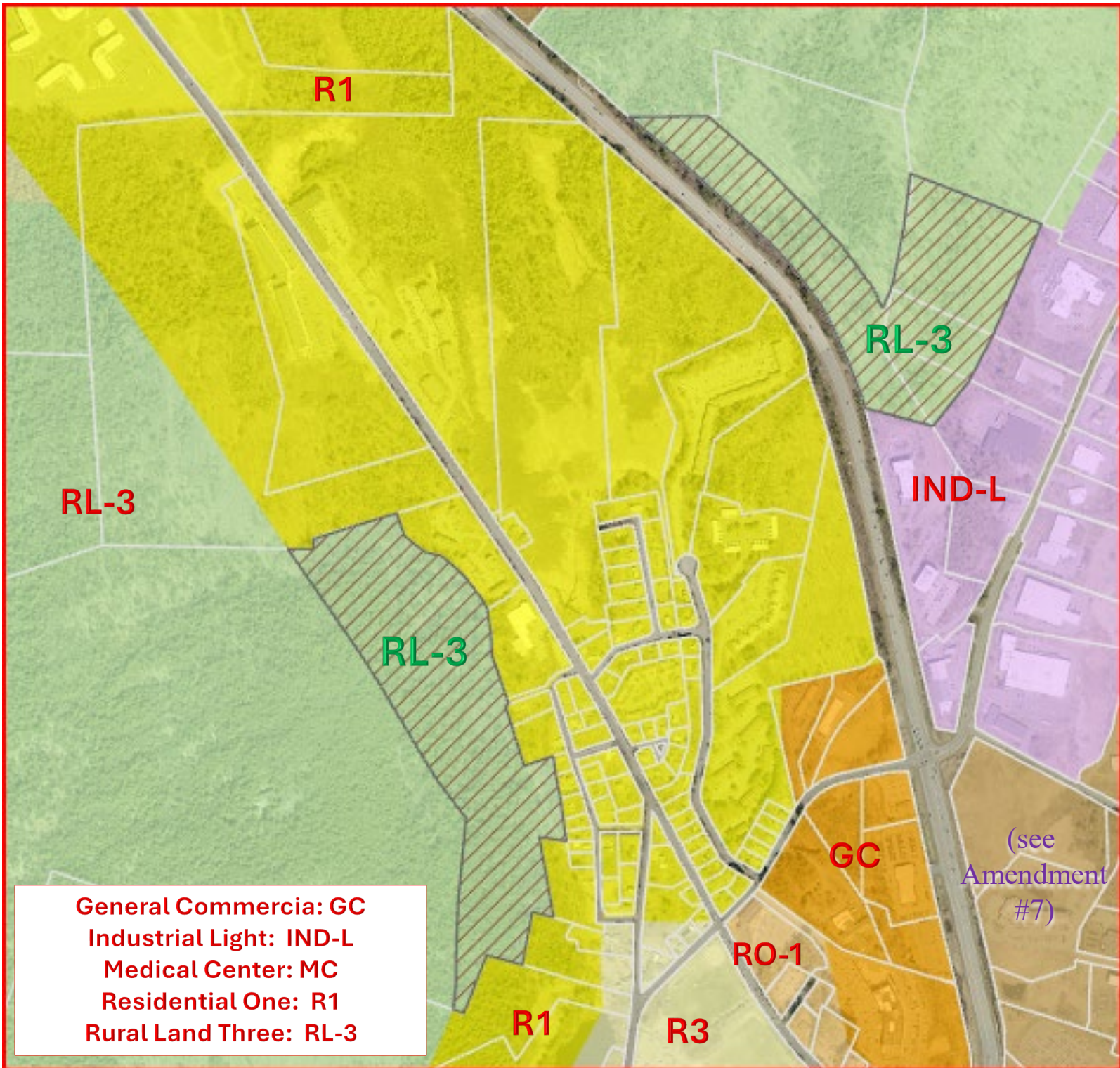




# Amendment #6

## Proposed Zoning

(Fall 2025 Amendment)





# Amendment 7

## Northern Lebanon Map Amendment – LaBombard Road Area

From: Zoning Staff and 120 Corridor Study

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Amendment 7 seeks to Rezone the several key properties in the LaBombard Road area. There are three notable inclusions and exclusions. See below for further explanation. The center of this rezoning request is to bring additional residential and mixed-use development opportunities into the Northern Lebanon area in the LaBombard neighborhood. The change will allow for possible residential as well and mixed-use within the area. Along with the proposed use changes several non-conformities are resolved.

The Etna Road area was excluded from rezoning consideration. Multiple business owners with manufacturing businesses along Etna Road requested to remain IND-L. During the public meetings held on the topic it was clear that the Etna Road area has been heavily built out as an industrial neighborhood. Further it appears that area will remain as an industrial focused neighborhood with little appetite or room to infuse residential use into the area. Thus, the Etna Road was removed from the request.

Hatch Amendment. A citizen petitioned amendment from last spring to reshape and rezone the zoning of 24 Labombard Road (51-21) has been included in the package. There is an adjustment of the zoning district boarder on the property and well as a change in the zoning district from IND-L to GC-1 along with the related properties in the LaBombard Road area.

Elks Property. The leadership of the Elks have requested a discussion about rezoning their property at 150 Heater Road from RL-1 and RL-3 to GC-1 to facilitate possible additional development as well as allowing their existing legal non-conforming use to be made conforming.

The Following Parcels are included:

| Address           | Parcel | Proposed Zoning | Current Zoning |
|-------------------|--------|-----------------|----------------|
| 150 Heater Road   | 51-13  | GC-1            | RL-1 and RL-3  |
| 0 LaBombard Road  | 64-34  | GC-1            | IND-L          |
| 174 Heater Road   | 64-23  | GC-1            | IND-L          |
| 13 LaBombard      | 64-22  | GC-1            | IND-L          |
| 25 LaBombard Road | 64-25  | GC-1            | IND-L          |
| 33 LaBombard Road | 51-15  | GC-1            | IND-L          |
| 24 LaBombard Road | 51-12  | GC-1 and RL-3   | IND-L and RL-3 |
| 35 LaBombard Road | 64-21  | GC-1            | IND-L          |

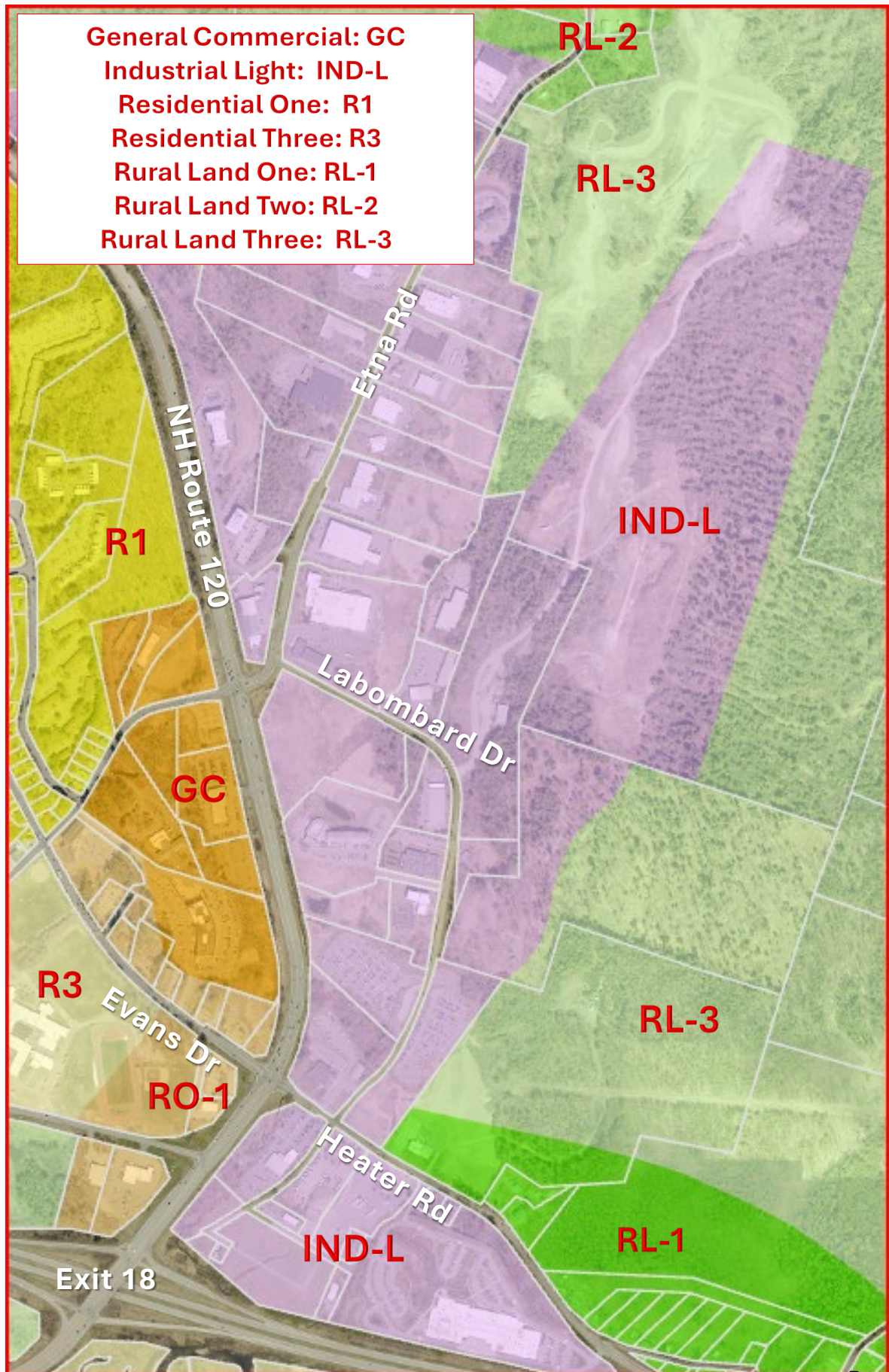
**Amendment 7**  
**Northern Lebanon Map Amendment – LaBombard Road Area**  
From: Zoning Staff and 120 Corridor Study

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|    |                        |       |               |                |
|----|------------------------|-------|---------------|----------------|
| 33 | 39 LaBombard Road      | 51-14 | GC-1          | IND-L          |
| 34 | 32 LaBombard Road      | 51-11 | GC-1          | IND-L          |
| 35 | 41 LaBombard Road      | 51-1  | GC-1          | IND-L          |
| 36 | 40 N LaBombard Road    | 51-10 | GC-1          | IND-L          |
| 37 | 52 N LaBombard Road    | 51-2  | GC-1          | IND-L          |
| 38 | 0 NH Route 120         | 50-29 | GC-1          | IND-L          |
| 39 | 50 N LaBombard Road    | 51-3  | GC-1          | IND-L          |
| 40 | 0 Etna Road            | 26-17 | GG-1 and RL-3 | IND-L and RL-3 |
| 41 | Map Amendment follows: |       |               |                |

# Amendment #7

## Existing Zoning



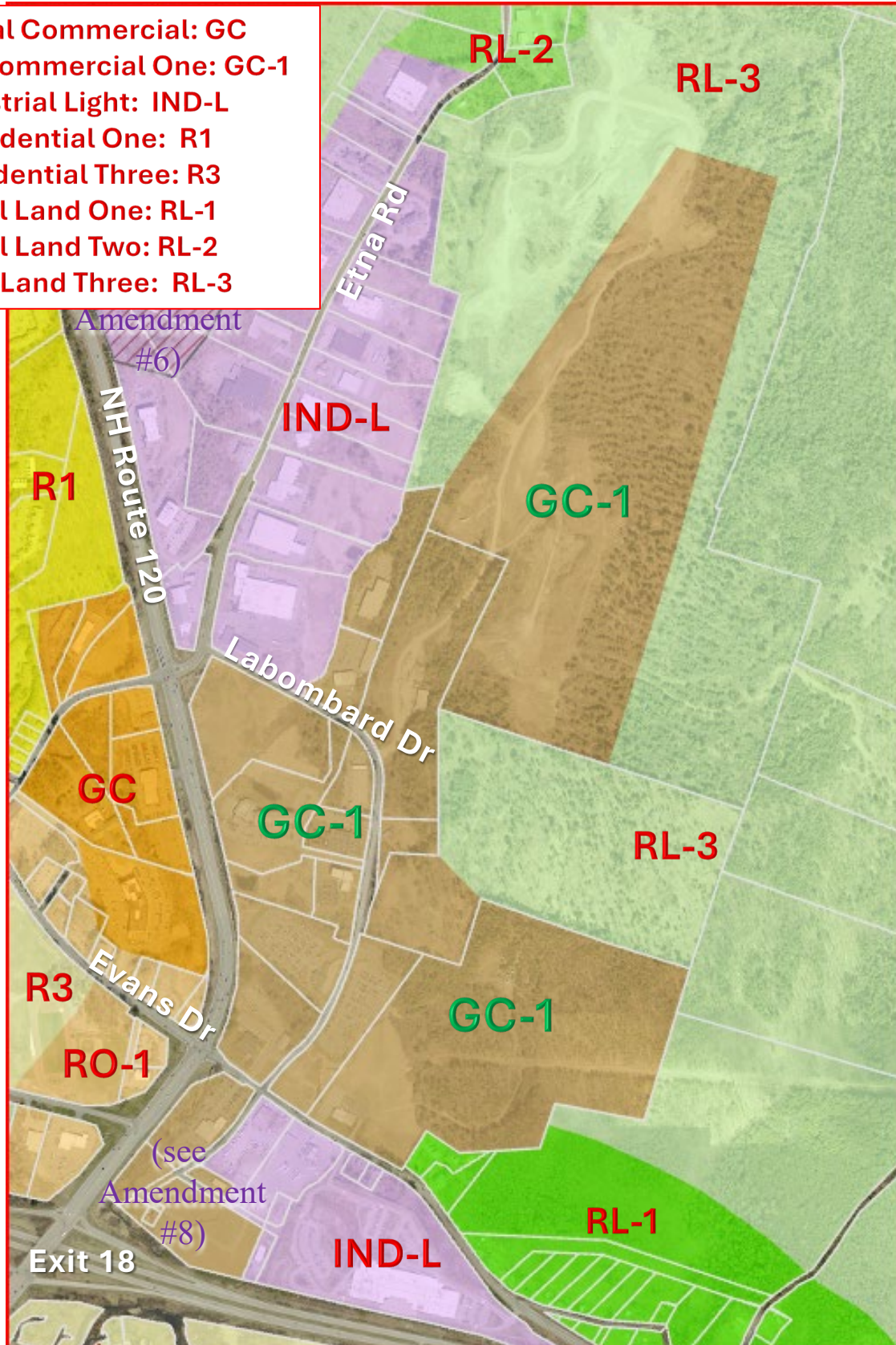


# Amendment #7

## Proposed Zoning

(Fall 2025 Amendment)

General Commercial: GC  
General Commercial One: GC-1  
Industrial Light: IND-L  
Residential One: R1  
Residential Three: R3  
Rural Land One: RL-1  
Rural Land Two: RL-2  
Rural Land Three: RL-3





# Amendment 8

## Northern Lebanon Map Amendment – Heater Road Area

From: Zoning Staff and 120 Corridor Study

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Amendment 8 seeks to Rezone the several properties in the Heater Road area. The area being proposed to be rezoned allows for the existing uses to be retained in the area and the rezoning diversifies the possible redevelopment of several vacant properties. Recently the former residential neighborhood in the area has been demolished and a blank canvas of redevelopment has been put into place. The direction of the possible redevelopment of this neighborhood has not yet been identified. The rezoning will allow a more diverse mixed-use set of uses to be conforming to the zone. Several properties, notably the truck stop and the Hypertherm manufacturing facility remain unchanged.

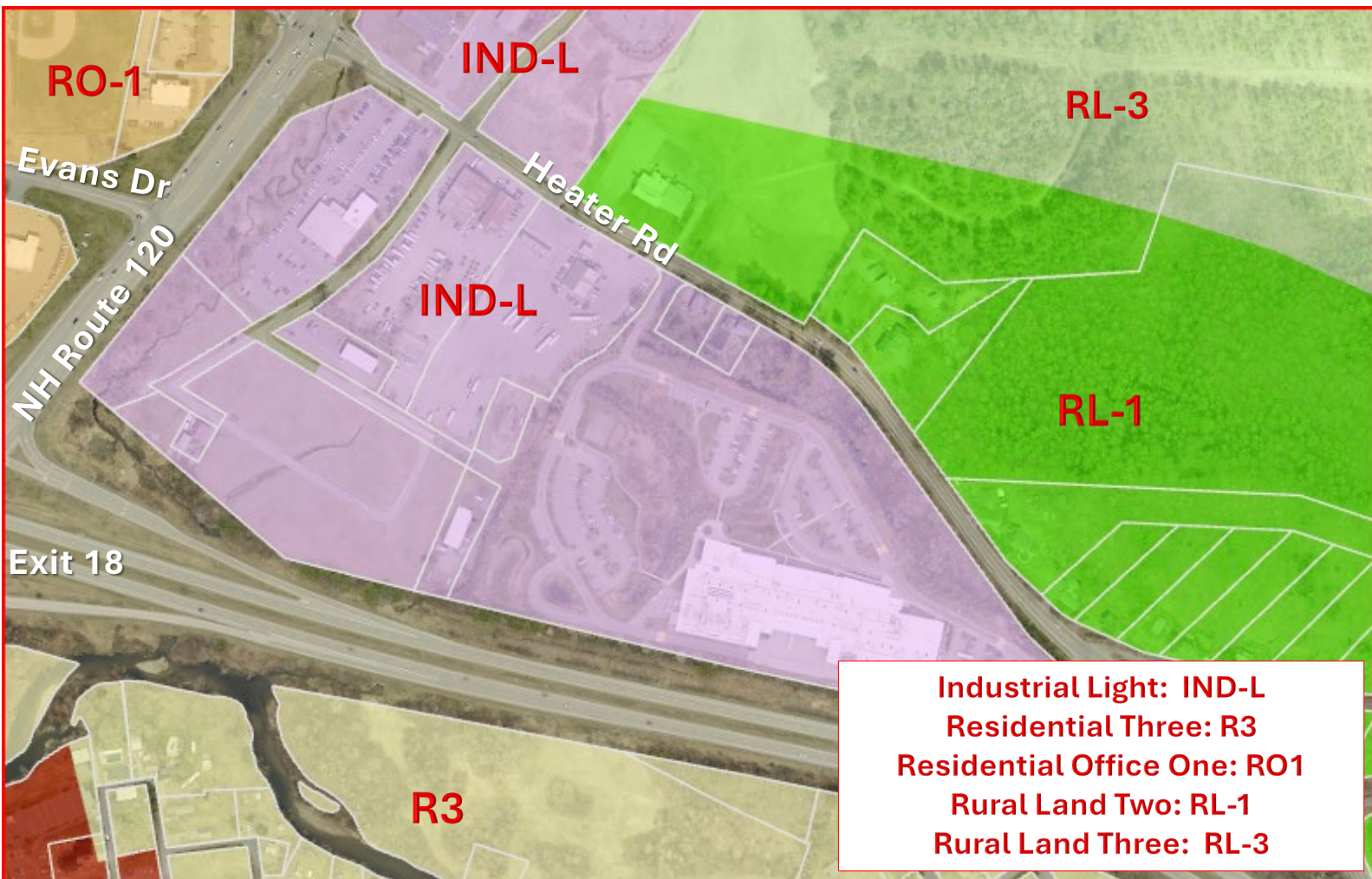
The Following Parcels are included:

| Address               | Parcel | Proposed Zoning | Current Zoning |
|-----------------------|--------|-----------------|----------------|
| 5 Edwards             | 78-55  | GC-1            | IND-L          |
| 30 Little Heater Road | 78-61  | GC-1            | IND-L          |
| 9 Pershing            | 78-48  | GC-1            | IND-L          |
| 175 Heater Road       | 64-30  | GC-1            | IND-L          |

Map Amendment follows:

# Amendment #8

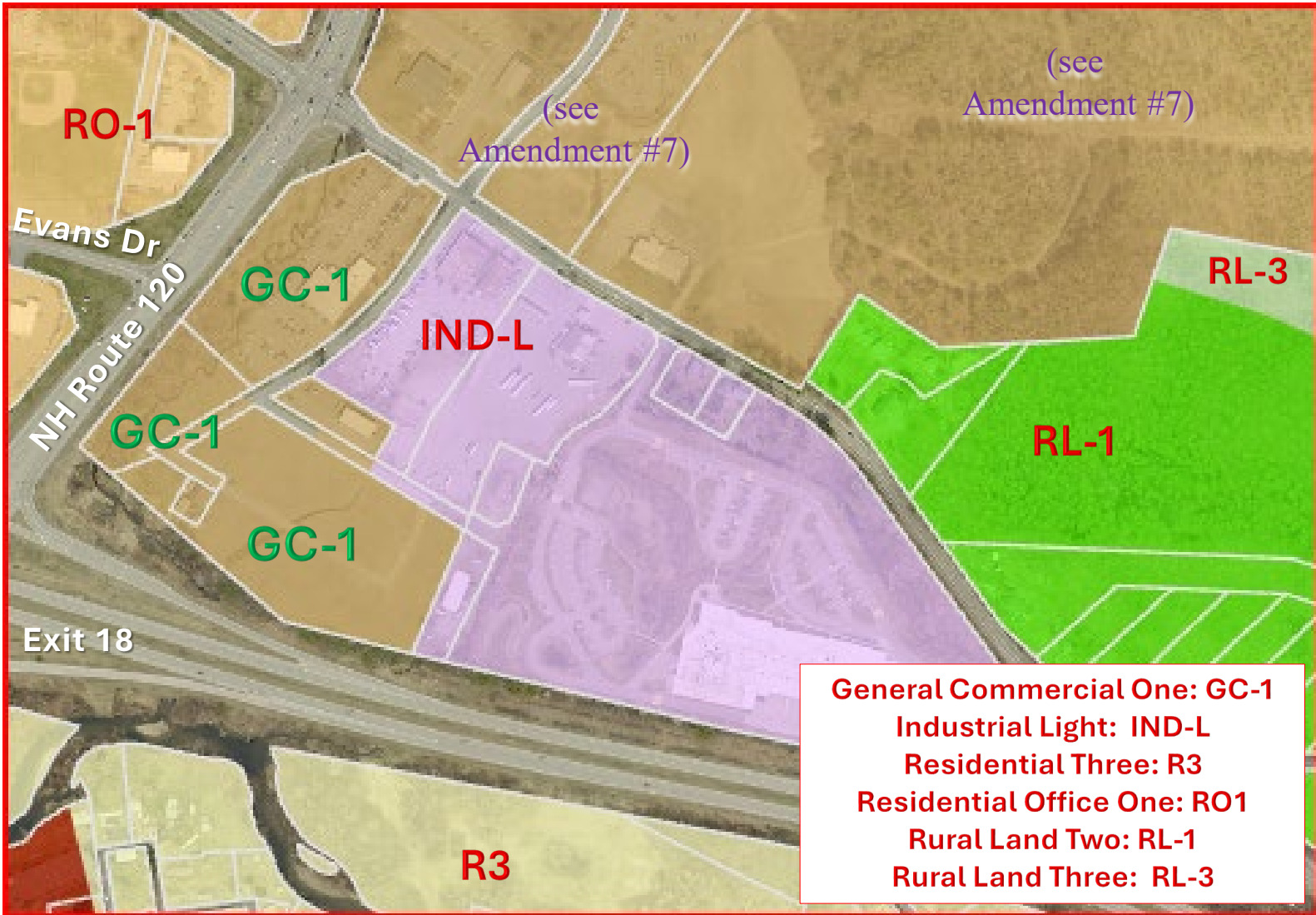
## Existing Zoning



# Amendment #8

## Proposed Zoning

(Fall 2025 Amendment)



# Amendment 9

## Northern Lebanon Wildlife Overlay

From: Zoning Staff and 120 Corridor Study

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The following creates a Wildlife Corridor Overlay that requires the Planning Board as a part of its deliberations on an application within the Overlay to examine the impact of the development on wildlife passage through the corridor. The proposed District is significantly reduced in scope from previous versions and now only examines wildlife movement. Amendment 9 in combination with map Amendment 6 will enhance wildlife, steep slope and environmental protection within the 120 area.

### SECTION 411 Northern Lebanon Wildlife Overlay District

#### 411.1 Purposes.

The purposes of the Northern Lebanon Wildlife Overlay District are to:

- A. Preserve and protect the integrity of the wildlife corridor and crossings that connect otherwise fragmented habitats in the Northern Lebanon ecosystem, as well as preserving and maintaining interconnected wildlife habitats for native flora and fauna more generally. Doing so is vital for enabling wildlife movement, promoting genetic diversity in wildlife populations, and maintaining the biodiversity and ecological health of the region, and furthermore prevents the need for investment in expensive restoration measures in the future.
- B. Preserve, protect, and enhance scenic, scientific, and educational values associated with the wildlife within the district.

#### 411.2 Description of Northern Lebanon Wildlife District.

The Northern Lebanon Wildlife District includes all areas as depicted on the Official Lebanon GIS system map layer.

#### 411.3 Permitted Uses.

Uses permitted on the respective use tables of the underlying zoning district shall be permitted.

#### 411.4 Accessory structures and minor expansions.

An accessory structure or building addition with a footprint up to a cumulative 1000 square feet may be administratively approved pursuant to the site plan regulations.

#### 411.5 Additional Planning Board Approval Criteria.

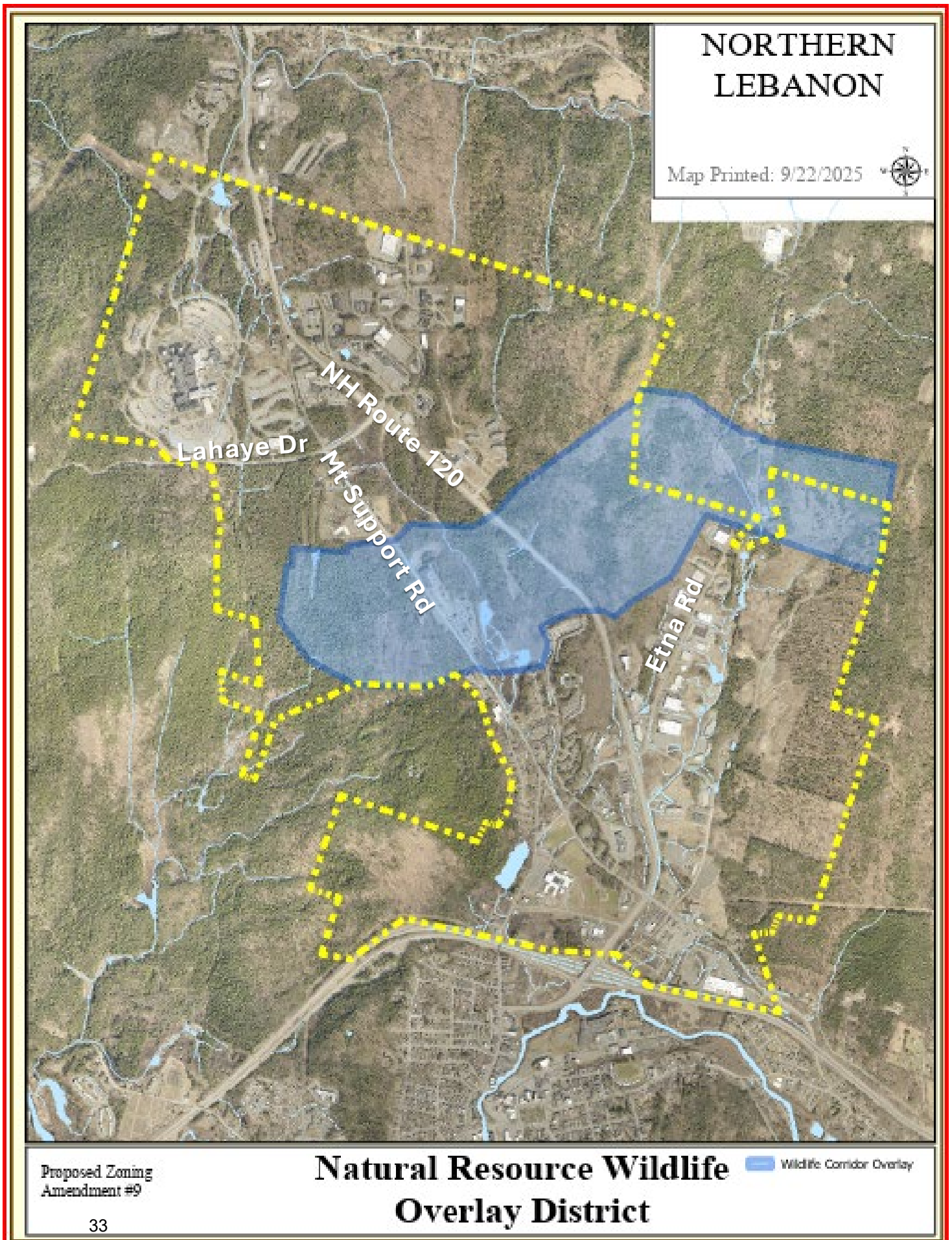
In passing upon any application that requires Planning Board approval, the Planning Board shall make each of the following findings:

- A. The project makes adequate accommodation for the free movement of wildlife through the corridor.
- B. The project does not create an undue hazard or nuisance to the wildlife within the district.
- C. Wildlife crossings and essential wildlife conductivity within the Northern Lebanon Wildlife District are maintained.

Overlay Map Follows:



# Amendment #9



# Amendment 10

## Northern Lebanon Text Amendments

From: Zoning Staff

The following are the corresponding text amendments that go along with the proposed rezoning map amendments for the 120 Corridor. Please note the GC-1 use table is color coded based on what uses go with what map amendment. The purpose of the different uses for each map is to make sure an existing use does not become nonconforming with an approved zoning map amendment.

### SECTION 501 PLANNED UNIT DEVELOPMENT (PUD).

[...]

#### 501.4 Commercial or Industrial Planned Unit Developments.

C. Tract Size: All Commercial or Industrial PUDs shall have a minimum tract size of 10 acres.

| District   | Minimum Tract Size |
|------------|--------------------|
| Industrial | 10 acres           |
| CB         | 10 Acres           |
| GC         | 10 Acres           |
| GC-1       | 10 Acres           |

D. Uses Allowed in a Commercial or Industrial PUD. Any non-residential use permitted or allowed by **special exception** or **conditional use** in the IND-L, CB, GC, or GC-1 Districts is allowed in a Commercial PUD. Such uses allowed by **special exception** or **conditional use** shall be considered permitted uses when included as part of a proposed Commercial PUD and shall not require separate **special exception** or **conditional use** approval.

Any non-residential use permitted or allowed by **special exception** or **conditional use** permit in the IND-L and IND-RA Districts is allowed in an Industrial PUD. Such uses allowed by **special exception** or **conditional use** shall be considered permitted uses when included as part of a proposed Industrial PUD and shall not require separate **special exception** or **conditional use** approval. Additionally, no more than 25 percent of the **gross floor area** in an Industrial PUD may be allocated to **hotels, restaurants, personal services** and retail sales necessary to serve the needs of the other businesses in the PUD (or of their employees).

**Dwelling units** in **one-family, two-family** and **multi-family dwellings** or appropriate mixes thereof may be allowed in Commercial or Industrial PUDs, at the discretion of the Planning Board, provided that the Board determines that such residential uses are compatible within the proposed PUD. For PUDs or portions thereof in the IND-L or IND-RA Districts, the density of residential uses allowed pursuant to this section shall be

determined based on a maximum of 25% of the net land area of the PUD not planned for open space, roads, or utilities and calculated at a density of 13 **dwelling units** per acre. For PUDs or portions thereof located in the GC, GC-1, or CB Districts, the density of residential uses allowed pursuant to this section shall be determined by the Planning Board pursuant to Sections 305.5, 305A.4, and 306.5, respectively. Where allowed, such **dwelling units** may be clustered together and/or distributed within the Commercial or Industrial PUD in **mixed use buildings** at the discretion of the Planning Board.

## SECTION 508 PLANNED BUSINESS PARKS.

[...]

508.2 General Requirement. A **planned business park** is allowed as a Conditional Use in the Light Industrial District, General Commercial One District, Central Business District and the Industrial Rail Access District.

### 508.4 Sectors, Allowed Uses.

- A. The **planned business park** shall be shown on an approved Subdivision Plan and Use Allocation Plan. The Subdivision Plan and Use Allocation Plan approved by the Planning Board shall designate the allocation of the Industrial/ Office, Commercial and Residential Uses within the Park.
- B. No more than 20% of the net land area not planned for open space, roads, or utilities shall be used for the Commercial Sector.
- C. Unless limited by the Planning Board at the time of subdivision approval, the following uses shall be permitted.
  1. The following uses shall be permitted by right for any **planned business park** Industrial/Office Sector: **light industry**; **warehouse**; trucking terminal; publishing/printing; plumbing, electrical or carpentry shop; research laboratory; local government use; **essential service**; outdoor storage per Section 303.4 (less than 20%); **group day care facility** per Section 604; general business offices, research facilities, medical office buildings; **health clubs**, Educational Facility, College/University; Educational Facility, Vocational School; any use allowed in the Central Business (CB) District; and **accessory uses** to a permitted use. Retail showrooms per Sections 303.5 and 303A.5 shall be allowed by **conditional use** permit.
  2. The following uses shall be permitted by right for any **planned business park** Commercial Sector: **retail store(s)** up to a cumulative maximum of 20,000 sq. ft. of **gross floor area**; **personal service**; bank, branch bank; **restaurant**, sandwich shop/deli; refreshment stand; **office**; **motel**; **hotel**; movie theater;

89 **membership club; amusements (indoor);** printing (i.e. retail copy  
90 store); radio or TV studio; **group day care facility** per Section 604;  
91 local government use; ~~and health clubs;~~ any use allowed in the  
92 Central Business (CB) District.  
93

- 94 D. **Dwelling units** in **one-family, two-family** and **multi-family dwellings** or  
95 appropriate mixes thereof at the discretion of the Planning Board, shall be  
96 provided for in all **planned business parks**. The maximum number of  
97 **dwelling units** allowed pursuant to this section shall be based on a  
98 minimum of 15% and a maximum of 25% of the net land area of the park  
99 not planned for open space, roads, or utilities and calculated at a density of  
100 13 **dwelling units** per acre. Such **dwelling units** may be clustered together  
101 and/or distributed within the Park at the discretion of the Planning Board.  
102 For **planned business parks** in the GC-1 and CB District or portions  
103 thereof, the density of residential uses allowed pursuant to this section shall  
104 be determined by the Planning Board pursuant to Sections 305A.4 and  
105 306.5, respectively.  
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305A General Commercial One District  
305A.2 Table of Uses.

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <u>Uses by <b>Conditional Use</b> Permit<br/>(see Section 302.4)</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Residential</u><br>1. <b>Multi-family dwelling</b> (see Section 305A.4)<br><u>Commercial/Non-Residential</u><br>2. <b>Dwelling unit(s)</b> above first floor<br>3. <b>Essential service</b><br>4. <b>Financial institution</b><br>5. <b>Group day care facility</b> per Section 604<br>6. <b>Office</b><br>7. <b>Personal service</b><br>8. <b>Renewable energy system</b> per Section 612<br>9. <b>Bus Terminal</b><br>10. <b>Hotel</b><br>11. <b>Health Club</b><br>12. <b>Local Government Use</b><br>13. <b>Plumbing, electrical or carpentry shop</b><br>14. <b>Publishing or Printing</b><br>15. <b>Truck Stop</b><br>16. <b>Ware house</b><br>17. <b>Equipment &amp; Machinery Sales &amp; Service</b><br>18. <b>Outdoor Storage (less than 70%)</b> | <u>Commercial/Non-Residential</u><br>1. <b>Alternative treatment center</b> per Section 613<br>2. Drycleaning pick-up station<br>3. <b>Educational facility, college/university</b><br>4. <b>Inpatient rehabilitation facility</b><br>5. <b>Light industry</b><br>6. Research laboratory<br>7. <b>Restaurant</b> , sandwich shop<br>8. <b>Retail store</b><br>9. <b>Outdoor storage (more than 70%)</b><br>10. <b>Car Wash</b><br>11. <b>Vehicular Sales</b><br><u>Planned Developments</u><br>1. Commercial PUD per Section 501<br>2. <b>Manufactured Housing PURD</b> per Section 504<br>3. <b>Cottage Development</b><br>4. <b>Industrial PUD</b> per Section 501<br>5. <b>Planned Business Park</b> per Section 508<br><u><b>Special Exception</b></u><br>(see Section 801.3)<br>1. <b>Care and Treatment of Animals</b> |

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Etna Road Uses/Rezoning  
Centerra/Alteria Rezoning

LaBombard Road Rezoning  
Heater Road Rezoning

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306 Central Business District (CBD)  
306.2 Table of Uses.

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <u><b>Special Exception Uses</b></u><br>(see Section 801.3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Residential</u> <ol style="list-style-type: none"> <li>1. <b>Dwelling unit(s)</b> above first floor</li> <li>2. <b>Multi-family dwelling</b> (see Section 306.5)</li> <li>3. <b>Senior housing complex</b></li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li>1. <b>Craftsman's shop</b></li> <li>2. <b>Drive-through facility</b></li> <li>3. <b>Educational facility, college/university</b></li> <li>4. <b>Recovery Houses</b></li> </ol>                                                                                                                                                                                                                                                                                                        |
| <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li>4. <b>Amusements (indoor)</b></li> <li>5. <b>Community center</b></li> <li>6. Drycleaning pick-up station</li> <li>7. <b>Financial institution</b></li> <li>8. <b>Group day care facility</b> per Section 604</li> <li>9. Funeral home</li> <li>10. <b>Health club</b></li> <li>11. <b>Hotel</b></li> <li>12. House of worship</li> <li>13. Laundromat</li> <li>14. Library</li> <li>15. <b>Local government use</b></li> <li>16. <b>Membership club</b></li> <li>17. <b>Motel</b></li> <li>18. Museum</li> <li>19. <b>Office</b></li> <li>20. <b>Personal service</b></li> <li>21. Radio or TV studio</li> <li>22. <b>Renewable energy system</b> per Section 612</li> <li>23. <b>Restaurant</b>, sandwich shop</li> <li>24. <b>Retail store</b></li> <li>25. <b>Social service center</b></li> <li>26. Theater, concert hall, movie theater</li> </ol> | <u>Uses by <b>Conditional Use Permit</b></u><br>(see Section 302.4)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li>1. <b>Essential service</b></li> <li>2. Other uses per Section 306.4</li> <li>3. <b>Parking facility</b></li> <li>4. Publishing/printing</li> <li>5. <b>Recreational facility, indoor</b></li> <li>6. <b>Recreational facility, outdoor</b></li> <li>7. <b>Research Laboratory</b></li> </ol> <u>Planned Developments</u> <ol style="list-style-type: none"> <li>8. Commercial <u>or industrial</u> PUD per Section 501</li> <li>8-9. <u><b>Planning Business Park</b></u></li> </ol> |

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# Amendment 11

## Historic District Design Standards

From: Lebanon Heritage Commission

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1 The purpose of this amendment is to provide more guidance to the Heritage Commission when  
2 making decisions and to the applicant when applying for a Certificate of Approval. The  
3 ordinance provides a framework for the protection of properties and the distinct characteristics  
4 of the historic district to ensure they are preserved.

### 5 6 7 8 SECTION 408 HISTORIC DISTRICT.

#### 9 10 408.1 Authority.

11  
12 This section is enacted pursuant to RSA 674:46. The City of Lebanon Heritage Commission  
13 shall have the authority granted to it by RSA 674:44-a through d, et. seq., and this Ordinance.

#### 14 15 408.2 Purposes.

16  
17 The purpose of this Ordinance is to preserve the ~~heritage-historic~~ and cultural resources of the  
18 City of Lebanon and, particularly, the City's structures and places of historic, architectural and  
19 community value in order to:

- 20  
21 A. Establish and preserve districts in the City which reflect elements of its cultural, social,  
22 economic, political, community, and architectural history;  
23  
24 B. Conserve property values in such districts;  
25  
26 C. Foster civic beauty;  
27  
28 D. Strengthen the local economy; and,  
29  
30 E. Promote the use of historic districts for the education, pleasure, and welfare of the  
31 citizens of the City.

#### 32 33 408.3 Delineation of Historic Districts.

34  
35 The areas and boundaries of the Historic Districts are shown on the Historic District Map of the  
36 City of Lebanon and made a part of this Ordinance and the Official Zoning Map of the City of  
37 Lebanon. The Historic District Map is attached hereto as Appendix C.

#### 38 39 408.4 Certificate of Approval Required.

40  
41 A Certificate of Approval shall be obtained from the Heritage Commission in the manner set  
42 forth herein prior to the commencement of any of the following activities within any Historic  
43 District:

- 44  
45 A. The construction of any new **building**;

# Amendment 11

## Historic District Design Standards

From: Lebanon Heritage Commission

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B. The addition to, alteration, or repair of any existing **building, lot or structure** which would require the issuance of a building permit pursuant to the provisions of the Lebanon Building Code, unless such addition, alteration, or repair does not, in any way, alter the exterior or appearance of such **building, lot or structure**;

C. The following activities, whether or not a building permit is required for such activities:

1. Roofing or re-roofing if it involves a change of design, materials or the roof plane ~~is changed~~;

2. Siding, including new and re-siding, if it involves a change of design or materials;

3. Painting if applied to a previously unpainted surface;

43. Replacement of doors and windows if it involves changes in the material, size, location, or number of openings in the exterior or facade of a building;

54. Replacement or enclosure of porches, decks, and patios if it involves a change in size, location, design, and/or materials;

65. Replacement of exterior stairs, landings, and overhangs if it involves a change in size, location, design, and/or materials;

7. Construction of or alteration to fences, walls, fountains, sculptures, monuments, permanent freestanding lighting, or similar manmade features if it involves a change of location, design or materials;

86. Demolition or moving of a **building** or **accessory building**.

No building permit (when applicable) shall be issued prior to the receipt of a Certificate of Approval for the above-described activities.

### 408.5 Activities Not Requiring Certificates of Approval.

The following activities are exempt from review by the Heritage Commission, and no Certificate of Approval shall be required:

A. Any repairs, alterations, or improvements that do not require a building permit pursuant to the Lebanon Building Code with the exception of the activities described in Section 408.4 herein;

B. Any repairs, alterations, or improvements to the interior of the **building**;



# Amendment 11

## Historic District Design Standards

From: Lebanon Heritage Commission

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- ~~C. The re-roofing of a **building**, provided that the roof plane remains the same;~~  
~~D. Painting or re-painting of the interior or exterior of any **building**; and,~~  
~~E. Landscaping or fencing.~~

### 408.6 Criteria For Review.

In determining whether or not to grant a Certificate of Approval, the Heritage Commission shall keep in mind the purpose set forth in Section 408.2 herein and shall consider, among other appropriate factors, the following:

- A. The historical or architectural value of a **building** and its setting;
- B. In connection with additions, repair or restoration of any existing **building**, the compatibility of the exterior design, arrangement, texture, and materials proposed to be used in relationship to this existing **building**, its setting, and the Historic District as a whole; and,
- C. The size, scale, and design of proposed construction in relationship to the existing surroundings, including consideration of such factors as a **building's** overall height, width, street **frontage**, number of stories, type of roofs, facade openings (windows and doors), and **architectural details**.

When the Heritage Commission determines that it is necessary or advisable in order to preserve or protect historically and/or architecturally significant buildings, the Commission may require preservation and/or accurate reproduction of exterior architectural features. Preservation and/or reproduction measures shall be completed pursuant to the "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" (as of 9/3/2025):

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

# Amendment 11

## Historic District Design Standards

From: Lebanon Heritage Commission

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132 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship  
133 that characterize a historic property shall be preserved.

134 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity  
135 of deterioration requires replacement of a distinctive feature, the new feature shall match  
136 the old in design, color, texture, and other visual qualities and, where possible, materials.  
137 Replacement of missing features shall be substantiated by documentary, physical, or  
138 pictorial evidence.

139 7. Chemical or physical treatments, such as sandblasting, that cause damage to historic  
140 materials shall not be used. The surface cleaning of structures, if appropriate, shall be  
141 undertaken using the gentlest means possible.

142 8. Significant archeological resources affected by a project shall be protected and  
143 preserved. If such resources must be disturbed, mitigation measures shall be  
144 undertaken.

145 9. New additions, exterior alterations, or related new construction shall not destroy historic  
146 materials that characterize the property. The new work shall be differentiated from the  
147 old and shall be compatible with the massing, size, scale, and architectural features to  
148 protect the historic integrity of the property and its environment.

149 10. New additions and adjacent or related new construction shall be undertaken in such a  
150 manner that if removed in the future, the essential form and integrity of the historic  
151 property and its environment would be unimpaired.

152  
153 Applications for Certificates of Approval may be denied if such denial is required to prevent  
154 construction or development which would conflict with the stated purposes of Section 408.2  
155 herein.

### 156 408.7 Application Procedures.

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158  
159 The following procedures and any rules of procedure duly adopted by the Heritage Commission  
160 shall be followed in processing applications for Certificates of Approval:  
161

162 A. Written application for Certificates of Approval shall be made no later than 12:00 noon  
163 of the 15th calendar day prior to a regularly scheduled meeting of the Heritage  
164 Commission (to include the meeting date of the Commission) on forms provided by the  
165 Zoning Administrator, and the applicant shall pay an application fee as adopted by the  
166 City Council. The application may be filed simultaneously with any other application or  
167 request for City land use permits, and the issuance of a Certificate of Approval shall not  
168 be a precondition to the issuance of any other City land use permit with the exception of  
169 a building permit, when applicable.

Amendment 11  
Historic District Design Standards  
From: Lebanon Heritage Commission

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B. There shall be a public hearing on all applications for Certificates of Approval. The applicant and all **abutters** shall receive a notice of the public hearing by certified mail, and a public notice of the hearing shall be posted in at least two public places and shall be published in a newspaper of general circulation in the City of Lebanon. Said notice shall be given not less than five days, nor more than 30 days, before the date of the hearing.

C. At its meeting, the Commission shall review the application for completeness as specified in Section 408.8 herein. If the application is determined to be complete, then the Commission shall vote to accept the application and commence with the public hearing. If the application is not complete, then consideration of the application shall be suspended until it is complete.

D. The Commission shall review the application using the criteria set forth in Section 408.6 herein, and then shall act to approve, approve with conditions, or disapprove the application. In reviewing the application, the Commission may request reports and recommendations regarding the feasibility of the applicant's proposal from the Planning Board, Fire Chief, Building Inspector, Health Officer, and other administrative officials who may possess information concerning the impact of the proposal on the Historic District. The Commission may also seek advice from professional, educational, cultural, or other groups or persons as may be deemed necessary for the determination of a reasonable decision.

E. Within 45 calendar days from the filing of the application, unless the applicant agrees, in writing, to a longer review period, the Commission shall notify the applicant, in writing, of its action by means of the Certificate of Approval or Notice of Disapproval sent by certified mail. In case of disapproval, the Commission shall clearly set forth in a Notice of Disapproval the reasons for its action, with specific reference to standards contained in this Section.

F. Simultaneously with notifying the applicant, the Commission shall file a copy of the Certificate of Approval with the Zoning Administrator and the Building Inspector. The Building Inspector shall not issue a building permit for any activity in an Historic District requiring a Certificate of Approval until receipt of said Certificate. In the case of a disapproval, the Notice of Disapproval shall be binding on the Building Inspector or other duly delegated authority and no permit shall be issued.

G. Failure of the Commission to file said Certificate within the specified period of time shall constitute approval by the Commission.

408.8 Submittal Requirements.

# Amendment 11

## Historic District Design Standards

From: Lebanon Heritage Commission

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All applications for a Certificate of Approval shall contain a written description of the work or activity for which approval is requested, together with plan and elevation drawings to scale and, where appropriate, photographs which, together, shall be sufficient to reasonably inform the Heritage Commission as to the type or nature of the activity applied for, the location of the activity, and the effect or impact on the exterior of the building(s) involved.

### 408.9 Removal or Demolition of Buildings.

No **building** shall be demolished or moved off its **lot** within any Historic District until, [following receipt of a Certificate of Approval](#), at least one publication of notice of such demolition or removal has been published by the owner in a newspaper of general circulation in the area in which the **building** and **lot** are located, such notice to be published not less than 30 days prior to the date of such demolition or removal.

The purpose of this provision is to further the purposes of Section 408.2 and to afford a person or organization the opportunity to acquire, or to arrange for the preservation of, such **building**.

Notwithstanding the above, upon application to the City Building Inspector, any **building** substantially damaged as a result of fire or other disaster or constituting a public safety hazard shall be exempt from the provisions of this section.

### 408.10 Appeal.

Any person aggrieved by a decision of the Heritage Commission shall have the right to appeal said decision to the Zoning Board of Adjustment as provided by RSA 677:17. Such appeals shall be filed with the Zoning Board of Adjustment within 20 days of the filing of the Certificate of Approval or Notice of Disapproval with the Building Inspector.

### 408.11 Enforcement.

The provisions of this Section 408 shall be enforced as provided by State law and pursuant to Section 903 of this Ordinance.



# Amendment 12

## Mobile Food

From: Food Truck Task Force and Staff

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The purpose of this amendments is to create a new section of the zoning ordinance that lays out the rules and regulations for Mobile Food Service Vending in Lebanon. This proposed amendment is the result of the work from the Lebanon Food Truck Task Force.

### Mobile Food Service Vending

#### DEFINITIONS (APPENDIX A)

**MOBILE FOOD SERVICE VENDING** – The preparation and/or dispensation of food or beverages by a **mobile food service vendor** from a **mobile food service unit** for immediate service and/or consumption.

**MOBILE FOOD SERVICE VENDOR(s)** - Any person, including an employee or agent of another, who prepares and/or dispenses food or beverages from a **mobile food service unit** for immediate service and/or consumption.

**MOBILE FOOD SERVICE UNIT** – Any vehicle that is (a) self-propelled or that can be pulled or pushed down a street or sidewalk and (b) utilized by a **mobile food service vendor** for the purpose of preparing and/or dispensing food or beverages for immediate service and/or consumption.

**STAND VENDING** – The sale of food, beverages, goods, or merchandise from a **stand**.

**STAND** - Any newsstand, table, bench, booth, rack, handcart, pushcart, or any other fixture or device which is not required to be licensed and registered by the NH Department of Motor Vehicles, used for the display, storage, or transportation of articles offered for sale by a **stand vendor**.

**STAND VENDOR(s)** - Any person, including an employee or agent of another, who sells or offers to sell food, beverages, goods, or merchandise from a **stand** with a vendor license issued by the City.

**VENDOR(s)** - Any person who is a **mobile food service vendor** or **stand vendor**.

#### PERMITTED ZONING DISTRICTS (Article III)

CB

LD

GC

GC-1

IND-L

MC

MC-2

# Amendment 12

## Mobile Food

From: Food Truck Task Force and Staff

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### STANDARDS FOR USE (Article VI)

#### SECTION 614 MOBILE FOOD SERVICE

- A. The purpose of this section is to provide opportunities for **mobile food service vending** and **stand vending** within certain non-residential areas in the City.
- B. **Mobile food service vending** and **stand vending** shall be a permitted use in the Central Business, Lebanon Downtown, General Commercial, General Commercial-One, Light Industrial, Medical Center and Medical Center - 2 Zoning Districts provided the following standards are met:
- C. Prior to beginning operations, property owner(s) must obtain a Zoning Permit which shall be valid for one (1) year. An application for a Zoning Permit shall include the following:
1. A site drawing of the property identifying existing and proposed conditions.
  2. The location of the **mobile food service vendors** and **stand vendors**, utility connections, and compliance with setback requirements.
  3. The location of any seating, tables garbage receptacles or similar customer amenities.
  4. A safety plan for each **mobile food service vendor** and **stand vendor**. The plan shall include the location of barriers, caution cones, or similar safety items that are to be deployed to ensure that patrons can safely interact with the **mobile food service unit** or **stand vendor**. Safety measures shall be scaled to protect patrons based upon traffic conditions.
  5. A site parking calculation showing the total number of parking spaces on the site, the number and location of parking spaces assigned to each of the **mobile food service vendors** and **stand vendors** upon the lot.
  6. Hours of operation, and days of the week and months of operation. Operation of a **mobile food service vendor** and **stand vendor** is limited to the hours between 7:00 AM and 9:00 PM daily.
  7. The location of **sandwich boards signs** if applicable.
  8. Written permission of the landowner consenting to the proposed operation.
  9. Identify a plan for the disposal of wastewater and garbage.
  10. The landowner may reapply for a Zoning Permit on an annual basis.
- D. **Mobile food service vendors** and **stand vendors** shall not:
1. Be located within 25 feet of a handicap accessible parking space, fire hydrant, fire escape, bus stop, loading zone, driveway entrance or a **residential district**.
  2. Be located in a manner that creates hazardous travel conditions or impedes the operations of police, fire, or emergency services, or the flow of automobile traffic or pedestrian traffic.

# Amendment 12

## Mobile Food

From: Food Truck Task Force and Staff

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3. Block access to or occupy any portion of any handicap accessible parking space or access ramp.
  4. Utilize an open fire without permission of the property owner and a permit from the Lebanon Fire Department.
  5. Shout, make an outcry, blow a horn, ring a bell, or use any other sound device for the purpose of attracting attention to any goods which the **vendor** proposes to sell.
  6. Inappropriately dispose of wastewater and garbage including but not limited to dumping in open stormwater drains.
- E. Utilities for **mobile food service units** and **stands** shall be self-contained and shall not connect to City sewer and water nor dispose of waste in storm sewers. External portable generators or other noise emitting equipment shall not be operated prior to 9:00 AM on weekdays and Saturdays nor prior to 12:00 noon on Sundays and must not operate after 9:00 PM daily.
- F. The maximum number of **mobile food service units** and **stands** allowed on any one **lot** shall be determined by the lot size and the amount of available space on the **lot**.
1. For **lots** that require more than 40 parking spaces per Section 607, **mobile food service unit(s)** and/or **stand(s)** may be located in parking areas. No more than 10 percent (10%) of parking spaces may be utilized to locate **mobile food service units** and **stands**. A minimum of 4 parking spaces and a maximum of 6 parking spaces per vendor shall be provided.
  2. For lots with fewer than 40 parking spaces per Section 607, one **mobile food service unit and / or stand** is permitted. A minimum of 4 parking spaces must be available to accommodate the use.
  3. On lots with fewer than 40 parking spaces, one **mobile food service units and stand** and shall provide a minimum of 2 off street parking spaces for patrons.
- G. Notwithstanding the provisions of Section 608.6 (Temporary Signs), **mobile food service units** and **stands** are limited to the placement of no more than 2 **sandwich board signs** for each **mobile food service unit and stand** when the operation is open. Feather flags, balloons, inflatables, pennants, ribbons, streamers, and spinners or other similar devices which may move or swing as a result of wind pressure are prohibited.
- H. Utilization of a public right of way or public property for operation of a **mobile food service unit** or **stand** is permitted pursuant to *Chapter 179 Vendors* of the City Code. The City of Lebanon Recreation, Arts and Parks Department in conjunction with the City Manager's Office may permit **mobile food service units** and **stands** within the confines of a city park or city recreation facility irrespective of the underlying Zoning District.

# Amendment 13

## EV Charging

From: Lebanon Energy Advisory Committee (LEAC)

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1 These amendments incorporate knowledge gained since the Zoning Ordinance requirements for  
2 EV charging at new developments were adopted in 2023. The amendments will significantly  
3 reduce costs for developers and lower demand on the electrical grid while expanding residents'  
4 access to EV charging.

### 5 6 7 **EV Regulations**

### 8 9 **APPENDIX A**

### 10 11 **Draft amendments to Zoning Ordinance (with proposed changes in red)**

12  
13 From Zoning Ordinance pages 183-184:

14  
15 607.8 Electric Vehicles.

16  
17 A. Purpose. The purpose of this section is to facilitate the transition to **electric vehicle** use and  
18 to expedite the establishment of convenient, cost-effective **electric vehicle infrastructure** that  
19 such a transition necessitates.

20  
21 B. Applicability. **EV charging stations** are allowed as an **accessory use** in all zoning districts.  
22 When the retail charging of **electric vehicles** is proposed to be the principal use of a **lot**, then  
23 the proposed **EV charging station** shall be considered a **service station** for zoning purposes.

24  
25 C. EV Infrastructure Requirements / Off-Street EV Parking Requirements. **EVSE-installed**  
26 **spaces, EVSE-ready spaces, and EVSE-capable spaces** shall be provided as follows:

- 27
- 28 1. One- and Two-Family Dwellings. All new **one-** and **two-family dwellings** shall  
29 provide at least one (1) **EVSE-Ready Low-power Level 2 charging** space per  
30 **dwelling unit**.  
31
  - 32 2. All new dwellings with up to three units, including Accessory Dwelling Units (ADUs),  
33 shall provide at least one (1) **EVSE-Ready Low-power Level 2 charging** space per  
34 **dwelling unit**.  
35
  - 36 3. Multi-Family Dwellings (four or more units; **adding units to existing multi-family**  
37 **housing triggers the requirements for the new units only**). Parking for new **multi-family**  
38 **dwellings** shall include:  
39 a. For each residential unit with parking, **at least one EVSE-Ready Low-power**  
40 **Level 2 charging space per unit** for 50% of total units with parking.  
41 b. **EV-Capable Low-power Level 2 spaces** for a minimum of the remaining  
42 **50% of residential units with parking and 25% of the remaining off-street parking**.  
43
  - 44 4. Non-Residential Uses. Parking for uses requiring **the provision of 10 or more new or**  
45 **additional off-street parking spaces** shall include:



# Amendment 13

## EV Charging

From: Lebanon Energy Advisory Committee (LEAC)

a. **EVSE-Installed Level 2 spaces** for a minimum of 2% of new or additional off-street parking spaces, with a minimum of two **EVSE-Installed spaces**.

b. **EVSE-Ready or EVSE-Capable Level 2 spaces** for a minimum of 2% of new additional off-street parking spaces.

c. For parking spaces dedicated for employee use, these requirements may be replaced by a minimum of one EVSE-Ready Low-power Level 2 charging space per employee for at least half of employees in the largest shift who drive to work and who are offered parking

d. For existing (not "greenfield") non-residential developments, these requirements for EV charging may be replaced by a contribution to a common fund managed by the City of Lebanon for installing public EV charging stations at a separate site, with the contribution amount to be determined by the City.

5. Where the calculations above result in a fractional parking space, it shall round up to the next whole number.

6. Where the number of **EVSE-Installed spaces** provided exceeds the minimum required, the excess spaces shall be deducted from the total number of required **EVSE-Ready spaces** of a similar level (Low-power Level 2, or Level 2).

7. Where the number of **EVSE-Ready spaces** provided exceeds the minimum required, the excess **EVSE-Ready spaces** shall be deducted from the total number of required **EVSE-Capable spaces** of a similar level (Low-power Level 2, or Level 2).

8. Up to five **Level 2 EVSE-Installed spaces** may be substituted with one (1) **Level 3 EV-Installed space** (minimum 150 kW).

9. **EVSE-Installed spaces, EVSE-Ready spaces, and EVSE-Capable spaces** are to be included in the calculation for both the number of minimum required and maximum permitted off-street parking spaces.

a. Every two (2) **EVSE-Installed spaces** provided in addition to the required minimum may be counted as four (4) **off-street parking spaces** as relates to Section 607.1 (Minimum Off-Street Parking Requirements), for reduction of total required parking not greater than 10 percent of the total amount of required parking.

10. In each instance where EVSE Capable is required, EVSE Ready or EVSE Installed may substitute. In each instance where EVSE Ready is required, EVSE Installed may substitute.

Pages 183-184 and 187:

### Appendix A – Definitions

**ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) / EV CHARGING STATION (EVCS):** The apparatus installed specifically for the purpose of transferring energy between the site or building wiring and the Electric Vehicle. EVSE does not include any equipment affixed to the electric vehicle.

# Amendment 13

## EV Charging

From: Lebanon Energy Advisory Committee (LEAC)

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**ELECTRIC VEHICLE INFRASTRUCTURE:** Structures, machinery, and equipment necessary and integral to support an *electric vehicle*, including *EV charging stations* and electrical outlets.

**ELECTRIC VEHICLE (EV):** An automotive-type vehicle for on-road use primarily powered by an electric motor, including any battery electric vehicle, ~~fuel-cell electric vehicle~~, or plug-in hybrid electric vehicle, that draws current from an onboard battery charged through a building or site electrical service, *EVSE*, or other source of electric current.

**EVSE-CAPABLE SPACE:** An *off-street parking space* with electrical panel capacity and space for a branch circuit dedicated to the parking space that is not less than ~~20-ampere and 110/120-volt panel capacity for Level 1 charging, or 20-ampere and 208/240-volt for Low-Power Level 2 charging, or 40-ampere and 208/240-volt for Level 2 charging~~, and is equipped with raceways, both underground and surface mounted, to enable the future installation of *EVSE*. For two adjacent EV-capable spaces, a single branch circuit is permitted.

**EVSE-READY SPACE:** An off-street parking space provided with a full dedicated branch circuit that includes not less than ~~20-ampere and 110/120-volt panel capacity for Level 1 charging, or 20-ampere and 208/240-volt panel capacity for Low-Power Level 2 charging, or 40-ampere and 208/240-volt panel capacity for Level 2 charging plus~~ conduit, wiring, receptacle, and overprotection devices terminating in an outlet ~~or receptacle or junction box~~ that will support an installed EVSE ~~or support attachment of a charge cord for the vehicle~~ and which is located in close proximity to the location of the parking space. For two adjacent EV-Ready spaces, a single branch circuit is permitted. These spaces are “ready to go” ~~as outlets for users who bring their own charging cords or~~ with the addition of an installed EV charging station (*EVCS*).

**EVSE-INSTALLED SPACE:** An *off-street parking space* with a dedicated branch circuit and *EVSE*. ~~at minimum.~~

**LEVEL 1** (which is not mandated but is included here for informational purposes): Charging level for *EVs* that operates on a dedicated 20-amp breaker (same kind used for conventional electrical outlets in most buildings) on a 110- or 120-volt AC circuit while drawing 1.9-3.2 kW to supply approximately 2-5 miles of range gained per hour of charging.

**LOW-POWER LEVEL 2:** Charging level for *EVs* that operates on a dedicated 20-amp breaker on a 208- or 240-volt AC circuit while drawing 3.3-6.1 kW to supply approximately 15+ miles of range gained per hour of charging.

**LEVEL 2:** Charging level for *EVs* that operates on a dedicated 40- to 100-amp breaker (same kind used by a clothes dryer or stove) on a 208- or 240-volt AC circuit while drawing 6.2+ kW to supply 19+ miles of range gained per hour of charging.

**LEVEL 3:** Fast or rapid charging level for *EVs* that operates on a 60-amp or higher breaker on a 480-volt AC electric circuit or higher ~~three-phase~~ circuit with special grounding equipment and mounting on an equipment pad.

# Amendment 14

## Signs

From: Zoning Staff

The purpose of this amendment is to update the sign ordinance to mitigate issues and concerns planning staff has experienced firsthand. The goals are to make this ordinance clearer to understand for the sign permit applicant and easier for planning staff to enforce. One new element to the ordinance is the regulation of window signs. A new sign fee is added to the Zoning Ordinance. City Council will need to add the fee to Chapter 68.

### SECTION 608 SIGNS.

#### 608.1 Purpose and Intent.

The purpose of this Section is to create the legal framework for a comprehensive and balanced system of **signs** in order to:

- further the goals of the Lebanon Master Plan;
- preserve the right of free speech and expression;
- provide easy and pleasant communication between people and their environment;
- avoid excessive levels of visual clutter or distraction that are potentially harmful to property values, business opportunities, and community appearance;
- assure that public benefits derived from expenditures of public funds for the improvement and beautification of streets, and other public structures and spaces, are protected by exercising reasonable controls over the character and design of **sign** structures;
- help to allow the free flow of traffic and protect pedestrians, bicyclists, and motorists from injury and property damage caused by, or which may be fully or partially attributable to cluttered, distracting, or illegible signage; and
- promote the use of **signs** which are aesthetically pleasing, of appropriate scale, and integrated with surrounding **buildings** and landscape, in order to meet the community's expressed desire for quality development.

With these purposes in mind, it is the intent of this Section to authorize the use of **signs** that are:

- compatible with their surroundings;
- appropriate to the activity that displays them;
- expressive of the identity of individual activities and the community as a whole;
- legible in the circumstances in which they are seen;
- unlikely to distract drivers to a dangerous degree; and
- able to preserve the right of free speech and expression.

#### 608.2 General Provisions.

A. Signs Prohibited. **Signs** are prohibited in all zoning districts unless the **sign** is:

1. Constructed pursuant to a valid ~~building~~ **Sign Permit** when required under

# Amendment 14

## Signs

From: Zoning Staff

this Section; and

2. Authorized under this Section or the City of Lebanon Code Ch. 152, Article IV and in compliance with all applicable regulations of this Section.

B. Building Sign Permit Required. A building **Sign** permit from the Planning Department is required prior to the display and erection of any **sign**, except as provided in Section 608.7 ("Signs Allowed Without a Building Sign Permit"). Every building **Sign Permit** application shall include:

1. A photograph of any existing **signs** to be replaced **refaced**, and the **sign area** and dimensions of each **sign** to be replaced **refaced**.
2. A drawing to scale of each proposed **sign**. Each rendering shall identify:
  - a. the total **sign area** in square feet;
  - b. the dimensions of the **sign** in feet and inches;
  - c. the height of the **sign**;
  - d. the proposed location of the **sign** on the **building**, if applicable;
  - e. construction materials; and
  - f. landscaping specifications, if applicable.
3. A scaled plot plan of the **lot** depicting the proposed location of any **freestanding sign** and any associated landscaping.
4. Specifications for the construction or display of the **sign** and for its illumination and mechanical movement, if any.
5. Where **internal illumination** is proposed, documentation necessary to demonstrate compliance with Section 608.4.A.6 ("Illumination").
6. All applicable dimensions, measurements, and sign area calculations required to support the approval of the sign permit requested.

C. Enforcement. Any **sign** displayed or erected which is not authorized by this Section and/or is not in compliance with all applicable regulations set forth herein shall be removed, and shall be subject to all available enforcement options pursuant to NH RSA Chapter 676.

In the course of investigating a brightness of luminance complaint, the Planning and Development Department may request a certification of the brightness of luminance by an independent contractor. If the investigation and certification indicate that the sign exceeds any applicable brightness or luminance levels specified in Section 608, the owner of the sign shall turn off the sign within twenty-four (24) hours of a request to do so by the City, and the sign shall remain off until the brightness or luminance of the sign is brought into compliance.



# Amendment 14

## Signs

From: Zoning Staff

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- D. Clear Vision & Movement. No **sign** may obstruct visibility or movement of vehicles or pedestrians, or otherwise cause any hazard to any person or property. ~~and a~~ All **signs** are subject to the requirements of Article II, Section 206, "Sight Distance at Street Intersections" ~~except when the following conditions are met an administrative approval by the Zoning Official may be made:~~
1. A freestanding sign or portion thereof to be placed in a commercial or industrial district is not within ten feet of a street, sidewalk, crosswalk, driveway, driveway exit stop line, bus stop, or other similar improvement and
  2. Clear sightlines are demonstrated by a sightline drawing, and
  3. No sign or portion thereof is within the public right of way.
- E. Maintenance. All **signs** shall be maintained in good condition and repair at all times. Such maintenance shall not require a building permit unless the repairs include electrical work.
- F. Sign Setback. The requirements of ARTICLE II, "General Provisions," shall not prohibit the location of a **sign** in a **front**, **side** or **rear yard**, nor shall those minimum setbacks apply to **signs**.
- G. No Discrimination Against Non-Commercial Signs or Speech. The owner of any **sign** which is otherwise allowed under this Section and which has obtained a building permit may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary. This provision does not create a right to increase the total amount of **sign area** permitted on a **lot**.
- H. Outdoor Recreational Facilities. **Outdoor recreational facilities** are exempt from this Section except that:
1. any **sign** erected on the **lot** of an **outdoor recreation facility** shall be subject to the prohibition of **non-static signs** set forth in Section 608.3.D, the requirements of Section 608.2.D ("Clear Vision & Movement"), and the requirements of Section 608.2.E ("Maintenance");
  2. all **signs** shall be principally oriented towards the playing field or seating areas, except that one (1) sign having a **sign area** of no greater than thirty (30) square feet may be permitted without such restriction; and
  3. one (1) **digital sign** is allowed per **outdoor recreation facility** provided that the **digital sign** is principally oriented towards the playfield or seating

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## Signs

From: Zoning Staff

area, and provided that a building permit is obtained in accordance with Section 608.2.B ("Building Permit Required"). Such **sign** shall be illuminated only during an activity or event taking place on the field, and shall have no greater than 102 square feet of **sign area** and, if **freestanding**, a height of no greater than twelve (12) feet.

### 608.3 Prohibited Signs.

The following are prohibited:

- A. **Off-premise signs**, except as may be permitted per Sections 608.6.A.1 and 2. A **sign advertising** an on-site use that has ceased operation or vacated the **lot** shall be considered an **off-premise sign** after a period of 180 consecutive days following the discontinuance of the use and shall be removed as required by Section 608.8.C.3.
- B. **Signs** located within **public streets**, or **rights of way** except as set forth in Section 608.4.A.5.b (projecting signs in the CB and LD Districts) and Section 608.6.A.5 (**sandwich board sign** regulations) and as may otherwise be allowed pursuant to Chapter 152 ("Streets and Sidewalks") of the Code of the City of Lebanon.
- B. **Illumination of signs** except as may be permitted by and in accordance with Section 608.4.A.6 ("Illumination").
- C. **Non-static signs**, except **digital signs** as may be permitted according to Section 608.2.H.3 and Section 608.4.A.7 ("Freestanding Digital Signs").
- D. **Portable signs**, except **temporary signs** as may permitted by Section 608.6 ("Temporary Signs").
- E. Feather flags, balloons, inflatables, pennants, ribbons, streamers, and spinners or other similar devices which may move or swing as a result of wind pressure, whether part of a **sign** or not, except as may be permitted by Section 608.6 ("Temporary Signs").
- F. **Signs** of a size, location, movement, coloring, or manner of illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street **sign** or signal.
- G. **Roof signs.**
- H. Laser displays.

### 608.4 Non-Residential Uses.

# Amendment 14

## Signs

From: Zoning Staff

A. Non-Residential Uses in Commercial and Industrial Districts. Signage for non-residential uses in the **commercial** and **industrial districts** shall be subject to the following requirements:

1. Maximum Permitted Sign Area.

a. Sign Area for a single occupant Principal Building. The maximum **sign area** permitted for a **principal building** is the greater of either:

i. the product of the following formula: [linear width, or **frontage**, of the **principal facade** in feet] multiplied by 0.8 = [x] square feet; or

ii. the product of the following formula: [total area of the **principal facade**] multiplied by .05 = [x] square feet.

There is no limit on the number of individual **signs** that may be affixed or attached to a **principal building** provided that the total **sign area** of all such **signs** combined does not exceed the maximum permitted **sign area** determined pursuant to the above formulas.

b. Sign Area for Freestanding Signs. **Sign area** for **freestanding signs** shall be determined pursuant to Section 608.4.A.4 and shall be allowed in addition to the maximum permitted **sign area** for a **principal building** determined pursuant to Section 608.4.A.1.a.

c. Sign Area for Lots Having No Buildings. A **lot** without **buildings** may display up to 15 square feet of **sign area**.

d. Strip Plazas and Multi-Tenant Buildings. For purposes of calculating maximum permitted **sign area per tenant** pursuant to Section 608.4.A.1.a, a **façade** of a **strip plaza** that faces interior to the **lot** may be considered the **principal facade** in place of any other **principal facade**. Each Tenant is allowed to have a maximum amount of signage pursuant to the product of the following formula:

i. [linear width, or frontage, of the portion of the principal facade occupied by the tenant in feet] multiplied by 0.8 = [x] square feet; or

ii. [total area of the principal facade occupied by the tenant] multiplied by .05 = [x] square feet.

~~e. Multi-Tenant Buildings. The maximum **sign area** permitted for a **multi-tenant building** in existence as of January 20, 2021 is the greater of either:~~

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## Signs

From: Zoning Staff

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- i. ~~the total **sign area** allowed pursuant to Section 608.4.A.1.a; or~~
- ii. ~~the total **sign area** of all existing legal **signs** on the **building** as of January 20, 2021. For any vacant tenant spaces as of January 20, 2021, the **sign area** utilized by the immediate prior tenant may be included in the calculation of permitted **sign area** under this subsection.~~
- f. Multiple Principal Facades. Where a **building** has multiple **principal facades**, the each **facades** or **tenant occupied portion thereof** may be combined for purposes of calculating the maximum permitted shall not exceed the permissible **sign area** per Sections 608.4.A.1.a or 608.4.A.1d.
- g. Window Signs: Each business having windows shall not cover more than twenty-five (25) percent of the glass area of each window with signage/advertising and are subject to the following:
- i. Animated illumination or effects, electronic, blinking, flashing, and/or scrolling window signs shall be prohibited.
  - ii. Illuminated signs shall conform to the performance requirements of 608.4.A.6 Illumination.
  - iii. Window sign square footage does not count to the sign area calculation of a façade or tenant occupied portion thereof per sections 608.4.A.1.a or 608.4.A.1d.
  - iv. Window signs do not require a sign permit.
2. Sign Types Permitted. The following **sign** types are permitted in the **commercial** and **industrial districts**:
- a. **wall signs**;
  - b. **freestanding signs**;
  - c. **projecting signs**; and
  - d. **Window signs**
3. Wall Signs. **Wall signs** in the **commercial** and **industrial districts** shall be subject to the following regulations:
- a. One or more **wall signs** may be displayed on any wall of any principal **building** on a **lot**, provided that the total **sign area** displayed on any



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single **building** wall is limited to the total **sign area** that would be permitted for that wall based on the formula set forth in Section 608.4.A.1.a, whether or not it is a **principal façade**.

b. The **sign area** of a **wall sign** may not exceed 100 square feet.

c. **Wall signs** shall not extend above the highest point of the main roof or **parapet** of the **building** or be affixed to a **parapet** more than four feet above the roof of the **building**.

4. Freestanding Signs. A **lot** in the **commercial** and **industrial districts** may display one **freestanding sign** subject to the following regulations:

a. Sign Area and Height Regulations.

i. **Freestanding signs** must comply with the dimensions set forth in the following table:

|                  | Zoning District |            |            |            |            |            |            |
|------------------|-----------------|------------|------------|------------|------------|------------|------------|
| Maximum          | GC & GC-1       | CB         | LD         | IND-L      | IND-RA     | IND-H      | MC 2       |
| height           | 25 ft.          | 12 ft.     | 12 ft.     | 12 ft.     | 12 ft.     | 12 ft.     | 12 ft.     |
| <b>sign area</b> | 64 sq. ft.      | 32 sq. ft. | 24 sq. ft. | 64 sq. ft. | 64 sq. ft. | 64 sq. ft. | 64 sq. ft. |

ii. Strip Plazas and Multi-Tenant Buildings. A **freestanding sign** for a property improved with a **strip plaza** or **multi-tenant building** may exceed the maximum **sign area** set forth in Section 608.4.A.4.a.i by up to 50 percent, except in the CB and LD Districts.

iii. Height. For purposes of measuring the height of a **freestanding sign**, height shall mean the vertical distance measured from grade at the edge of the adjacent right-of-way to the highest point of the **sign** structure.

iv. The size of a **freestanding sign** may exceed the maximum **sign area** set forth in Section 608.4.A.4.a.i by up to 15 percent in order to accommodate numerals identifying the property address or building address, or for a **freestanding sign** on a property improved with a **strip plaza** or **multi-tenant building**, by up to 15 percent in addition to the increase in **sign area** allowed per Section 608.4.A.a.ii.

b. Design Standards.

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## Signs

From: Zoning Staff

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i. Landscaping. A landscaped area located around the base of a **freestanding sign** equal to two and one-half square feet for each square foot of **sign area**, is required for all **freestanding signs**. The landscaped area shall contain living landscape material consisting of native shrubs and/or annual or native perennial **ground cover** plants placed throughout the required landscape area and having a spacing of not greater than three (3) feet on center. Where appropriate, the planting of required deciduous or evergreen **trees** installed in a manner which frames or accents the **freestanding signs** structure is encouraged.

ii. Spacing. **Freestanding signs** must be spaced at least 150 feet apart on **public streets** with posted travel speeds under 40 miles per hour, and at least 300 feet apart on **public streets** with posted travel speeds of 40 miles per hour and over.

c. A PUD or **planned business park** may have a **freestanding sign**, which **sign** shall have a maximum size and height as set forth above and shall be subject to all other applicable regulations herein.

d. A lot within 100 feet of the Interstate 89 right-of-way with an existing **freestanding sign** that is legal non-conforming due to its height and which has a minimum height of 50 ft. may have one additional freestanding sign which shall have a maximum size and height as set forth above and shall be subject to all other applicable regulations.

e. Freestanding Digital Signs. **Freestanding Signs** may incorporate a **digital sign** subject to the following:

i. **Freestanding digital signs** are only allowed in the General Commercial (GC) district on properties with frontage on the following streets:

- Mechanic Street
- Miracle Mile
- Plainfield Road
- South Main Street

ii. No more than one (1) display per hour shall be allowed

iii. Displays shall contain static messages only

# Amendment 14

## Signs

From: Zoning Staff

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- iv. ***Freestanding Digital Signs*** shall be programed to automatically freeze in a single display in the event of a malfunction or computer/system error.
- v. The Planning and Development Department shall be provided with an on-call contact person and phone number for each ***freestanding digital sign***. The contact person must have the ability and authority to make immediate modifications to the displays and lighting levels should the need arise.
- vi. The ***digital sign*** and ***freestanding digital sign*** may be no larger than 50% of the ***sign area*** of the ***freestanding digital sign***
- vii. No ***freestanding digital sign*** may be located within one hundred (100) feet of a residential dwelling
- viii. ***Freestanding digital signs*** shall operate with no more than 0.3 footcandles at the property line
- ix. If a ***freestanding digital sign*** is located in the line of sight of a residential dwelling, such sign shall not operate at brightness levels of more than one-tenth (0.1) foot candles above ambient light levels (at measurement conditions) as measured to the nearest property line of the residential dwelling from the electronic sign.

### 5. Projecting Signs.

- a. GC District, GC-1 District, and Industrial Districts. Projecting signs in the GC District and the ***industrial districts*** shall be subject to the following regulations:
  - i. One or more ***projecting signs*** may be displayed on any wall of any ***principal building*** on a ***lot*** provided that the total ***sign area*** displayed on any single ***building*** wall is limited to the total ***sign area*** that would be permitted for that wall based on the formula set forth in Section 608.4.A.1.a, whether or not it is a ***principal façade***.
  - ii. The ***sign area*** of a ***projecting sign*** shall not exceed sixteen (16) square feet.

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## Signs

From: Zoning Staff

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- iii. **Projecting signs** shall project from the wall at an angle of ninety (90) degrees.
- iv. **Projecting signs** shall not extend above the highest point of the main roof or **parapet** of the **building** nor be affixed to a **parapet** more than four (4) feet above the roof of the **building**.
- b. CB and LD Districts. Because of **building coverage** and development density in the CB and LD Districts, businesses located therein may not be able to erect **freestanding signs** or **projecting signs** which do not hang over a public sidewalk. Thus, within the CB and LD Districts **projecting signs** may hang over a public sidewalk, subject to the following limitations:
- v. A **building** may have no more than one such **projecting sign** for each **building** entrance which accesses a business located at sidewalk level.
- vi. No such **projecting sign** shall be larger in size than twelve (12) square feet if used to advertise only one business or sixteen (16) square feet if used to advertise more than one business.
- vii. No part of any such **projecting sign** or the fixture to which it is attached shall be lower in height than eight feet six inches (8 feet 6 inches) above the sidewalk nor higher than fifteen (15) feet from the sidewalk. However, in no case shall any part of such a **sign** or fixture be located above the bottom of the second floor window sill.
- viii. No part of any such **projecting sign** or fixture to which it is attached shall project over a public sidewalk more than the greater of three (3) feet or fifty percent (50%) of the width of the public sidewalk, but in no case shall it extend more than six (6) feet over the sidewalk.
- ix. Such **projecting signs** shall not have **internal illumination**.
6. Illumination. **Signs** may have either **external illumination** or **internal illumination**, subject to the following:
- a. Lighting Plan. An applicant for a permit to illuminate a **sign** must submit a plan to the Planning Department showing the illumination plan including the effect of the illumination on any other property that might be affected by the light.



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## Signs

From: Zoning Staff

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- b. External Illumination. The use of floodlights or spotlights used for the **external illumination** of **signs** shall be mounted above the **sign** targeted for lighting, and illumination shall be properly focused upon and confined to the area of the **sign**.
- c. Internal Illumination. **Internal illumination** of **signs** shall be designed with an opaque background so that only the lettering, symbols (i.e. logos), or design shall appear to be lighted.
- d. Maximum Luminance. An illuminated sign shall operate with no more than 0.3 fc at the property line.
- e. Glare. Fixtures used to illuminate **signs** shall be located, aimed, and shielded so as to produce no glare, undue distraction, confusion or hazard to the surrounding area or to vehicular traffic. Glare shall not be perceptible to drivers, pedestrians, bicyclists, and other passers-by within adjacent streets or rights-of-way.
- f. Shielding. Any lighting fixture on a **sign** that is located within ten (10) feet of a **residential district**, or an existing residential use shall be (i) aimed away from the **residential district** or existing residential use; and (ii) shielded on the side closest to the **residential district** or existing residential use.
- g. Hours of illumination. **Signs** may be illuminated any time between 6:00 a.m. and 9:00 p.m. Between 9:00 p.m. and 6:00 a.m. a sign may only be illuminated if and when the business is open to the public.

### 608.7 Signs Allowed Without a Building Sign Permit.

The following signs (1) are allowed in addition to any other sign permitted by this Section, (2) do not require a building Sign Permit, and (3) are exempt from the requirements of this Section except for the prohibition of non-static signs set forth in Section 608.3.C, the requirements of Section 608.2.D ("Clear Vision & Movement"), and the requirements of Section 608.2.E ("Maintenance"):

A. Temporary signs allowed pursuant to Section 608.6.

B. Any sign erected and maintained by the federal government, the State of New Hampshire, the Lebanon School District or the City of Lebanon in order to effectuate a substantial government interest.

C. Signs that are an important component of measures necessary to protect the public safety and serve the compelling governmental interest of protecting traffic and pedestrian safety, complying with legal requirements, serving the requirements of emergency response, and protecting property rights or the rights of persons on property; specifically, the following:

# Amendment 14

## Signs

From: Zoning Staff

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1. Traffic control devices and pavement markings installed and maintained to comply with the Manual on Uniform Traffic Control Devices or other transportation management guidelines adopted by the New Hampshire Department of Transportation.

2. A lot with multiple driveways may display one directional sign at each entrance or exit in order to ensure safe and efficient vehicular movement. Such signs may not be more than two (2) square feet on two-lane streets or rights-of-way and on any street with a posted travel speed under 35 miles per hour, and not more than four (4) square feet on multi-lane streets or on any street with a posted travel speed over 35 miles per hour.

D. Window signs pursuant to section 608.4.A.1.g

### 608.8 Fees

A. The City Council shall establish a per square foot sign permit fee in § 68-15.A Enumeration of fees Zoning.

#### Add to Definitions:

**Window sign:** Any sign that is affixed to the interior or exterior of the window or windowpanes or within five (5) feet of the interior of the window or windowpanes and is visible from the exterior of the structure.

# Amendment 15

## Pattern Zones Overlay District

From: Zoning Staff

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The purpose of the proposed changes to the Pattern Zones Overlay District is to give the residents who want to participate in the program more choice. The approved ordinance required residents to use the Plan Book, but several issues come up with in the first few months of approval that made staff realize there needed to be more options to allow the participants to build what that want. The proposed amendment will still offer a Plan Book but gives a second option for those wishing to use their own designs. The second option allows participants to get their own plans approved through the Heritage Commission by following design guidelines. Also, the draft Plan Book from the consulting firm does not incorporate any 3 or 4 family structures, which we allow in the Pattern Zones Overlay district with a Special Exception.

### Section: 411 Pattern Zones Overlay District

#### Section 411.1 Purpose

The purpose of the Pattern Zone overlay district is to create additional housing that fits the character of the existing neighborhood in Downtown Lebanon and Downtown West Lebanon, to establish and preserve the characteristics of the historical downtown areas of Lebanon and West Lebanon, and to increase density and housing choices in the district.

#### Section 411.2 Description of Pattern Zones Overlay District

The areas and boundaries of the Pattern Zone Overlay District are shown on the Pattern Zone Overlay District Map of the City of Lebanon and made a part of this Ordinance and the Official Zoning Map of the City of Lebanon. The Pattern Zone Overlay District Map is attached hereto as Appendix D.

#### Section 411.3 Permitted Uses

The Overlay District regulations are intended to only be used for uses allowed within the Pattern Zone Overlay District Table of Uses Table of Uses. Any nonresidential uses shall adhere to regulations set forth in Article III based on the underlying zoning district.

#### Pattern Zone Overlay District Table of Uses

# Amendment 15

## Pattern Zones Overlay District

From: Zoning Staff

| Permitted Uses                                                                                                                                                                                                                                         | Special Exception                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Residential:</b><br>1. Up to 2 One-Family Detached Dwellings<br>2. Two-Family Dwelling<br>3. Accessory Dwelling Unit per Section 610<br><br><b>Commercial/Non-Residential</b><br>1. Any listed in the Base Zoning District pursuant to Article III. | <b>Residential:</b><br>1. Tri-Plex (3 units)<br>2. Quad-plex (4 units)<br>3. Townhouses / Rowhomes up to 4 units<br><br><b>Commercial/Non-Residential:</b><br>1. Any listed in the Base Zoning District pursuant to Article III. |
|                                                                                                                                                                                                                                                        | Conditional Use Permit                                                                                                                                                                                                           |
|                                                                                                                                                                                                                                                        | <b>Residential:</b><br>1. Cottage Development per Section 509 with a minimum 20,000 sq ft lot                                                                                                                                    |

### Section 411.4 Table of Areas, Dimensions, and Coverage

| Minimum Lot Requirements |                                                                                                                                |                                      |                                                    |           | Maximum Limitations                                     |        |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------|-----------|---------------------------------------------------------|--------|
| Area                     | Frontage                                                                                                                       | Front Yard                           | Side Yard                                          | Rear Yard | Lot Coverage % of impervious surface                    | Height |
| 4,000 sq ft              | 40' on lot that abuts a street;<br><br>15' on a flag shaped lot* and;<br><br>0' if on rear split lot<br><br>*Pursuant to 411.6 | 10' OR pursuant to 411.11 Front Yard | 5' / 7.5' (side of structure on a street frontage) | 10'       | 60%<br><br>80% with special exception pursuant to 411.8 | 45'    |

### Section 411.5 Parking

A minimum of one on-site parking space per dwelling unit is required.

Amendment 15  
Pattern Zones Overlay District  
From: Zoning Staff

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Section 411.6 Creating New Lots in the Overlay District

- A. Notwithstanding underlying zoning districts, new lots within the overlay may be created utilizing the overlay lot dimensional requirements.
- B. Creating a flag lot split shall provide 15' of frontage and meet the minimum lot area requirements.
  - 1. Front yard setback requirements shall begin at the point where the lot widens.
- C. The creation of a rear lot without the street frontage required by RSA 674:41 may only be approved if all of the following conditions are met:
  - 1. A perpetual deeded easement in favor of the rear lot to use a driveway across a lot which does have legally-sufficient frontage and identifying maintenance responsibilities shall be submitted with the application for approval by the Planning Board. If the subdivision is approved, the execution and recording of the easement in the registry of deeds shall be a condition of approval.
  - 2. The driveway shall be shown on the subdivision plan.
  - 3. The Planning Board shall determine that the driveway is sufficient for access to the rear lot.

Section 411.7 Shading and Buffers

- A. Preservation of a property's existing trees is encouraged to maintain a natural shade canopy upon the property.
- B. Properties shall be landscaped to achieve a minimum of 30% **shade coverage**.
- C. New houses located with the minimum 5' side yard setback from a property line must have a vegetative buffer.

Section 411.8 Impervious Cover

- A. Within the overlay district, impervious cover shall be limited as follows:
  - 1. The maximum impervious cover shall be up to 60% by right.
  - 2. Maximum impervious cover up to 80% may be permitted by Special Exception pursuant to Section 801.3.
  - 3. For purposes of this overlay district impervious cover shall be defined as: A structure or land surface with a low capacity for infiltration, including but not limited to pavement, roofs, roadways, and compacted soils, that has a Curve Number of 98 or greater.



# Amendment 15

## Pattern Zones Overlay District

From: Zoning Staff

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64 4. Impervious cover determinations when in question shall be made by the City Engineer.

65 B. An applicant for a Special Exception to allow impervious cover up to 80% shall meet the criteria  
66 of Section 801.3 in addition to the following:

67 1. A stormwater management plan shall be provided to the Board. The plan must  
68 demonstrate that all stormwater is managed and treated onsite with a preference for low  
69 impact development stormwater management methods. Applicants may tie into the City's  
70 stormwater drain system as may be permitted by the City Code.

71

72 Section 411.9 Snow, Garbage, Fuel Tanks

73 A. A snow storage plan shall be submitted with the application and, if approved, shall be a  
74 condition of the approval.

75 B. Garbage/recycling receptacle storage plan shall be submitted with the application and, if  
76 approved, shall be a condition of approval.

77 1. Garbage/recycling shall not be stored in the front yard of the property.

78 2. Applicable screening shall be provided.

79 3. If a dumpster is used then it shall be enclosed, stored on a hard surface and meet  
80 screening requirements. A dumpster shall meet setback requirements, not interfere with  
81 parking, be located in the rear or side yard and beyond the front line of the structure and  
82 meet the setback requirements.

83 C. Exterior fuel storage within the overlay shall:

84 1. Meet all zoning setback requirements.

85 2. Fuel storage tanks shall be located within the side or rear yard.

86 3. Underground fuel storage may be located in the front, side or rear yard provided they  
87 meet the required yard setbacks.

88 4. Above ground fuel tanks may not be located in the front yard

89

90 Section 411.10 ~~Pattern Book Requirements~~ Design Requirements

91 ~~The architectural plan for a building within the overlay pursuant to these requirements shall be~~  
92 ~~selected from the Pattern Zones Book (a catalog of preapproved house plans available through the~~  
93 ~~Lebanon Planning and Development Department from 2025-2028).~~

Amendment 15  
Pattern Zones Overlay District  
From: Zoning Staff

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- A. Design Characteristics make sure any new development matches the existing neighborhood. The following requirements should be followed:
1. Site changes, such as buildings, driveways, and other new features must not alter the historic character of a neighborhood.
  2. The location of new construction must be considered carefully in order to follow height and setbacks of existing buildings in the neighborhood.
  3. New Construction must not destroy character-defining attributes or features of the neighborhood.
  4. New Construction must match the scale, size, massing, and architectural features of existing buildings in the neighborhood.
  5. The Relationship between the new construction and existing structures must be protected. Existing buildings must not be isolated from one another by new construction.
  6. Garages must be located at least 5' behind the front line of the residential structure.
  7. The applicant must provide evidence that their design matches the character of other residential structures on the street.
  8. Common Characteristics found in the Overlay District:
    - a. Pitched Roof
    - b. Street-facing primary entrance.
    - c. Front porch or stoop
    - d. Non-split-level designs
    - e. Clapboard, woodlap, vinyl, and/or shingle sidings, stone, and/or brick exteriors in material and/or in appearance

B. Review of Projects

1. Using Pre-Approved Plan Sets
  - a. an applicant may use architectural plans in the "Plan Book" free of charge but is required to apply for building permits, submit a site plan, and other materials as required by the Zoning Official and the Building Official.
2. Projects Requiring a Special Exception or CUP.
  - a. Those residential projects requiring a Special Exception or CUP (Section 411.3) will have to submit architectural drawings **designed by and stamped by a licensed New Hampshire design professional** to be reviewed by the Heritage Commission pursuant to Section 408.7. The Heritage Commission will use the criteria listed in **Section 411.10.A to determine the appropriateness of the design and issue a written recommendation to the Zoning Board or Planning Board for their consideration of the Special Exception or Conditional Use Permit.**
3. If a property owner wishes to use an architecturally designed and stamped plan set **not listed in the plan book for a Permitted Use then Heritage Commission approval and a Special Exception from the Zoning Board of Appeals is required. The architecturally**

# Amendment 15

## Pattern Zones Overlay District

From: Zoning Staff

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designed and stamped plan set and site plan shall be reviewed and deemed in compliance with Section 411.10 Design Requirements by the Heritage Commission. The Heritage Commission shall issue a written recommendation to the Zoning Board who shall consider the plan set and site plan for a Special Exception.

### Section 411.11 Front Yard

- A. The required front yard may be reduced to the average front yard of the existing buildings on the same side of the street in the same block and located within 300 feet of the subject lot, provided that there are at least 2 such buildings. This reduction shall not be allowed for lots fronting on a state highway.
- B. On lots with more than one frontage on an indeterminate lot, the front yard will be determined by the Zoning Administrator based on the orientation of the principal structure on the lot. The corner side with frontage will be considered a side yard and have a setback that is the average of the established front and side setbacks).
- C. On lots with no frontage, the front yard is determined by the Building Official or Zoning Administrator based on the orientation of the principal structure on the lot and the access easement location.

### Section 411.12 Approved Designs

- A. The Heritage Commission shall maintain a book of architecturally designed pre-approved plans available for use by the people of Lebanon. Use of a pre-approved plan set shall qualify for the enhanced zoning considerations under the pattern zones overlay district.
- B. Prerequisite to being listed as a preapproved plan a plan shall be:
  - a. Approved by the Heritage Commission.
  - b. Reviewed by and deemed compliant with New Hampshire State Building Code requirements by the Chief Building Official.
  - ~~a-c.~~ Designed by and stamped by a New Hampshire licensed design professional.

### C. Submittal of Design for the Plan Book

- a. A design professional wishing to nominate a design for the plan book:

1. Prior to submission to the Heritage commission, submit a complete stamped plan set for administrative review with Planning Department Staff and the Chief Building Official and schedule a meeting to review the plans and discuss it compliance with the design criteria and the building code.

Amendment 15  
Pattern Zones Overlay District  
From: Zoning Staff

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2. Following administrative review, submit a complete stamped plan set, with amendments as required by the administrative review, to the Heritage Commission for the Commissions consideration.

b. The Heritage Commission will use criteria listed in Section 411.10.A. to make a determination if the plan should be included in the Plan Book.

c. The Chief Building Official shall review the Heritage Commission approved plans for Building Code compliance and attach notes to the plans as needed to deem it approved.

**SHADE COVERAGE:** The percentage of land area covered by leaves, branches, and stems of canopy/shade trees when viewed from above during the summer. New plantings should be measured based on their size at maturity.

# Amendment 16

## Cottage Developments

From: Barrows Street Development Team and Staff

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The purpose of this amendment is to allow greater flexibility for those wishing to build a Cottage Development.

### SECTION 509 COTTAGE DEVELOPMENTS.

**509.1 Purpose.** The purpose of this section is to provide opportunities for single family housing that is small, energy-efficient, and affordable; to allow flexibility in site and design standards while promoting projects that ensure compatibility with surrounding land uses and existing neighborhoods; and to promote sustainability and neighborhood interaction through integrated design.

Cottage developments are intended to serve as part of the City's overall housing strategy to encourage affordability, innovation and variety in housing design and site development while ensuring compatibility with existing neighborhoods, and to promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition and individual needs.

**509.2 Applicable Use Districts.** **Cottage developments** are allowed by **conditional use** on Class 1 lots in the Pattern Zones Overlay District, R-1, R-2, R-3, R-O, ~~and R-O-1, GC-1~~ Districts, in accordance with Section 302.4.D and the requirements of this section.

**509.3 Number and Arrangement of Units.** ~~Cottage developments shall contain a minimum of three (3) and a maximum of sixteen (16) Cottages shall be~~, located in one or more clusters to maximize efficiency of land use and to encourage a sense of community among the residents. Each cluster shall include a minimum of three (3) units and a maximum of sixteen (16) units.

**509.4 Lot Size.** All **cottage developments** shall have a minimum lot area ~~of 20,000 sq. ft., except in the R-2 and R-3 District, where a minimum lot area of 40,000 sq. ft. shall be required—~~ specified in the underlying zoning district.

**509.5 Density and Building Coverage.** ~~Permitted density shall be based on 2,500 sq. ft. of lot area per each cottage. The maximum permitted building coverage shall be 35%. The maximum lot coverage shall be 60%. A lot coverage of 60%-80% by~~ special exception pursuant to Section 411.8.

**509.6 Design Standards.** The following design standards are intended to define design parameters to create a small community of cottages oriented around open space and to achieve compatibility with adjacent uses.

A. **Individual Cottage Spaces.** For each detached **cottage**, the site plan approved by the Planning Board shall delineate a building site for each detached **cottage** of no less than 1,500 sq. ft.



# Amendment 16

## Cottage Developments

From: Barrows Street Development Team and Staff

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- 45
- 46 B. Detached Cottages. At least 50% of the **cottages** in the development shall be
- 47 detached units. The remainder shall be duplexes or rowhomes.
- 48
- 49 C. Interior Setbacks. The minimum setback between units within a **cottage**
- 50 **development** shall be 10 feet, measured from the nearest point of the exterior
- 51 walls.
- 52
- 53 D. Common Open Space. A minimum of 400 square feet of common open space shall
- 54 be provided per **cottage** and per cluster. The common open space area for each
- 55 cluster shall be contiguous and shall abut all of the **cottages** in the cluster.
- 56 **Cottages** shall be oriented around and have their main entry from the common
- 57 open space.
- 58
- 59 E. Roofs and Porches.
- 60
- 61 1. The highest point of the roof of the **cottage** shall not exceed 3024 feet.
- 62
- 63 2. **Cottages** shall have an unenclosed, covered front primary entry and porch
- 64 of at least 60 square feet in size. The front porch shall be oriented toward
- 65 a common open space. The intent of this porch requirement is to create
- 66 outdoor space in each **cottage** that is visually and physically connected to
- 67 the common open space and to other **cottages**.
- 68
- 69 ~~F. Parking Location and Screening Requirements.~~
- 70
- 71 ~~1. Parking areas and driveways shall comply with applicable minimum yard~~
- 72 ~~requirements for the underlying zone.~~
- 73
- 74 ~~2. Parking areas shall be screened from public streets and adjacent~~
- 75 ~~residential uses by landscaping or architectural screening.~~
- 76
- 77 ~~3. Parking areas shall be prohibited in the minimum required front yard.~~
- 78
- 79 ~~4. Parking areas shall be separated from the common open space by~~
- 80 ~~landscaping or an architectural screen.~~
- 81
- 82 G. Existing Dwellings. An existing detached or attached one-family dwelling that is
- 83 incorporated into a cottage development and is nonconforming with respect to the
- 84 standards of this section shall be permitted to remain on a site used for a cottage
- 85 development and shall be considered a **cottage** for purposes of this section.
- 86 However, the extent of the noncompliance may not be increased except unless the
- 87 proposed change is determined by the Planning Board to be consistent in
- 88 character, scale, and design with the cottage housing development.
- 89

# Amendment 16

## Cottage Developments

From: Barrows Street Development Team and Staff

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H. ~~Street Facing Facades. All cottages within 50 feet of a public street shall have street facing facades that avoid blank walls in order to avoid the appearance of “turning their backs” to the street. For all such cottages, a minimum of 25 percent of the street facing façade shall be comprised of windows and/or glass doors.~~

# Amendment 16

## Cottage Developments

From: Barrows Street Development Team and Staff

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- 85 development and shall be considered a **cottage** for purposes of this section.
- 86 However, the extent of the noncompliance may not be increased except unless the
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# Amendment 16

## Cottage Developments

From: Barrows Street Development Team and Staff

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# Amendment 17

## Care and Treatment of Animals

From: City Council and Staff

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1 The purpose of this amendment is to give clarification on the different types of uses that were  
2 included in the **Care and Treatment of Animals** definition. The proposed changes to the use  
3 tables show where the different uses may be more appropriate than others.

4  
5 ~~**CARE AND TREATMENT OF ANIMALS:** A veterinary establishment, riding school or kennels.~~

6  
7 ~~**ANIMAL CLINIC, ANIMAL HOSPITAL OR VETERINARY OFFICE:** Any structure, or portion thereof,~~  
8 ~~that is designed or used for the medical or surgical treatment of animals in which veterinary~~  
9 ~~services, including Boarding incidental to treatment, are limited to short term care. Grooming~~  
10 ~~maybe provided.~~

11 ~~**Animal Boarding Facility:** a facility where domesticated pets are cared for daily or overnight on a~~  
12 ~~temporary bases at the request of the owner.~~

13 ~~**Kennels:** any establishment wherein or whereupon the business of boarding or selling dogs or~~  
14 ~~breeding dogs for sale is carried on, except for a pet shop~~

15 ~~**Horse Stable:** Facility that includes large animal enclosures, barns, riding arenas, corrals,~~  
16 ~~paddocks, and pens used for the raising, training, rehabilitation, and riding of horses for~~  
17 ~~commercial purposes.~~

18 ~~**Riding Facility:** an establishment where horsemanship and riding is taught.~~



# Amendment 17

## Care and Treatment of Animals

From: City Council and Staff

### SECTION 303 LIGHT INDUSTRIAL DISTRICT (IND-L).

#### 303.2 Table of Uses.

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <u><b>Special Exception Uses</b></u><br>(see Section 801.3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li>Airport</li> <li><b>Bus terminal</b></li> <li><b>Essential service</b></li> <li><b>Equipment and machinery sales, rental and service</b></li> <li><b>Group day care facility</b> per Section 604</li> <li><b>Health club</b></li> <li><b>Light industry</b></li> <li><b>Local government use</b></li> <li><b>Outdoor storage</b> per Section 303.4 (less than 20%)</li> <li>Plumbing, electrical or carpentry shop</li> <li>Publishing/printing</li> <li>Research laboratory</li> <li><b>Renewable energy system</b> per Section 612</li> <li><b>Retail product pickup</b></li> <li>Retail showroom per Section 303.5 (less than 10%)</li> <li>Trucking terminal</li> <li><b>Warehouse</b></li> <li><b><u>Animal Clinic, Hospital, or Veterinary Office</u></b></li> </ol> <u>Planned Developments</u> <ol style="list-style-type: none"> <li>Industrial PUD per Section 501</li> <li><b>Planned business park</b> per Section 508</li> </ol> | <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li><del><b>Care and treatment of animals</b></del></li> <li><del>1.</del> <b>Contractor's yard</b></li> <li><del>3-2.</del> <b>Educational facility</b>, college/university</li> <li><del>4-3.</del> <b>Educational facility, vocational school</b></li> <li><del>5-4.</del> <b>Recovery Houses</b></li> </ol> <u>Uses by <b>Conditional Use</b> Permit</u><br>(see Section 302.4) <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li>Car wash</li> <li><b>Inpatient rehabilitation facility</b></li> <li><b>Office</b></li> <li><b>Outdoor storage</b> per Section 303.4 (more than 20%)</li> <li>Retail showroom per Section 303.5 (between 10-20%)</li> <li><b>Vehicular sales</b></li> <li><b><u>Animal Boarding Facility</u></b></li> </ol> |

# Amendment 17

## Care and Treatment of Animals

From: City Council and Staff

37 SECTION 305 GENERAL COMMERCIAL DISTRICT (GC).

38 305.2 Table of Uses.

39

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <u><b>Special Exception Uses</b></u><br>(see Section 801.3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Residential</u> <ol style="list-style-type: none"> <li>1. <b>Dwelling unit(s)</b> above first floor</li> <li>2. <b>Multi-family dwelling</b> (see Section 305.5)</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li>1. <b>Alternative treatment center</b> per Section 613</li> <li>2. <b>Bus terminal</b></li> <li>3. <b>Educational facility, college/university</b></li> <li>4. <b>Essential service</b></li> <li>5. <b>Truck terminal</b></li> <li>6. <b>Recovery Houses</b></li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li>3. <b>Amusements (indoor)</b></li> <li>4. Car wash</li> <li>5. <b>Community center</b></li> <li>6. <b>Drive-in restaurant, refreshment stand</b></li> <li>7. <b>Drive-through facility</b></li> <li>8. Drycleaning pick-up station</li> <li>9. <b>Financial institution</b></li> <li>10. Funeral home</li> <li>11. <b>Group day care facility</b> per Section 604</li> <li>12. <b>Health club</b></li> <li>13. <b>Hotel</b></li> <li>14. House of worship</li> <li>15. Laundromat</li> <li>16. <b>Local government use</b></li> <li>17. <b>Membership club</b></li> <li>18. <b>Motel</b></li> <li>19. Movie theater</li> <li>20. <b>Office</b></li> <li>21. <b>Personal service</b></li> <li>22. Publishing/printing</li> <li>23. Radio or TV studio</li> <li>24. <b>Recreational facility, indoor</b></li> </ol> | <u>Uses by <b>Conditional Use</b> Permit</u><br>(see Section 302.4)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li><del>1.</del> <del>Care and treatment of animals</del></li> <li><del>2.</del> <del>1.</del> <u>Contractor's yard</u></li> <li><del>3.</del> <del>2.</del> <u>Craftsman's shop</u></li> <li><del>4.</del> <del>3.</del> <u>Plumbing, electrical or carpentry shop</u></li> <li><del>5.</del> <del>4.</del> <u>Produce stand</u></li> <li><del>6.</del> <del>5.</del> <u>Recreational facility, outdoor</u></li> <li><del>7.</del> <del>6.</del> <u>Warehouse</u></li> <li><del>8.</del> <del>7.</del> <u>Wholesale sales</u></li> <li><del>8.</del> <u>Research Laboratory</u></li> <li><del>9.</del> <u>Animal Clinic, Hospital, Veterinary Office</u></li> <li><del>9.</del> <del>10.</del> <u>Animal Boarding Facility</u></li> </ol> <u>Planned Developments</u> |

Amendment 17  
Care and Treatment of Animals  
From: City Council and Staff

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|-------------------------------------------------------|-----------------------------------------------------|
| 25. <b>Renewable energy system</b> per Section<br>612 | <del>40.11.</del> Commercial PUD per Section<br>501 |
| 26. <b>Restaurant</b> , sandwich shop                 |                                                     |
| 27. <b>Retail product pickup</b>                      |                                                     |
| 28. <b>Retail store</b>                               |                                                     |
| 29. <b>Service station</b>                            |                                                     |
| 30. <b>Vehicular repair</b>                           |                                                     |
| 31. <b>Vehicular sales</b>                            |                                                     |

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# Amendment 17

## Care and Treatment of Animals

From: City Council and Staff

### SECTION 306 CENTRAL BUSINESS DISTRICT (CB).

#### 306.2 Table of Uses.

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <u><b>Special Exception Uses</b></u><br>(see Section 801.3)                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Residential</u> <ol style="list-style-type: none"> <li><b>Dwelling unit(s)</b> above first floor</li> <li><b>Multi-family dwelling</b> (see Section 306.5)</li> <li><b>Senior housing complex</b></li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                | <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li><b>Craftsman's shop</b></li> <li><b>Drive-through facility</b></li> <li><b>Educational facility, college/university</b></li> <li><b>Recovery Houses</b></li> </ol>                                                                                                                                                                                                                                |
| <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li><b>Amusements (indoor)</b></li> <li><b>Community center</b></li> <li>Drycleaning pick-up station</li> <li><b>Financial institution</b></li> <li><b>Group day care facility</b> per Section 604</li> <li>Funeral home</li> <li><b>Health club</b></li> <li><b>Hotel</b></li> <li>House of worship</li> <li>Laundromat</li> <li>Library</li> <li><b>Local government use</b></li> <li><b>Membership club</b></li> <li><b>Motel</b></li> <li>Museum</li> <li><b>Office</b></li> <li><b>Personal service</b></li> <li><b><u>Animal Clinic, Hospital, Veterinary Office</u></b></li> </ol> | <u>Uses by <b>Conditional Use Permit</b></u><br>(see Section 302.4)                                                                                                                                                                                                                                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li><b>Essential service</b></li> <li>Other uses per Section 306.4</li> <li><b>Parking facility</b></li> <li>Publishing/printing</li> <li><b>Recreational facility, indoor</b></li> <li><b>Recreational facility, outdoor</b></li> <li><b><u>Animal Boarding Facility</u></b></li> </ol> <u>Planned Developments</u> <ol style="list-style-type: none"> <li>Commercial PUD per Section 501</li> </ol> |

# Amendment 17

## Care and Treatment of Animals

From: City Council and Staff

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**SECTION 305A GENERAL COMMERCIAL ONE DISTRICT (GC-1).**  
**305A.2 Table of Uses.**

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                                                                                                                                                                                                           | <u>Uses by <b>Conditional Use Permit</b></u><br>(see Section 302.4)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| <u>Residential</u><br>1. <b>Multi-family dwelling</b> (see Section 305A.4)<br><u>Commercial/Non-Residential</u><br>2. <b>Dwelling unit(s)</b> above first floor<br>3. <b>Essential service</b><br>4. <b>Financial institution</b><br>5. <b>Group day care facility</b> per Section 604<br>6. <b>Office</b><br>7. <b>Personal service</b><br>8. <b>Renewable energy system</b> per Section 612<br>9. <b><u>Animal Clinic, Hospital, or Veterinary Office</u></b> | <u>Commercial/Non-Residential</u><br>1. <b>Alternative treatment center</b> per Section 613<br>2. Drycleaning pick-up station<br>3. <b>Educational facility, college/university</b><br>4. <b>Inpatient rehabilitation facility</b><br>5. <b>Light industry</b><br>6. Research laboratory<br>7. <b>Restaurant</b> , sandwich shop<br>8. <b>Retail store</b><br>9. <b>Research Laboratory</b><br>9.10. <b><u>Animal Boarding Facility</u></b><br><u>Planned Developments</u><br>10.11. Commercial PUD per Section 501<br>11.12. <b>Manufactured Housing PURD</b> per Section 504 |



# Amendment 17

## Care and Treatment of Animals

From: City Council and Staff

SECTION 311A RESIDENTIAL-OFFICE-ONE DISTRICT (R-O-1).  
 311A.2 Table of Uses.

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <u><b>Special Exception Uses</b></u><br>(see Section 801.3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <u>Residential</u><br>22. <b>One-family dwelling</b><br>23. <b>Two-family dwelling</b><br>24. <b>Multi-family dwelling</b> (4 <b>dwelling units</b> or less) per Section 601<br>25. <b>Accessory dwelling unit</b> (ADU) per Section 610<br><u>Commercial/Non-Residential</u><br>26. Construction of new <b>office building</b> (3,000 sq. ft. or less) per Section 601<br>27. Conversion of a <b>dwelling</b> to <b>office</b> use per Section 601<br>28. <b>Financial institution</b><br>29. <b>Group day care facility</b> per Section 604<br>30. <b>Home business</b> per Section 600<br>31. House of worship<br>32. <b>Personal service</b><br>33. <b>Renewable energy system</b> per Section 612<br>34. <u><b>Animal Clinic, Hospital, Veterinary Office</b></u><br><u>Planned Developments</u><br>35. PURD per Section 501 | <u>Residential</u><br>5. <b>Multi-family dwelling</b> (5 <b>dwelling units</b> or more) per Section 601<br>6. <b>Senior housing complex</b><br><u>Commercial/Non-Residential</u><br>7. Construction of new <b>office building</b> (3,001 sq. ft. – 6,000 sq. ft.) per Section 601<br>8. <b>Educational facility, college/university</b><br>9. <b>Educational facility, primary/secondary</b><br>10. <b>Essential service</b><br>11. Funeral home<br>12. <b>Group residence</b><br>13. <b>Health club</b><br>14. <b>Hospice</b><br>15. <b>Lodging house</b><br>16. <b>Public safety facility</b><br>17. <b>Recreational facility, indoor</b><br>18. <b>Recreational facility, outdoor</b><br>19. <b>Tourist home (or bed and breakfast facility)</b> |

Amendment 17  
Care and Treatment of Animals  
From: City Council and Staff

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|  | <u>Uses by <b>Conditional Use Permit</b></u><br><u>(see Section 302.4)</u>                                |
|  | <u>Residential</u><br>1. Cottage development per Section 509<br>2. <b><u>Animal Boarding Facility</u></b> |

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# Amendment 17

## Care and Treatment of Animals

From: City Council and Staff

**SECTION 312 RURAL LANDS ONE DISTRICT (RL-1).**  
**312.2 Table of Uses.**

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                                                                | <u><b>Special Exception Uses</b></u><br>(see Section 801.3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <u>Residential</u> <ol style="list-style-type: none"> <li><b>One-family dwelling</b></li> <li><b>Accessory dwelling unit (ADU)</b> per Section 610</li> </ol>                                                                                                                                                        | <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li><del><b>Care and treatment of animals</b></del></li> <li><del>1.</del> Cemetery</li> <li><del>2.</del> <b>Essential service</b></li> <li><del>3.</del> <b>Group day care facility</b> per Section 604</li> <li><del>4.</del> <b>Home-based contractor's yard</b> per Section 600A</li> <li><del>5.</del> Radio or TV tower or other communication equipment</li> <li><del>6.</del> Recreational camping park per Section 505</li> <li><del>7.</del> <b>Recreational facility, indoor</b></li> <li><del>8.</del> <b>Recreational facility, outdoor</b></li> <li><del>9.</del> <b>Animal Clinic, Hospital, or Veterinar Office</b></li> <li><del>10.</del> <b>Animal Boarding Facility</b></li> <li><del>11.</del> <b>Kennels</b></li> <li><del>12.</del> <b>Horse Stable</b></li> <li><del>13.</del> <b>Riding Facility</b></li> </ol> |
| <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li><b>Agriculture</b></li> <li><b>Home business</b> per Section 600</li> <li>House of worship</li> <li>Public education facility</li> <li><b>Public recreation facility</b></li> <li><b>Renewable energy system</b> per Section 612</li> </ol> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <u>Planned Developments</u> <ol style="list-style-type: none"> <li><b>Manufactured housing park</b> per Section 503</li> <li><b>Manufactured housing PURD</b> per Section 504</li> <li>PRec per Section 501</li> <li>PURD per Section 501</li> </ol>                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

# Amendment 17

## Care and Treatment of Animals

From: City Council and Staff

**SECTION 313 RURAL LANDS TWO DISTRICT (RL-2).**  
**313.2 Table of Uses.**

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                             | <u><b>Special Exception Uses</b></u><br>(see Section 801.3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <u>Residential</u> <ol style="list-style-type: none"> <li><b>One-family dwelling</b></li> <li><b>Accessory dwelling unit (ADU)</b> per Section 610</li> </ol>                                                                                                                     | <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li><del>1. Care and treatment of animals</del></li> <li><del>2.1.</del> Cemetery</li> <li><del>3.2.</del> <b>Essential service</b></li> <li><del>4.3.</del> <b>Group day care facility</b> per Section 604</li> <li><del>5.4.</del> <b>Home-based contractor's yard</b> per Section 600A</li> <li><del>6.5.</del> <b>Produce stand</b></li> <li><del>7.6.</del> Radio or TV tower or other communication equipment</li> <li><del>8.7.</del> Recreational camping park per Section 505</li> <li><del>9.8.</del> <b>Recreational facility, indoor</b></li> <li><del>10.9.</del> <b>Recreational facility, outdoor</b></li> <li><b>10. Excavation of natural earth materials</b> per Section 606</li> <li><b>11. Animal Clinic, Hospital, or Veterinary Office</b></li> <li><b>12. Animal Board Facility</b></li> <li><b>13. Kennels</b></li> <li><b>14. Horse Stables</b></li> <li><b>15. Riding Facility</b></li> </ol> |
| <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li><b>Agriculture</b></li> <li><b>Home business</b> per Section 600</li> <li>House of worship</li> <li><b>Public recreation facility</b></li> <li><b>Renewable energy system</b> per Section 612</li> </ol> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <u>Planned Developments</u> <ol style="list-style-type: none"> <li><b>Manufactured housing park</b> per Section 503</li> <li><b>Manufactured housing PURD</b> per Section 504</li> <li>PRec per Section 501</li> <li>PURD per Section 501</li> </ol>                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

# Amendment 17

## Care and Treatment of Animals

From: City Council and Staff

Section 314 Rural Lands Three District (RL-3)  
 314.2 Table of Uses.

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <u><b>Special Exception Uses</b></u><br>(see Section 801.3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Residential</u> <ol style="list-style-type: none"> <li><b>Accessory use</b> to any <b>one-family dwelling</b></li> </ol> <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li><b>Agriculture</b></li> <li><b>Home business</b> per Section 600</li> <li><b>Public recreation facility</b></li> <li><b>Renewable energy system</b> per Section 612</li> </ol> <u>Planned Developments</u> <ol style="list-style-type: none"> <li>PRec per Section 501</li> <li>PURD per Section 501</li> </ol> | <u>Residential</u> <ol style="list-style-type: none"> <li><b>One-family dwelling</b></li> <li><b>Accessory dwelling unit (ADU)</b> per Section 610</li> </ol> <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li>Cemetery</li> <li><b>Essential service</b></li> <li><b>Home-based contractor's yard</b> per Section 600A</li> <li>Radio or TV tower or other communication equipment</li> <li>Recreational camping park per Section 505</li> <li><b>Recreational facility, indoor</b></li> <li><b>Recreational facility, outdoor</b></li> <li><b><u>Riding Facility</u></b></li> <li><b><u>Horse Stable</u></b></li> <li><b><u>Kennels</u></b></li> </ol> |



# Amendment 18

## Zoning Amendment Application and Notice Fees

From: Zoning Staff

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1 The purpose of this amendment is to place the burden of petitioned amendments on to  
2 the petitioner and allow the City to recoup fees associated with petitioned amendments.

### 3 4 1000.2 Source of Proposed Amendments.

5  
6 Amendments may be proposed as follows:

- 7  
8 A. From the City Council at any time.
- 9  
10 B. From the City Council upon request by any Board or City official when the Council  
11 decides that it is appropriate to go forward with such amendment.
- 12  
13 C. By petition of any number of voters, provided however, that unless the petition is  
14 submitted utilizing the "Citizens Binding Initiative" procedure contained in Section  
15 419:23a of the Lebanon City Charter, it will be within the sole discretion of the City  
16 Council as to whether or not to proceed in any way with the requested amendment.
- 17  
18 D. A petitioned amendment submitted under Paragraph C above may be filed at any  
19 time. However, if a petition not meeting the requirements for the Citizens Binding  
20 Initiative procedure is submitted between August 1 and October 1 of any year, the  
21 Council shall put the proposed amendment on its agenda and determine, prior to  
22 December 1 of that year, whether or not to schedule the amendment for review  
23 and hearing pursuant to Section 1000.3. The purpose of this paragraph is to enable  
24 the potential filing of a Citizens Binding Initiative petition in time for the following  
25 March election, in the event the Council determines not to proceed with review and  
26 hearing.
- 27 1. The petitioner shall bear the responsibility of presenting the amendment  
28 throughout the process described in Section 1000.3
- 29 2. The Petitioner shall pay RSA 675:7 notice fees and other applicable fees
- 30 3. City Council shall establish a Petitioner application fee in § 68-15  
31 Enumeration of fees.
- 32  
33 E. The Zoning Administrator may request persons submitting an amendment for any  
additional information as may be necessary to put the proposal in a form consistent  
with the remainder of the Ordinance and capable of being acted upon.

# Amendment 19

## Miscellaneous Definitions – Appendix A

From: Zoning Staff and State Law Conformance

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### A. Definition of “Lot Width”:

**“LOT WIDTH:** The distance measured across the rear line of the required **front yard** providing that at least 22 20 feet exist along the **street line**.”

The reasoning behind changing the definition of “lot width” is to align with the City’s Driveway Regulations (adopted by the Planning Board) which require a minimum driveway width of 12 ft., with 5 ft. setbacks from the lot lines on either side of the driveway. Lot width is relevant for zoning districts that require minimum *lot width* rather than minimum *frontage*. These include the R-1, R-2, R-3, R-O, R-O-1, and PB Districts. Requiring a minimum “width” in lieu of minimum “frontage” allows the creation of “flag lots” or “back lots” in these districts. For reference, an example of a “flag lot” (located on Bank Street) is outlined in blue in the image below:



### B. Definition of “Agriculture”:

**“AGRICULTURE:** ~~Any area of land, including structures thereon, that is used for agricultural purposes including forestry. This includes the raising of cows, horses, pigs, poultry and other livestock; horticulture and orchards; logging of a forest, woodland or plantation; selling of products grown or raised directly on such land; and the building, altering or maintaining of wood roads, agricultural roads, skidways, landings, fences, drainage systems and farm ponds.~~ This term shall have the meaning as set forth in RSA 21:34-a, II.”

The reasoning behind changing the definition of “agriculture” is to ensure that Lebanon’s agricultural-related zoning regulations can be effectively enforced in line with statutory requirements. Specifically, NH RSA 674:32-a, provides that, “whenever agricultural operations or activities **as defined in RSA 21:34-a** are not explicitly addressed with respect to any zoning district or location, such operations or activities shall be deemed to be permitted there, as either a primary or accessory use”. (emphasis added) Because the current definition of agriculture in Appendix A is different than the statutory definition, agriculture **as defined in RSA 21:34-a** is currently a permitted

# Amendment 19

## Miscellaneous Definitions – Appendix A

From: Zoning Staff and State Law Conformance

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30 use in every zoning district. As such, Lebanon's current agriculture-related zoning regulations are  
31 effectively unenforceable and rendered moot by the statutory requirements. Updating the definition  
32 of "agriculture" to match the statutory definition will allow Lebanon to continue restricting agricultural  
33 uses to the zones where agriculture is identified as a permitted use (i.e. within the Rural Lands  
34 Districts). The statutory definition of agriculture is included below for reference.

### 35 ***Statutory Definition of "Agriculture", RSA 21:34-a, II:***

36 II. The words "agriculture" and "farming" mean all operations or activities of a farm, including:

37 (a)(1) The cultivation, conservation, or tillage of the soil.

38 (2) The storage and use of or spreading of commercial fertilizer, lime, wood ash, sawdust,  
39 compost, animal manure, septage, and, where permitted by municipal and state rules and  
40 regulations, other lawful soil amendments.

41 (3) The use of or application of agricultural chemicals.

42 (4) The husbandry of livestock which shall include but not be limited to all beef or dairy cattle,  
43 steer, oxen, goats, sheep, swine, horses, mules or other equidae, as well as domesticated strains of  
44 buffalo, bison, llamas, alpacas, emus, ostriches, poultry, rabbits, yaks, elk (*Cervus canadensis*),  
45 fallow deer (*Dama dama*), red deer (*Cervus elephus*), or reindeer (*Rangifer tarandus*).

46 (5) The husbandry, boarding, training, or riding instruction of equines.

47 (6) The husbandry and harvesting aquaculture products including fresh or salt water finfish,  
48 shellfish, or other aquatic organisms grown for consumption or processing.

49 (7) The husbandry of poultry or game birds or production of eggs.

50 (8) The husbandry of bees or production of honey.

51 (9) The husbandry of domesticated strains of fur-bearing animals.

52 (10) The production of greenhouse crops.

53 (11) The production, cultivation, growing, or harvesting of any agricultural, floricultural,  
54 viticultural, forestry, or horticultural crops including, but not limited to, berries, herbs, honey,  
55 maple syrup, fruit, vegetables, tree fruit, grapes, flowers, seeds, grasses, nursery stock, sod, trees  
56 or tree products, Christmas trees grown as part of a commercial Christmas tree operation, trees  
57 grown for short rotation tree fiber, compost, or any plant that can be legally grown or harvested  
58 extensively for profit or subsistence.

59 (b) Any practice or activity on the farm incident to, ancillary to, or in conjunction with such  
60 farming operations, including, but not necessarily restricted to:

61 (1) Preparation for market, delivery to storage or to market, or to carriers for transportation to  
62 market of any products or materials from the farm.

63 (2) The transportation to the farm of supplies and materials.

64 (3) The transportation of farm workers.

65 (4) Forestry or lumbering operations.

66 (5) Marketing or selling at wholesale or retail, regardless of the manner or form of the transaction,  
67 any livestock or products derived principally from the production of the farm, including, but not  
68 limited to items listed in subparagraph (a), whether on-site or off-site, provided that marketing  
69 such products is not specifically prohibited by local regulations. For the purposes of this section  
70 marketing shall include agritourism, which means attracting visitors to a farm to attend events or

Amendment 19  
Miscellaneous Definitions – Appendix A  
From: Zoning Staff and State Law Conformance

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activities that are accessory uses to the primary farm operation, including, but not limited to, being provided a meal, making overnight stays, enjoyment of the farm environment, education which shall be instruction or learning about the farm's operations, or active involvement in the activities of the farm.

(6) Irrigation of growing crops from private water supplies or public water supplies where not prohibited by state or local rule or regulation.

(7) The use of dogs for herding, working, or guarding livestock, as defined in RSA 21:34-a, II(a)(4).

(8) The production and storage of compost and the materials necessary to produce compost, whether such materials originate, in whole or in part, from operations of the farm.

# Amendment 20

## Impact Fees

From: Zoning Staff

The impact fee changes proposed will serve two purposes. Eliminate the contradictory language in the Ordinance for dwelling units below 500 sq. ft. and to close the “basement loophole. The 500 sq. ft. contradiction says in one place in the text that no impact fees are due and in another that school impact fees can be waived. Eliminating the complete exemption language as proposed will ensure that Fire, Police, and Recreation impact fees will be collected for smaller units. Second is the closing of the “basement loophole” currently only the area of a new home that is “above grade” is included in the square footage calculations for impact fees. A walk-out basement and potentially finished basement would not be charged impact fees despite the fact that they are clearly part of the Gross Living Area. Finally, there is no sunset on the fee exemption for acts of nature or the replacement of a manufactured home. We proposed a time limit of two years which matches the same limits in the non-conformity section of the ordinance. There will be impact fee revenue enhancement that results from these changes.

### SECTION 213 IMPACT FEES.

E. Development means an activity that results in:

- (1) The creation of a new **dwelling unit** or units or new **manufactured housing**; or
- (2) The conversion of a legally existing use, or additions thereto, which would result in a net increase in the number of **dwelling units**; or
- (3) Construction resulting in a new non-residential **building** or a net increase in the **gross floor area** of any non-residential **building**; or
- (4) The conversion of a lawful existing use to another use if such change would result in a net increase in the demand on public capital facilities that are the subject of impact fee assessment.
- (5) A net increase in a residential building’s gross floor area greater than 500 square feet.

Notwithstanding the above, new development shall not include:

- ~~a. The creation of any new studio or one-bedroom accessory dwelling unit with a gross living area of 500 sq. ft. or less;~~
- a. The replacement of an existing **manufactured housing** unit or any existing **dwelling unit** if replaced within 2-years; or
- b. The reconstruction of a **structure** that has been destroyed by fire or natural disaster if replaced within 2-years where there is no change in size, density, or type of use that would increase the demand on capital facilities for which impact fees are assessed.

GROSS LIVING AREA: The total area of ~~above-grade~~ residential space within a dwelling unit as measured using exterior building dimensions, with a ceiling height of 7 ft. or greater, excluding unheated areas such as garages, enclosed or open porches, covered or open decks, outside stairs, balconies, and other unenclosed areas. The floor area of a walk-out basement with a ceiling height of 7 feet or greater shall be included.







18 September 2025

Honorable Mayor and City Council  
City of Lebanon  
51 North Park Street  
Lebanon, NH 03766

Re: Request for Zoning Map Change

Dear Mayor and Councilors:

On behalf of Rock Ridge Lebanon, LLC, this letter is being written to request a change to the city zoning map to be part of the city's annual zoning review.

**Request #1.** Rezone parcels along Old Pine Tree Cemetery Road to R-3 (see attached "OPTCR").

The parcels involved include 117-17, 74-1-100, 74-1-200, and numerous Rock Ridge parcels. These parcels are adjacent to the existing R-3 zoned parcels at the westerly end of OPTCR. This request seeks to extend the R-3 zone approximately 4,000' easterly to the southerly property line of Rock Ridge. The parcels proposed for re-zoning are currently zoned RL-2.

The current RL-2 zoning allows for 1Ac lots. The proposed R-3 zoning allows 0.25Ac lots. By placing the zone line 500' from OPTCR an additional 200 homes could be allowed. Under the Rock Ridge subdivision approval and the Homeowners Association documents, only 148 units can be built on the site, if zoning allows. This constraint ensures the city that an excessive amount of homes will not be built. However, this proposal fills the need for this type of housing that is missing and desperately needed to retain workers.

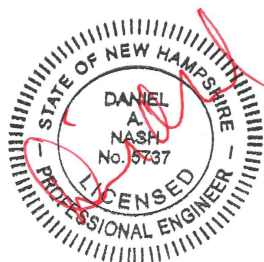
Changing the zoning for these parcels would allow for more single family homes and not cause the potential for harmful impacts from development.

Please let me know if you have any questions regarding this request.

Sincerely,

Daniel A. Nash, PE  
Principal

Attachments:

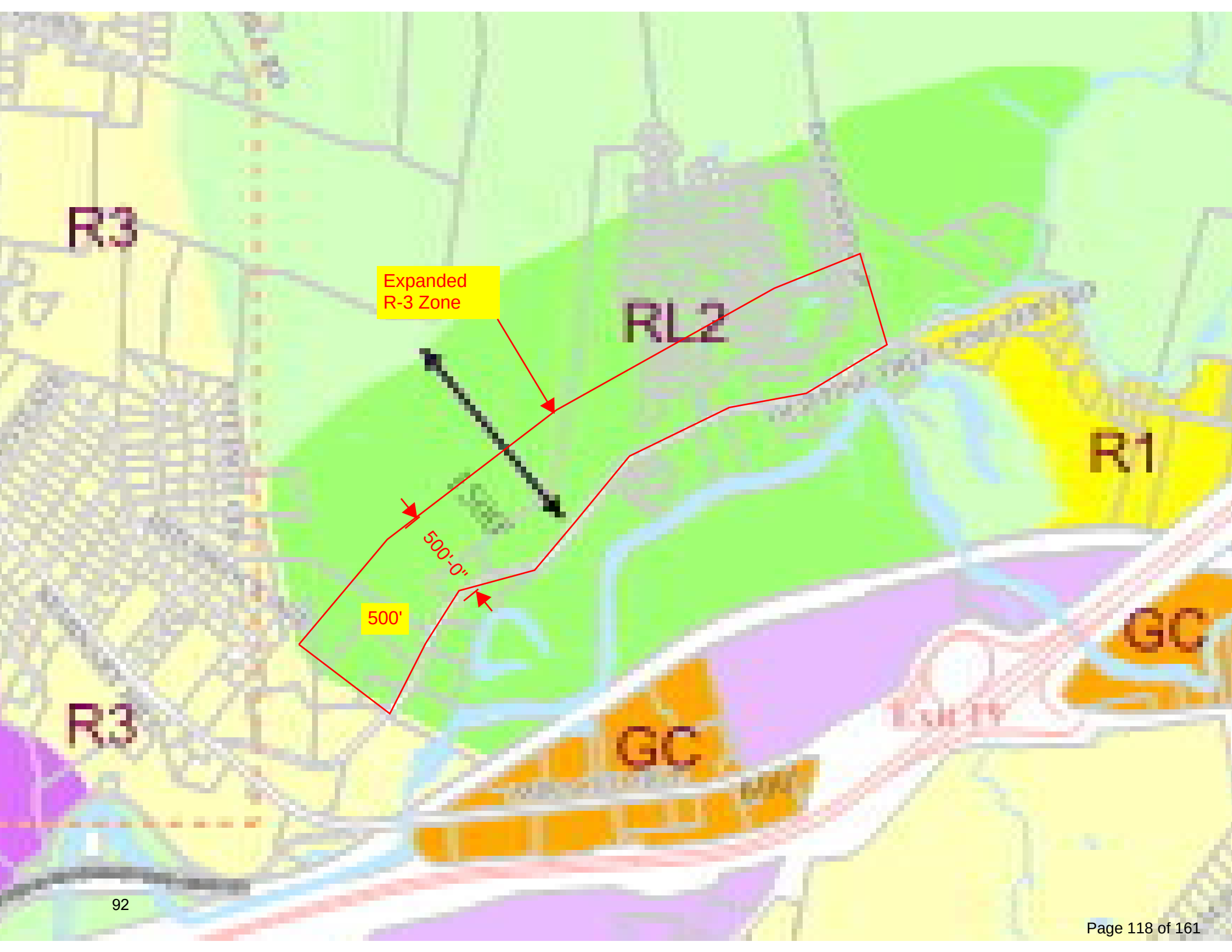


City Council  
Request for Zoning Change  
18Sep2025

-OPTCR  
-R-3  
-RL-1, 2, &3

CC: Don Hirst

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## SECTION 310 RESIDENTIAL THREE DISTRICT (R-3).

### 310.1 Purpose.

The purpose of the R-3 District is to provide areas primarily for single family residential neighborhoods.

### 310.2 Table of Uses.

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <u><b>Special Exception Uses</b></u><br>(see Section 801.3)                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Residential</u> <ol style="list-style-type: none"> <li>1. <b>One-family dwelling</b></li> <li>2. <b>Accessory dwelling unit (ADU)</b> per Section 610</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <u>Residential</u> <ol style="list-style-type: none"> <li>1. <b>Two-family dwelling</b> by conversion of existing <b>one-family dwelling</b></li> <li>2. <b>Senior housing complex</b></li> </ol>                                                                                                                               |
| <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li>3. <b>Home business</b> per Section 600</li> <li>4. Home-based agricultural business per Section 600B.2 (<b>lots</b> 5 acres or more) and per Section 600B.3 (<b>lots</b> greater than 10 acres)</li> <li>5. Home-based agricultural business per Section 600B.3.A (5–10 acre <b>lots</b>)</li> <li>6. Home-based agricultural business per Section 600B.3.B (10+ acre <b>lots</b>)</li> <li>7. Hospital</li> <li>8. House of worship</li> <li>9. Public education facility</li> <li>10. <b>Public recreation facility</b></li> <li>11. <b>Public safety facility</b></li> <li>12. <b>Renewable energy system</b> per Section 612</li> </ol> | <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li>3. Cemetery</li> <li>4. <b>Essential service</b></li> <li>5. <b>Group day care facility</b> per Section 604</li> <li>6. Home-based agricultural business per Section 600B.2 (<b>lots</b> less than 5 acres)</li> <li>7. <b>Nursing home</b></li> </ol> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <u>Uses by <b>Conditional Use</b> Permit</u><br>(see Section 302.4)                                                                                                                                                                                                                                                             |
| <u>Planned Developments</u> <ol style="list-style-type: none"> <li>13. PURD per Section 501</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <u>Residential</u> <ol style="list-style-type: none"> <li>1. <b>Cottage development</b> per Section 509</li> </ol>                                                                                                                                                                                                              |



310.3 Table of Area, Dimensions and Coverage.

**Minimum Lot Size**

| Class | Area          | Width | Maximum Height |
|-------|---------------|-------|----------------|
| 1     | 10,000 sq.ft. | 75'   | 35'            |
| 2     | 15,000 sq.ft. | 75'   | 35'            |
| 3     | 40,000 sq.ft. | 100'  | 35'            |

**Minimum Yard**

| Class | Front | Side | Rear | Max. <b><i>Building Coverage</i></b> |
|-------|-------|------|------|--------------------------------------|
| 1     | 20'   | 15'  | 20'  | 25%                                  |
| 2     | 20'   | 15'  | 20'  | 20%                                  |
| 3     | 25'   | 25'  | 30'  | 15%                                  |

310.4 Dwelling Unit Density.

For ***senior housing complexes*** and PURDs per Section 501.2 (“Planned Unit Residential Development (PURD)”), one (1) ***dwelling unit*** is permitted per each 10,000 sq. ft. of lot area. Density for ***senior housing complexes*** may be increased per Section 603 (“Senior Housing Complexes”).

## SECTION 312 RURAL LANDS ONE DISTRICT (RL-1).

**312.1 Purpose.** The purpose of the RL-1 District is to provide areas of transition between the denser urban neighborhoods of the R Districts and the more sparsely settled and/or more environmentally sensitive RL-2 and RL-3 areas.

### **312.2 Table of Uses.**

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <u>Special Exception Uses</u><br>(see Section 801.3)                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Residential</u> <ol style="list-style-type: none"> <li><b>One-family dwelling</b></li> <li><b>Accessory dwelling unit (ADU)</b> per Section 610</li> </ol> <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li><b>Agriculture</b></li> <li><b>Home business</b> per Section 600</li> <li>House of worship</li> <li>Public education facility</li> <li><b>Public recreation facility</b></li> <li><b>Renewable energy system</b> per Section 612</li> </ol> <u>Planned Developments</u> <ol style="list-style-type: none"> <li><b>Manufactured housing park</b> per Section 503</li> <li><b>Manufactured housing PURD</b> per Section 504</li> <li>PRec per Section 501</li> <li>PURD per Section 501</li> </ol> | <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li><b>Care and treatment of animals</b></li> <li>Cemetery</li> <li><b>Essential service</b></li> <li><b>Group day care facility</b> per Section 604</li> <li><b>Home-based contractor's yard</b> per Section 600A</li> <li>Radio or TV tower or other communication equipment</li> <li>Recreational camping park per Section 505</li> <li><b>Recreational facility, indoor</b></li> <li><b>Recreational facility, outdoor</b></li> </ol> |

### **312.3 Table of Area, Dimensions and Coverage.**

| Minimum <b>Lot</b> Requirements |             |                     |            |           |           | Maximum Limitations |                          |
|---------------------------------|-------------|---------------------|------------|-----------|-----------|---------------------|--------------------------|
| Class                           | Lot Area    | Lot <b>Frontage</b> | Front Yard | Side Yard | Rear Yard | Height              | <b>Building Coverage</b> |
| 1 or 2                          | 1 acre      | 150'                | 40'        | 25'       | 30'       | 35'                 | 15%                      |
| 3                               | 3 acres (*) | 150'                | 40'        | 25'       | 30'       | 35'                 | 15%                      |

\*The minimum lot size may be reduced to an area not smaller than one (1) acres by application of the High Intensity Soils Mapping Standards (i.e. **HIS**) of Appendix B.

## SECTION 313 RURAL LANDS TWO DISTRICT (RL-2).

### 313.1 Purpose.

The purpose of the RL-2 District is to provide land for low density, rural living.

### 313.2 Table of Uses.

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                             | <u><b>Special Exception Uses</b></u><br>(see Section 801.3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Residential</u> <ol style="list-style-type: none"> <li><b>One-family dwelling</b></li> <li><b>Accessory dwelling unit (ADU)</b> per Section 610</li> </ol>                                                                                                                     | <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li><b>Care and treatment of animals</b></li> <li>Cemetery</li> <li><b>Essential service</b></li> <li><b>Group day care facility</b> per Section 604</li> <li><b>Home-based contractor's yard</b> per Section 600A</li> <li><b>Produce stand</b></li> <li>Radio or TV tower or other communication equipment</li> <li>Recreational camping park per Section 505</li> <li><b>Recreational facility, indoor</b></li> <li><b>Recreational facility, outdoor</b></li> <li><b>Excavation of natural earth materials</b> per Section 606</li> </ol> |
| <u>Commercial/Non-Residential</u> <ol style="list-style-type: none"> <li><b>Agriculture</b></li> <li><b>Home business</b> per Section 600</li> <li>House of worship</li> <li><b>Public recreation facility</b></li> <li><b>Renewable energy system</b> per Section 612</li> </ol> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <u>Planned Developments</u> <ol style="list-style-type: none"> <li><b>Manufactured housing park</b> per Section 503</li> <li><b>Manufactured housing PURD</b> per Section 504</li> <li>PRec per Section 501</li> <li>PURD per Section 501</li> </ol>                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

### 313.3 Table of Area, Dimensions and Coverage.

| Minimum <b>Lot</b> Requirements |             |                     |            |           |           | Maximum Limitations |                          |
|---------------------------------|-------------|---------------------|------------|-----------|-----------|---------------------|--------------------------|
| Class                           | Lot Area    | Lot <b>Frontage</b> | Front Yard | Side Yard | Rear Yard | Height              | <b>Building Coverage</b> |
| 1 or 2                          | 1 acre      | 150'                | 40'        | 20'       | 25'       | 35'                 | 20%                      |
| 3                               | 3 acres (*) | 200'                | 40'        | 35'       | 30'       | 35'                 | 10%                      |

\*The minimum lot size may be reduced to an area not smaller than one (1) acres by application of the High Intensity Soils Mapping Standards (i.e. **HIS**) of Appendix B.

## SECTION 314 RURAL LANDS THREE DISTRICT (RL-3).

### 314.1 Purpose.

These are areas of the City within which development should be restricted until it has been further studied and detailed plans developed. These are critical areas where slopes of over twenty-five percent (25%) may be found, **wetlands** and a seasonably high water-table exist or have poor highway access to the rest of the community. These areas almost uniformly have severe restrictions for on-site disposal of sewage and any extensive development, including **driveways**, may present problems in grades and control of erosion. The primary use of these areas should be for forestry with only limited development for single family residential purposes on large lots.

### 314.2 Table of Uses.

| <u>Permitted Uses</u>                                                                                                                                                                                                                                                                                                                                                      | <u><b>Special Exception Uses</b></u><br>(see Section 801.3)                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Residential</u><br>1. <b>Accessory use</b> to any <b>one-family dwelling</b><br><u>Commercial/Non-Residential</u><br>2. <b>Agriculture</b><br>3. <b>Home business</b> per Section 600<br>4. <b>Public recreation facility</b><br>5. <b>Renewable energy system</b> per Section 612<br><u>Planned Developments</u><br>6. PRec per Section 501<br>7. PURD per Section 501 | <u>Residential</u><br>1. <b>One-family dwelling</b><br>2. <b>Accessory dwelling unit (ADU)</b> per Section 610<br><u>Commercial/Non-Residential</u><br>3. Cemetery<br>4. <b>Essential service</b><br>5. <b>Home-based contractor's yard</b> per Section 600A<br>6. Radio or TV tower or other communication equipment<br>7. Recreational camping park per Section 505<br>8. <b>Recreational facility, indoor</b><br>9. <b>Recreational facility, outdoor</b> |

### 314.3 Table of Area, Dimensions and Coverage.

| Minimum <b>Lot</b> Requirements |            |           |           | Maximum Limitations |                          |
|---------------------------------|------------|-----------|-----------|---------------------|--------------------------|
| Lot Area                        | Front Yard | Side Yard | Rear Yard | Height              | <b>Building Coverage</b> |
| 10 acres                        | 50'        | 50'       | 50'       | 35'                 | 1%                       |

# Petition for Zoning Changes along Old Pine Tree Cemetery Road

(Old Pine Tree Cemetery Road)

18 September 2025

Members of the Lebanon City Council,

As voters of the City of Lebanon, we petition you to make changes to the zoning map.

-Our request is under the provisions of the Zoning Ordinance, Section 1002.2.C..

-Our requests are outlined in AGD letter to the City Council dated 18Sep25

We, the voters, call on the City of Lebanon to make these changes to allow for more single family homes to be built on these properties.

| Name of Resident | Signature of Resident | Address and Phone                              | Date Signed |
|------------------|-----------------------|------------------------------------------------|-------------|
| Juan Holmes      | Juan Holmes           | 24 Pleasant St. Unit 35<br>W. Lebanon NH 03789 | 9/18/25     |
| MICHAEL KIPP     | [Signature]           | 181 MERIDEN RD.<br>LEBANON, NH                 | 9/19/25     |
| EUGENE BORSVERT  | [Signature]           | 2 Parker Lane W Lebanon<br>03764               | 9/19/25     |
| Shari Gilliam    | Shari Gilliam         | 3 Orcutt Avenue<br>West Lebanon, NH            | 9/19/25     |
| Brenda H. H. H.  | [Signature]           | 54 Middle St                                   | 9/19/25     |
| ERIC BLAIR       | Eric Blair            | 2 Spencer St                                   | 9/19/25     |
| Dan Nash         | Dan Nash              | 387 Poverty Lane<br>603-448-6023               | 19 Aug 25   |
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30 October 2024

Honorable Mayor and City Council  
City of Lebanon  
51 North Park Street  
Lebanon, NH 03766

Re: Request for Zoning Change

Dear Mayor and Councilors:

On behalf of ICV of NH, LLC, this letter is being written to request a zoning change to be part of the city's annual zoning review.

**Request #1.** Rezone parcel 26-2 on Etna Road to GC-1 (see attached "Lot 26-2").

Parcel 26-2 is a large, mixed use industrial parcel. It currently has an office building and an a multi-family building on it. The parcel is unsuitable for typical industrial building as it is steep and boulder. The land could support one or two more multi-family structures, if re-zoned.

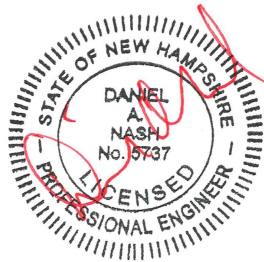
This parcel is in between the other parcels being considered for change to GC-1. It has the same characteristics as those parcels and could provide similar benefit to the city. Making this change fits with those properties. I believe this parcel was overlooked in the study process and should be included for consideration for a zone change.

Establishing this proper zoning to this parcel would be just, appropriate, and not cause the potential for harmful impacts from development.

Please let me know if you have any questions regarding this request.

Sincerely,

Daniel A. Nash, PE  
Principal





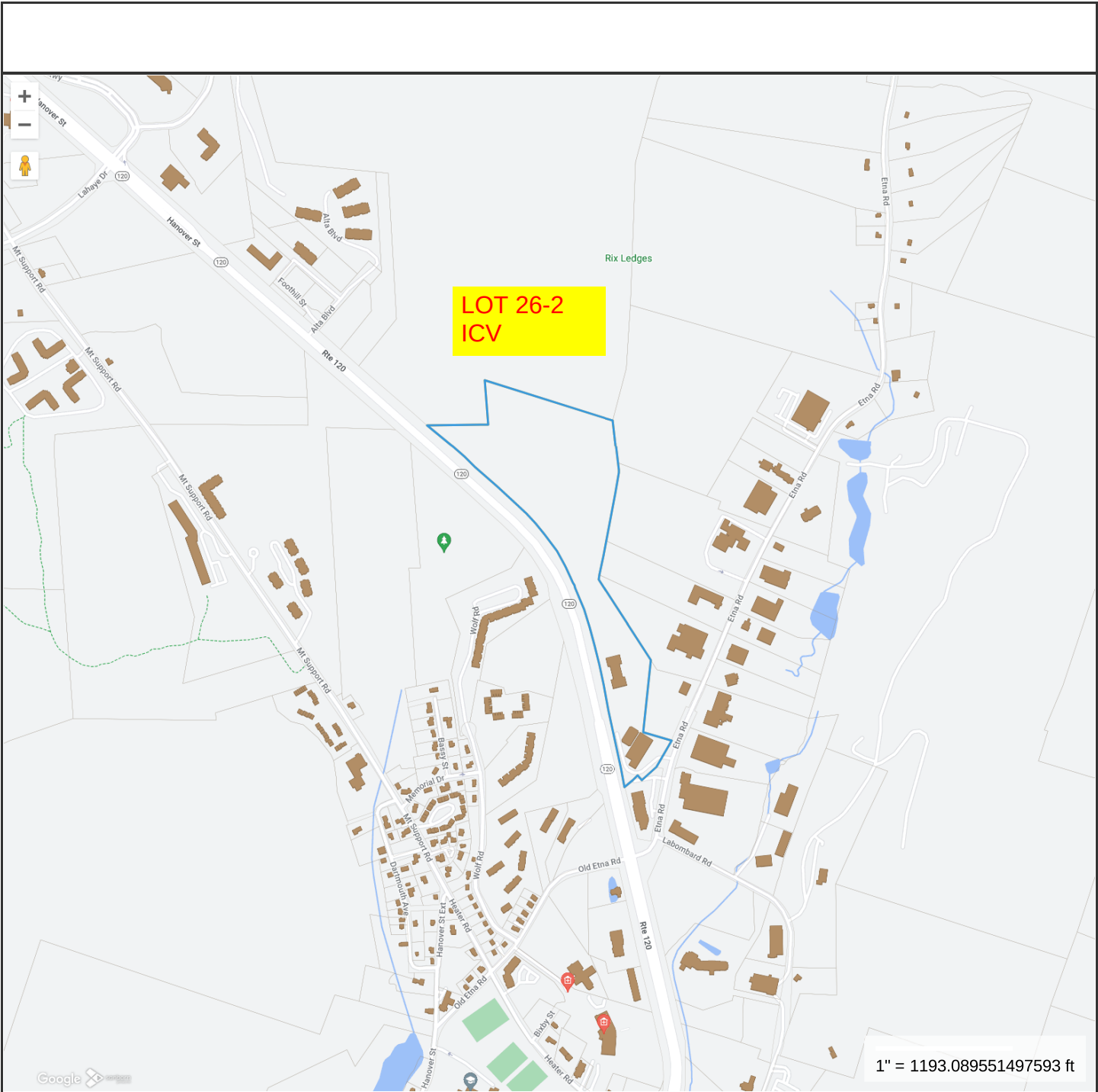
City Council  
Request for Zoning Change  
30Oct2024

Attachments:

- Lot 26-2
- North Lebanon zone change map
- signed petition

CC: Robert Sprayregen, ICV

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Property Information

Property ID 26-2  
Location 67 ETNA RD  
Owner ICV HOLDINGS OF NH LLC



MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

City of Lebanon, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 07/15/2024  
Data updated 11/18/2018

Print map scale is approximate.  
Critical layout or measurement activities should not be done using this resource.

The Pattern Zones Study includes three primary areas of focus:

1. Creation of a Pattern Zones Overlay District to promote infill housing development within the study area.
2. A Preapproved Architecturally Designed Pattern Book, consisting of 15-25 house designs that can be accessed free of charge to those seeking to build a new house in the study area. The Pattern Book will be contracted for three years with Pattern Zones Co. and will be accessible online. The final stages of its approval are currently under development.
3. A sensitivity analysis, provided at the City Council meeting in September, analyzed housing market trends, zoning codes and the current neighborhood configuration to match housing opportunity with regulatory structure. The Zoning recommendations are based upon the sensitivity analysis.

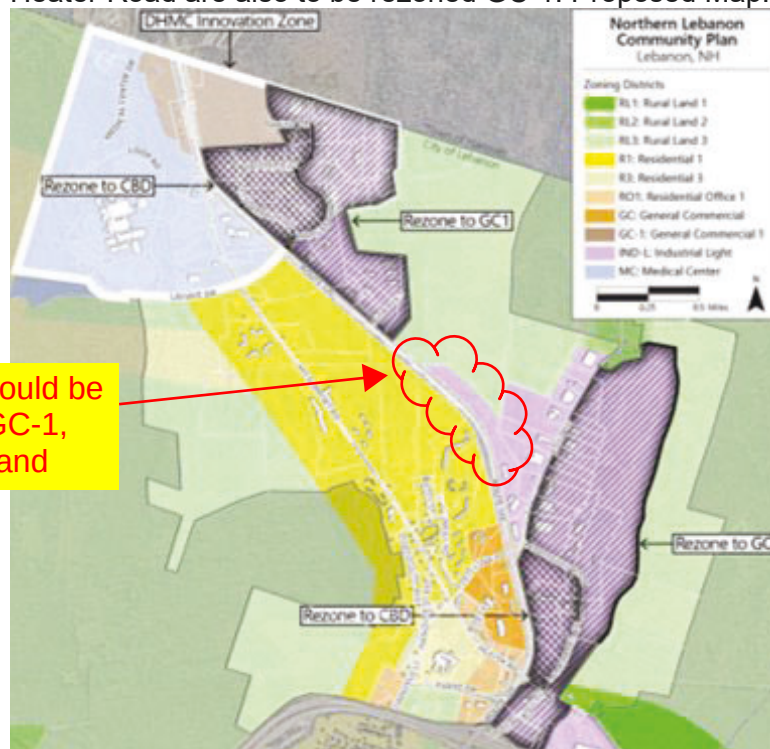
#### B. 120 – North Lebanon Study

The 120 North Lebanon Study was initiated in January 2024 and concluded with a presentation to City Council in September 2024. The study included substantial public engagement with the people that live and work in the Northern Lebanon neighborhood. The study makes a series of recommendations within three categories: Conservation, Zoning, and City amenities including transportation improvements. Specific recommendations include the creation of a wildlife crossing and land use-based protections for the crossing, and the re-zoning of the area to maximize development in line with the current and future needs of the neighborhood.

##### 1. Zoning Map changes.

- a. The changes proposed within the study area are to rezone the areas around Centerra business park to Central Business District (CBD).
- b. The Altaria developments and surrounding areas are to be rezoned as General Commercial One (GC-1).
- c. The areas along Etna Road, Labombard Road, Heater Road and Little Heater Road are also to be rezoned GC-1. Proposed Map:

ICV land that should be considered for GC-1, as other IND-L land



## Petition for Zoning Change to LD zone

(Mechanic Street)

21 October 2024

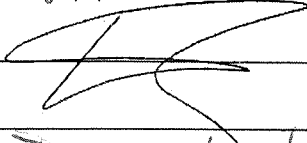
Members of the Lebanon City Council,

As voters of the City of Lebanon, we petition you to make changes to the zoning ordinance.

-Our request is under the provisions of the Zoning Ordinance, Section 1002.2.C..

-Our requests are outlined in AGD letter to the City Council dated 21Oct24

We, the voters, call on the City of Lebanon to make these changes to establish fair and just zoning for this property.

| Name of Resident                                                                    | Signature of Resident | Address and Phone                | Date Signed |
|-------------------------------------------------------------------------------------|-----------------------|----------------------------------|-------------|
| Daynel Parri's                                                                      | Daynel Parri's        | 200 Maccoma St<br>603-878-6543   | 10/30       |
| Jennifer Labrie                                                                     | Jennifer Labrie       | 8 Forster Street<br>603-252-5149 | 10/30       |
| Brenna Labbie                                                                       | Brenna Labbie         | 603-790-3165                     | 10/30       |
|  | Robert Oakes          | 603-443-0492                     | 10/30       |
| Daniel Nash                                                                         | Daniel Nash           | 603-448-6023                     | 30 Oct 24   |
|                                                                                     |                       |                                  |             |
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|                                                                                     |                       |                                  |             |

August 21 2025  
To Lebanon City Council;

I would like to ask that the City of Lebanon consider **adding "Vehicular Repair" as an allowed use within the City's Light Industrial zone.**

Currently, the only zone that currently allows Vehicular Repair is in the General Commercial (GC) Zone. GC zoning is generically supportive of retail focused businesses that require high traffic count and visibility, and historically has supported small auto repair shops as found on Mechanic Street. However, as I have discovered in a current engagement by Key Collision (division of Key Auto), the size and nature of most GC lots are not that appropriate for larger autobody repair shops, which don't need/want high visibility, need to be fenced for insurance and security and frequently need 3-4 acres of land, which support a large shop and significant parking.

Currently, the Light Industrial Zone permits:

- 1) Vehicular sales (with Conditional Use Permit), however NOT Vehicular Repair, despite the nature of this business being more aligned with manufacturing and industry.
- 2) Equipment and Machinery (tractors, lifts, etc) sales, rental and service. These businesses are similar in nature to larger vehicular repair/autobody shops. They do not fit well in high traffic retail locations.

**Given the purpose of the IND-L zone (see below) and the nature of the vehicular repair autobody shop business, it is my petition that this use should be allowed in the Light Industrial zone.**

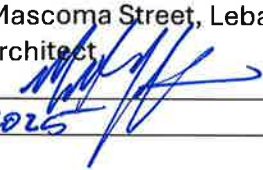
*303.1 Purpose. The purpose of the IND-L District is to provide land in appropriate locations for the establishment of manufacturing plants and other businesses of a similar nature, which improve employment opportunities and strengthen the economic base of the city. Such activities should not adversely affect the natural environment, adjacent residential areas or community facilities. A variety of manufacturing, distribution and service industries, and certain limited support activities are allowed in the district. However, in order to preserve appropriate land for such uses, residential uses and many types of commercial uses, such as retailing and **personal services**, are not allowed.*

This zoning change is supported by the following Lebanon residents:

Name: Tim Olsen

Address: 45 Mascoma Street, Lebanon, NH

Profession: Architect

Signature 

Date 8/24/2025

Name: Matt Giffin

Address: 5 Hillside Drive

Profession: Architectural Designer

Signature 

Date 8/24/2025

Sincerely

Chip Brown

BCR

chip@brownncr.com

Lebanon City Council  
Shaun Mulholland  
Jack Wozmak  
Lebanon City Hall  
51 N Park St  
Lebanon, NH 03766

Dear Members of the Lebanon City Council,

I am writing to formally submit a petition in accordance with Section 1000.2.C of the Zoning Ordinance on behalf of the voters who have signed the petition. This petition seeks to amend the Zoning Ordinance, specifically Section 607.8.C.2, which pertains to the regulations for electric vehicle (EV) charging in multi-family dwellings.

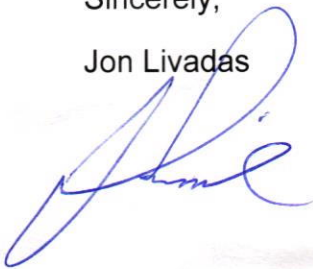
The attached document outlines the proposed amendment and our rationale for the requested changes. We believe that the current EV charging requirements are overly restrictive and financially burdensome, particularly for new developments which will further inflate the housing crisis and limit affordable housing development. By revisiting the requirement using accurate data and by allowing these decisions to be made through the site plan review process, we can ensure a more flexible and case-by-case approach that better accommodates the diverse needs of different projects within our community.

We respectfully request that this petition be reviewed and considered for adoption to promote equitable development and the effective allocation of resources.

Thank you for your attention to this matter.

Sincerely,

Jon Livadas





# Petition 1000.2 C: Revising the EV Charging Mandate

## 607.8 Electric Vehicles.

- A. Purpose. The purpose of this section is to facilitate the transition to **electric vehicle** use and to expedite the establishment of convenient, cost-effective **electric vehicle infrastructure** that such a transition necessitates.
- B. Applicability. **EV charging stations** are allowed as an **accessory use** in all zoning districts. When the retail charging of **electric vehicles** is proposed to be the principal use of a **lot**, then the proposed **EV charging station** shall be considered a **service station** for zoning purposes.
- C. ~~EV Infrastructure Requirements / Off-Street EV Parking Requirements. EVSE-installed spaces, EV-ready spaces, and EV-capable spaces shall be provided as follows:~~
- ~~1. One and Two-Family Dwellings. All new one and two family dwellings shall provide at least one (1) EV-ready space per dwelling unit.~~
  - ~~2. Multi-Family Dwellings. Parking for multi-family dwellings and senior housing complexes shall include a minimum of 65% of EVSE-installed EV-ready, and EV-capable spaces as follows:~~
    - ~~a. EVSE-installed spaces for a minimum of 5% of proposed off-street parking spaces.~~
    - ~~b. EV-ready spaces for a minimum of 20% of proposed off-street parking spaces.~~
    - ~~c. EV-capable spaces for a minimum of 40% of proposed off-street parking spaces.~~
  - ~~3. Non-Residential Uses. Parking for uses requiring or proposing to provide 30 or more off-street parking spaces shall include a minimum of 50% of EVSE-installed, EV-ready, and EV-capable spaces as follows:~~
    - ~~a. EVSE-installed spaces for a minimum of 2% of proposed off-street parking spaces, with a minimum of two EVSE-installed spaces.~~
    - ~~b. EV-ready spaces for a minimum of 10% of proposed off-street parking spaces.~~
    - ~~c. EV-capable spaces for a minimum of 38% of proposed off-street parking spaces.~~
  4. Where the calculations above result in a fractional parking space, it shall round up to the next whole number.
  - ~~5. Where the number of EVSE-installed spaces provided exceeds the minimum required, the excess spaces shall be deducted from the total number of required EV-ready spaces.~~
  - ~~6. Where the number of EV-ready spaces provided exceeds the minimum required, the excess EV-ready spaces shall be deducted from the total number of required EV-capable spaces.~~
  - ~~7. Up to five (5) Level 2 EV-installed spaces may be substituted with one (1) Level 3 EV-installed space (minimum 50kW).~~
  - ~~8. EVSE-installed spaces, EV-ready spaces, and EV-capable spaces are to be included in the calculation for both the number of minimum required and maximum permitted off-street parking spaces.~~
    - ~~a. Every two (2) EVSE-installed spaces provided in addition to the required minimum may be counted as four (4) off-street parking spaces as relates to Section 607.1 (Minimum Off-Street Parking Requirements), for reduction of total required parking not greater than 10 percent of the total amount of required parking.~~

This document serves as a petition to remove the Electric Vehicle (EV) charging mandates from the Zoning Ordinance and instead include a simpler requirement that suits the actual projected demand in Site Plan regulations.

The current multi-tiered approach of EV charging requirements is overly cumbersome, financially prohibitive, and confusing for property owners. The existing zoning ordinance assumes that almost every tenant will have at least one electric vehicle and lacks the flexibility needed to accommodate various types of projects, forcing all properties, including affordable housing, to adhere to the same overbearing standards. There is no data supporting the current mandates and while we understand Lebanon's EV goals the requirement seems to greatly out project a realistic EV adoption rate. Furthermore, the data showing EV growth in the Lebanon seems to be inaccurate, only covers a few years, and it doesn't distinguish between EV owners who own vs those who rent their homes. This is a crucial factor, as renters have different needs and priorities compared to homeowners when it comes to their vehicle choices. Ignoring this distinction further compounds the issues with the current one-size-fits-all approach

The EV industry continues to evolve as technology changes and making decisions today under the guise of being proactive to save property owners money in 5 or 10 years seems short-sighted given the limited and inconsistent data. Below are two screen grabs from the Lebanon website discussing registered EVs in Lebanon. The first is from last year (2024) and states Lebanon had 212 EVs in 2023. The second image is currently on the website and states there were 58 in 2023 and 95 in 2024.

[News Flash Home](#)  
The original item was published from 12/28/2023 11:05:00 AM to 6/2/2024 12:00:01 AM.  
[Electric Vehicles](#)

Posted on: December 28, 2023

**[ARCHIVED] EV Adoption Zooming Ahead**

The latest vehicle registrations in Lebanon confirm a rapid rise in the number of electric vehicles (EVs), which includes all-electric cars or trucks and plug-in hybrids. The same acceleration is happening in Grafton County, across the State of New Hampshire, and in the United States as a whole, Lebanon's [Electric Vehicle \(EV\) Subcommittee](#) reports.

Compared with December 2022, the number of EVs registered in Lebanon increased by 70% in December 2023. And compared with 2016, when the first long-range EVs became available (other than Teslas), EV registrations in Lebanon increased by 278% in 2023. The absolute numbers still are small locally -- we are up to 212 EVs in Lebanon -- but the trend toward more EVs is happening in all parts of the state and the country.

[CNN reports](#) that in 2023 for the first time, U.S. consumers bought more than 1 million EVs in a single year, accounting for around 8% of car sales. A [recent presentation](#) by the New Hampshire Department of Environmental Services (DES) showed increased EV registrations in every county, with Grafton being the fourth most EV-popular county in the state:





### Why EVs?

- EVs are fun to drive!
- Throughout New England, transportation emits carbon dioxide (a greenhouse gas) more than any other sector of society. The same is true in Lebanon. According to the 2012 Lebanon Master Plan, Lebanon's commercial sector is the largest carbon emitter here, and 70% of that is commute vehicle emissions.
- EVs can run on clean, affordable, domestic electricity.
- EVs save money in the long run. Although purchase prices for some EVs can be higher than for some internal-combustion vehicles, costs for fuel and maintenance are dramatically lower with EVs, producing considerable savings overall.
- EVs are good for business. [Installing EV charging stations increased sales at nearby businesses by an average of 13% in a four-year study of 273 stores, restaurants, hotels, and other retail businesses.](#) In a [separate study](#) of 4,000 EV charging stations and 140,000 business establishments, installing EV charging increased annual spending at nearby businesses by 2.7% in 2019 and 3.2% in 2021-2023.
- The U.S. auto industry is shifting to EVs. The number of plug-in vehicles registered in Lebanon increased by 58% between December 2023 and December 2024 (from 58 to 95 EVs and plug-in hybrids). Plug-in vehicles comprised 3.5% of vehicles in Lebanon in 2024, up from 0.5% in 2020. Also view [a town-by-town breakdown of 2020 EV registrations](#) (PDF).

So which number is correct? We would be surprised if EV ownership has gone down, and we are not arguing the industry isn't growing, but we do believe a more balanced approach is necessary. One that aligns with the actual needs of the community while forecasting a realistic adoption rate based on defensible, local data rather than nationwide statistics or only pro EV articles. Requiring 65% or more parking spaces to be EV/ready when there is no data to support that number is an overreach. For instance, The Lebanon Woolen Mill (LWM) multi-family development, has 240 parking spaces and is required to have 156 EV parking spaces mixed across the different levels. LWM, will have almost three times more EV ready spaces than there are registered EVs in Lebanon. Furthermore, the development is private, and the chargers will not be accessible to non-residents. Would we be better served by focusing on public charging stations accessible to everyone?

Imposing the current EV charging requirements is financially burdensome for property owners. The significant upfront costs will not yield short-term or long-term value, as technology and market demands evolve rapidly, and future value does not lower the cost of building today. These additional costs will result in less development of both market rate and affordable housing. We need housing units OF ALL KIND - the more supply the more rent relief the market will see.

As it stands, the EV ordinance does not offer the adaptability needed to address the unique circumstances of different developments. By moving EV requirements to the site plan review process, decisions can be made on a case-by-case basis just as parking requirements are managed today. This would allow for a more tailored approach,

ensuring that the needs of each project are adequately met without imposing unnecessary financial burdens on specific projects such as affordable housing.

Lastly, the EV mandate seems to not have thought about the impact it will have on the power grid if all the proposed developments get built. We understand charging will mostly happen during the night when tenants are home but still, the grid must be able to support the power being brought to the site. Were utility companies consulted regarding the additional load these requirements would impose and if that type of power could be provided? Using the Lebanon Woolen Mill project as an example, the switchgear needed to power just the EV aspect could power a 100-unit building. Many designated EV spaces won't have chargers installed as laid out in the requirements, yet our site will still need three switchgears. This is creating a scenario where the power infrastructure is significantly expanded without any guarantee of utilization while potentially lowering the load potential elsewhere. These are all issues California is dealing with today due to their overly aggressive EV requirements.

We believe that rescinding the EV charging mandate, right sizing it for the community future need, and moving it to the Site Plan Regulations will foster a more economically viable development landscape while motivating smaller property owners to invest in their assets to bring more housing on a smaller scale to Lebanon. By enabling a flexible approach through site plan review, we can ensure that each project is evaluated on its own merits and specific needs, similar to how parking requirements are handled.

If you support the above, please sign below:

Name: Karen A. Slayton

Signature: Karen A. Slayton

Date: May 20, 2025

Name: Robert E. Slayton

Signature: Robert E. Slayton

Date: May 20, 2025

Name: Gordon Bailey

Signature: Gordon Bailey

Date: May 20, 2025

Name: SIAMANTHA MEDINA

Signature: Samantha Medina

Date: May 21 2025

Name: Tracy Packard

Signature: Tracy Packard

Date: May 21 2025

Name: Cote Swenson

Signature: Cote Swenson

Date: May 21 2025

Name: Kim Davis

Signature: Kimberlee Davis

Date: 5/21/25

Name: Michelle Hammond

Signature: Michelle Hammond

Date: 5/21/2025

Name: Mary Mayes

Signature: Mary Mayes

Date: 5/21/2025

Name: Don Talburt

Signature: Don Talburt

Date: 5/21/2025





October 27, 2025

Nathan Reichert  
Director of Planning & Development  
City of Lebanon  
51 N. Park Street  
Lebanon, NH 03766  
[nathan.reichert@lebanonnh.gov](mailto:nathan.reichert@lebanonnh.gov)

**RE: Twenty 2025-2026 Proposed Zoning Amendments**

Mr. Reichert:

This is a preliminary legal opinion as required by Section 1000.3(B)(2) of the Lebanon Zoning Ordinance concerning twenty (20) amendments to the zoning map or the text of the zoning ordinance proposed by the planning board, planning staff, or the city council. I have reviewed a staff memorandum packet dated September 22, 2025 which includes informational materials for each of the twenty amendments.

The ZO requires this legal review to cover: (a) whether such amendment is within the authority delegated to the City under State law; (b) whether the form is appropriate; and (c) whether, from an administrative point of view, the amendment can be administered and enforced.

With respect to the twenty (20) proposed amendments described in the September 22, 2025 Planning and Development Department Staff Memo, my general answer to the three questions in Section 1000.3.B(2) is “yes”, subject to specific comments as to appropriate form set forth below. With the exception of my comments below, I discern no significant legal or administrative issues of concern with these proposed amendments. If I do not reference a specific amendment below, then I have no comments as to its form.

**1. Amendment 1: 2024 HB1361: Manufactured Homes**

As amended by 2024 HB1361, RSA 674:32, I(b) specifies that municipalities must afford opportunities for siting of manufactured housing in one or more specific areas: (1) on individual lots, in districts zoned to permit residential uses; **OR** (2)(A) in manufactured housing parks in districts zoned to permit residential uses and (2)(B) in subdivisions created for the placement of manufactured housing on individually-owned lots, in districts zoned to permit residential uses; **OR** (3) in all three types of locations listed in (b)(1), (b)(2)(A) and (b)(2)(B).

Section 209 in its current form allows manufactured housing in manufactured housing parks ((2)(A) above) and in manufactured housing PURDs (which, per Sections 500, 501 and 504 of

the ZO, are a type of “subdivision” for purposes of (2)(B)). Therefore, Lebanon’s ZO appears to already be in compliance with the amended RSA 674:32, I.

I note that RSA 674:32, I(c) now specifies that “[n]o special exception or special permit shall be required for... manufactured housing subdivisions pursuant to subparagraph (b)(2)(B) unless such special exception or permit is required by the municipality for single family housing located on individual lots or in subdivisions. Under ZO section 504, I note that a manufactured housing PURD requires a conditional use permit. This appears to be appropriate because ZO section 501.1.B specifies that *all* PUDs, including PURDs, require a conditional use permit.

The proposed amendment to also allow manufactured housing on individual lots in districts where one-family dwellings are permitted is in accord with RSA 674:32, I, (b)(1) and (b)(3), as it allows manufactured housing units in “most” areas zoned for “residential uses”. I recommend the following edits to the proposed addition to Section 209, to conform more closely with the statute.

Manufactured ~~H~~ousing ~~U~~nits shall also be allowed on individual lots in zoning districts that allow one-family dwellings with the following conditions:

1. The ~~M~~anufactured housing unit shall be a one-family dwelling.
2. The ~~M~~anufactured housing unit shall be on a foundation.
3. A manufactured housing unit shall not be used ~~an~~ as an ADU.
4. Design elements such as landscaping, porches, pitched roofs, and stone or bricks accents are encouraged.
5. The manufactured housing unit shall ~~follow~~ comply with lot size, frontage requirements, space limitations, and all setbacks, parking, and regulations of the zoning district.
6. Manufactured housing units are not eligible for the Pattern Zones Overlay District zoning enhancements.

## 2. **Amendment 3: SB284: Residential Parking Requirements**

Note that the state law requiring this amendment is 2025 Senate Bill (SB) 284, not a House Bill (HB).

The proposed amendment to ZO section 607.3(A) deletes an exception to maximum parking requirements for one- and two-family dwellings, and appears to insert a maximum off-street parking cap of 200% (double) the minimum requirement from the Table of Minimum Off-Street Parking Requirements. In its current form, the Table requires a minimum of 2.0 parking spaces per one-family or two-family dwelling unit. The proposed amendments would now seem to cap the number of parking spaces at 2.0 per one-family or two-family dwelling unit (by reducing the minimum to 1.0 spaces and only allowing 200% of the minimum).

Unless I am misunderstanding the intent of the maximum parking language, I recommend that a carve-out for one- and two-family dwellings be restored. It would be difficult to administer and enforce a maximum limit of two off-street parking spaces for residential homes.

3. **Amendments 5-9: Map Amendments – A note on Spot Zoning**

Amendments 5-9 propose re-zoning various lots up and down the Route 120 corridor. It is of course within the City's authority to change its zoning map and to change the zoning district designation of land. A hallmark of zoning is that regulation is by district and not by individual lots, so whenever a proposed change would affect a relatively limited area, it is important to consider whether that change meets the legal standard for zoning.

A change to a zoning map may be problematic "spot zoning" if it is singled out for treatment different from that of surrounding land which cannot be justified on the basis of health, safety, morals, or general welfare of the community and if the change is not in accordance with a comprehensive plan. See Miller v. Town of Tilton, 139 N.H. 429 (1995). The mere fact that an area is small, is rezoned at the request of a single owner, and is of greater benefit to that owner than to others does **not** necessarily constitute spot zoning if there is a public need for it or a compelling reason for it. Id.

In considering whether rezoning constitutes spot zoning, courts may consider whether the change is made in response to some public need. See Shadlick v. Concord, 108 N.H. 319 (1967) (zoning change was made in response to growing need for multi-family housing which already existed in proximity to the rezoned area, and thus was part of a comprehensive plan rather than spot zoning). Also relevant is whether there are sufficient opportunities for the targeted use elsewhere in the community, particularly if those other areas aren't being used. See Bosse v. Portsmouth, 107 N.H. 523 (1967) (rezoning of one parcel for industrial use when it was surrounded by residential uses was spot zoning because many other areas in the city were available for industrial use but weren't being used that way). The common thread in the case law is that a court will consider whether there is a reason or combination of reasons for the change that is in the public interest and consistent with the community's development goals.

In this case, I do not discern any "spot zoning" issues with respect to the proposed map amendments.

4. **Amendment 11: Section 408: Historic District**

The proposed amendment to reference the "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings", specifically "as of 9/3/2025", and listing out those standards, means that these standards in Lebanon's ZO will not automatically update and change as the Secretary of the Interior's standards and guidelines may change. On the one hand, explicitly spelling out the standards may be helpful for readers. On the other hand, if/when in the future the standards are updated by the Dept. of the Interior, ZO Section 408.6 will need to be manually updated with further amendments to the ordinance.

5. **Amendment 12: Mobile Food Service Vending Ordinance**

I reviewed an earlier version of this ordinance in a letter dated April 4, 2025. I observe that the current version of the proposed ordinance appears to have addressed my questions and concerns.

6. **Amendment 17: Care and Treatment of Animals**

The proposed revisions to definitions include a definition for “Animal Clinic, Animal Hospital, or Veterinary Office” (emphasis added). The proposed revisions to the use tables add “Animal Clinic, Hospital, or Veterinary Office” to various zoning districts. To avoid confusion, the use tables should be updated to reference “Animal Clinic, Animal Hospital, or Veterinary Office”.

Please do not hesitate to contact me with any questions or concerns about this opinion.

Sincerely,



Matthew C. Decker

October 24, 2025

Nathan Reichert  
Director of Planning & Development  
City of Lebanon  
51 N. Park Street  
Lebanon, NH 03766  
[nathan.reichert@lebanonnh.gov](mailto:nathan.reichert@lebanonnh.gov)

**RE: Four 2025-2026 Petitioned Zoning Amendments**

Mr. Reichert:

This is a preliminary legal opinion as required by Section 1000.3(B)(2) of the Lebanon Zoning Ordinance concerning four petitioned amendments to the zoning map or the text of the zoning ordinance. I have reviewed a staff memorandum packet dated September 22, 2025 which includes the materials submitted in support of the four petitioned amendments.

The four petitioned amendments I have reviewed are as follow:

- **Petitioned Amendment 1:** Map Amendment: Rezoning of Parcels along Old Pine Tree Cemetery Road from RL-2 to R-3.
- **Petitioned Amendment 2:** Map Amendment: Rezone parcel 26-2 on Route 120, accessed via Etna Road, from IND-L and RL-3 to GC-1, in connection with an anticipated re-zoning to GC-1 of other nearby parcels to the north along Route 120 and to the south along the east side of Etna Road.
- **Petitioned Amendment 3:** Change of IND-L use table to add “vehicular repair” as a permitted use.
- **Petitioned Amendment 4:** Amendment to Electric Vehicle Ordinance, Section 607.8.

The ZO requires this legal review to cover: (a) whether such amendment is within the authority delegated to the City under State law; (b) whether the form is appropriate; and (c) whether, from an administrative point of view, the amendment can be administered and enforced.

With respect to the four petitioned amendments described above, my answer to the three questions in Section 1000.3.B(2) is “yes” and, with the exception of my comments below concerning the possibility of spot zoning, I discern no significant legal or administrative issues of concern with this proposed amendment.

1. Proposed Zoning Map Change, 67 Etna Rd., Parcel 26-2:

This proposal would affect one lot consisting of approx. 37 acres, currently split-zoned between the IND-L and RL-3 districts. The property owner appears to have asked for the entire lot to be re-zoned to GC-1 (although the owner may have only intended that the current IND-L area be re-zoned to GC-1, leaving the RL-3 area unchanged).

It is of course within the City's authority to change its zoning map and to change the zoning district designation of land. A hallmark of zoning is that regulation is by district and not by individual lots, so whenever a proposed change would affect a relatively limited area, it is important to consider whether that change meets the legal standard for zoning.

A change to a zoning map may be problematic "spot zoning" if it is singled out for treatment different from that of surrounding land which cannot be justified on the basis of health, safety, morals, or general welfare of the community and if the change is not in accordance with a comprehensive plan. See Miller v. Town of Tilton, 139 N.H. 429 (1995). The mere fact that an area is small, is rezoned at the request of a single owner, and is of greater benefit to that owner than to others does **not** necessarily constitute spot zoning if there is a public need for it or a compelling reason for it. Id.

In considering whether rezoning constitutes spot zoning, courts may consider whether the change is made in response to some public need. See Shadlick v. Concord, 108 N.H. 319 (1967) (zoning change was made in response to growing need for multi-family housing which already existed in proximity to the rezoned area, and thus was part of a comprehensive plan rather than spot zoning). Also relevant is whether there are sufficient opportunities for the targeted use elsewhere in the community, particularly if those other areas aren't being used. See Bosse v. Portsmouth, 107 N.H. 523 (1967) (rezoning of one parcel for industrial use when it was surrounded by residential uses was spot zoning because many other areas in the city were available for industrial use but weren't being used that way). The common thread in the case law is that a court will consider whether there is a reason or combination of reasons for the change that is in the public interest and consistent with the community's development goals.

In this case, while only one lot is referenced, I see from the petitioner's cover letter an intent that the lot "should be included for consideration for a zone change" in connection with other nearby lots "being considered for change to GC-1". Therefore, to avoid a spot zoning concern, this amendment should be reviewed and considered in connection with the other referenced changes, and not as a stand-alone amendment. (I also note that the desire to re-zone all or part of this lot to GC-1 is in conflict with the amendment #6 being put forward by the City, which would re-zone the northern half of the IND-L section of this lot to RL-3 while the southern portion remains IND-L.)

2. Proposed Amendment to Electric Vehicle Ordinance, Section 607.8:

The proposed amendment appears to request deletion of 607.8 (C) parts 1-3 and 5-8, but not part 4. I do not see a function or purpose for part 4 left standing alone, and if this amendment is implemented, I would recommend the deletion of part 4 along with the rest of part (C).



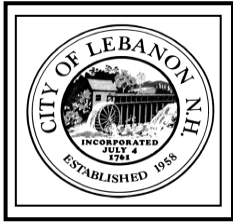
October 24, 2025  
Page 3

Please do not hesitate to contact me with any questions or concerns about this opinion.

Sincerely,

A handwritten signature in blue ink that reads "Matthew C. Decker". The signature is written in a cursive style with a large, stylized 'M' and 'D'.

Matthew C. Decker



## CITY OF LEBANON ~ PLANNING & DEVELOPMENT

### MEMORANDUM

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**TO:** Lebanon Conservation Commission

**FROM:** Planning and Development Department Staff Proposed

**RE:** EV Amendment 21

**DATE:** December 2, 2025

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When the 2025-2026 Zoning Amendment cycle started there were two amendments making changes to the Electric Vehicle regulations (Section 607.8). The City Council elected to create a working group to navigate having multiple amendments proposed for the same topic. The end product of the working group was a third EV zoning amendment that is a compromise of the first two. The writers of the first two amendments, Lebanon Energy Advisory Committee (Amendment 13) and Jon Livadas (Petitioned Amendment 4) are withdrawing their amendments. The majority of the working group endorses the new amendment, Amendment 21. The Planning Board will find Amendment 21 attached.

Attachments:

1. Amendment 21: EV Regulations Section 607.8

Amendment 21:

**Proposed amendments to the Lebanon Zoning Ordinance and Site Plan Regulations, drafted by the EV Subcommittee of the Lebanon Energy Advisory Committee (LEAC)**

Proposed changes in red text were endorsed unanimously by LEAC on June 19, 2025. New proposed text in blue, was developed collaboratively by Sherry Boschert, Clifton Below, Jon Livadas, and the EV subcommittee of LEAC and was endorsed by the LEAC EV Subcommittee on November 13, 2025. The next LEAC meeting is not until November 20. Deletions from existing text are mostly not shown to simplify presentation.

**Zoning Ordinance pages 136-137:**

**607.8 Electric Vehicles.**

A. Purpose. The purpose of this section is to facilitate the transition to electric vehicle use and to expedite the establishment of convenient, cost-effective electric vehicle infrastructure that such a transition necessitates.

B. Applicability. EV charging stations are allowed as an accessory use in all zoning districts. When the retail charging of electric vehicles is proposed to be the principal use of a lot, then the proposed EV charging station shall be considered a service station for zoning purposes.

C. EV Infrastructure Requirements / Off-Street EV Parking Requirements. EVSE-installed spaces, EVSE-ready spaces, and EVSE-capable spaces shall be provided as follows:

1. One- and Two-Family Dwellings. All new one- and two-family dwellings shall provide at least one (1) EVSE-Ready Low-power Level 2 charging space per dwelling unit.
2. All new dwellings with up to three units, including Accessory Dwelling Units (ADUs), shall provide at least one (1) EVSE-Ready Low-power Level 2 charging space per new dwelling unit.
3. Multi-Family Dwellings (four or more units; adding units to existing multi-family housing triggers the requirements for the new units only). Parking for new multi-family dwellings shall provide:
  - a. For each residential unit with parking, at least one EVSE-Ready Low-power Level 2 charging space per unit for 5% (five percent) of total units with parking.
  - b. EVSE-Capable Low-power Level 2 spaces for a minimum of 10% (ten percent) of residential units with parking. When 80% (eighty percent) of the EVSE-Ready spaces described in 3.a. are in use, the property owner shall

convert half or more of the EVSE-Capable spaces to EVSE-Ready; after that, when 80% (eighty percent) of total EVSE-Ready spaces are in use, additional EVSE-Capable or EVSE-Planned spaces shall be upgraded to EVSE-Ready or EVSE-Capable pursuant to an approved site plan.

c. For the remaining number of dwelling units not provided with EVSE-Ready or EVSE-Capable spaces, plus for at least one additional off-street parking space beyond one per dwelling unit (if provided), EVSE-Planned spaces shall be designated in a site plan approved by the Planning Board for incremental development as EVSE-Capable and EVSE-Ready spaces as demand for such spaces requires.

4. Non-Residential Uses. Parking for uses requiring the provision of 10 or more new or additional off-street parking spaces shall include:

a. EVSE-Installed Level 2 spaces for a minimum of 2% of new or additional off-street parking spaces, with a minimum of two EVSE-Installed spaces.

b. For parking spaces dedicated for employee use, the requirement of 4.a. may be replaced by Low-power Level 2 EVSE-Ready charging spaces at a minimum of 5% of new or additional spaces.

c. For 20% (twenty percent) of the remaining number of new or additional parking spaces not provided with EVSE-Installed or EVSE-Ready spaces, EVSE-Planned spaces shall be designated in a site plan approved by the Planning Board for incremental development as demand for such spaces requires.

d. For existing (not “greenfield”) non-residential developments, these requirements for EV charging may be replaced by a contribution to a common fund managed by the City of Lebanon for installing public EV charging stations at a separate site, with the contribution amount to be determined by the City.

5. Where the calculations above result in a fractional parking space, it shall round up to the next whole number.

6. Where the number of EVSE-Installed spaces provided exceeds the minimum required, the excess spaces shall be deducted from the total number of required EVSE-Ready spaces of a similar level (Low-power Level 2, or Level 2).

7. Where the number of EVSE-Ready spaces provided exceeds the minimum required, the excess EVSE-Ready spaces shall be deducted from the total number of required EVSE-Capable spaces of a similar level (Low-power Level 2, or Level 2).

8. Up to ten (10) Level 2 EVSE-Installed spaces may be substituted with one (1) Level 3 EV-Installed space.

9. EVSE-Installed spaces, EVSE-Ready spaces, and EVSE-Capable spaces are to be included in the calculation for both the number of minimum required and maximum permitted off-street parking spaces.

a. Every two (2) EVSE-Installed spaces provided in addition to the required minimum may be counted as four (4) off-street parking spaces as relates to Section 607.1 (Minimum Off-Street Parking Requirements), for reduction of total required parking not greater than 10 percent of the total amount of required parking.

10. In each instance where EVSE Capable is required, EVSE Ready or EVSE Installed may substitute. In each instance where EVSE Ready is required, EVSE Installed may substitute.

11. Devices such as intelligent load management systems and circuit splitters are permitted that may temporarily reduce EVSE electrical capacity for charging below the designated minimum power level.

## Pages 188-189 and 193:

### Appendix A – Definitions

**ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) / EV CHARGING STATION (EVCS):** The apparatus installed specifically for the purpose of transferring energy between the site or building wiring and the Electric Vehicle. EVSE does not include any equipment affixed to the electric vehicle.

**ELECTRIC VEHICLE INFRASTRUCTURE:** Structures, machinery, and equipment necessary and integral to support an electric vehicle, including EV charging stations and electrical outlets.

**ELECTRIC VEHICLE (EV):** An automotive-type vehicle for on-road use primarily powered by an electric motor, including any battery electric vehicle, ~~fuel-cell electric vehicle~~, or plug-in hybrid electric vehicle, that draws current from an onboard battery charged through a building or site electrical service, EVSE, or other source of electric current.

**EVSE-CAPABLE SPACE:** An off-street parking space with electrical panel capacity and space for a branch circuit dedicated to the parking space that is not less than 20-ampere and 110/120-volt panel capacity for Level 1 charging, or 20-ampere and 208/240-volt for Low-Power Level 2 charging, or 40-ampere and 208/240-volt for Level 2 charging, and is equipped with raceways or conduit, both underground and surface mounted, to enable the future installation of EVSE. For two adjacent EV-capable spaces, a single branch circuit is permitted.

**EVSE-PLANNED SPACE:** An off-street parking space that is included in a plan reviewed and approved by the Planning Board for eventual build-out as an EVSE-Ready space pursuant to Site Plan Review Regulations.

**EVSE-READY SPACE:** An off-street parking space provided with a full dedicated branch circuit that includes not less than 20-ampere and 110/120-volt panel capacity for Level 1 charging, or 20-ampere and 208/240-volt panel capacity for Low-Power Level 2 charging, or 40-ampere and 208/240-volt panel capacity for Level 2 charging plus conduit, wiring, receptacle, and overprotection devices terminating in an outlet or receptacle or junction box that will support an installed EVSE or support attachment of a charge cord for the vehicle and which is located in close proximity to the location of the parking space. For two adjacent EV-Ready spaces, a single branch circuit is permitted. These spaces are “ready to go” as outlets for users who bring their own charging cords or with the addition of an installed EV charging station (EVCS).

**EVSE-INSTALLED SPACE:** An off-street parking space with a dedicated branch circuit and EVSE. ~~at minimum.~~

**EVSE IN USE:** For the purpose of determining when to trigger conversion of EVSE-Capable spaces to EVSE-Ready, charging spaces shall be considered “in use” based on the number of units with one or more residents at a multi-family housing development that have informed the owner or management they either are charging or would like to charge an EV at their residence parking.

**LEVEL 1** (which is not mandated but is included here for informational purposes): Charging level for EVs that operates on a dedicated 20-amp breaker (same kind used for conventional electrical outlets in most buildings) on a 110- or 120-volt AC circuit while drawing 1.9-3.2 kW to supply approximately 2-5 miles of range gained per hour of charging.

**LOW-POWER LEVEL 2:** Charging level for EVs that operates on a dedicated 20-amp breaker (or two 20-amp outlets sharing a 40-amp breaker with some form of load management that limits total load on the circuit to 32 amps) on a 208- or 240-volt AC circuit while drawing 3.3-6.1 kW per 20 amps to supply approximately 10+ miles of range gained per hour of charging.

**LEVEL 2:** Charging level for EVs that operates on a dedicated 40- to 100-amp breaker (same kind used by a clothes dryer or stove) on a 208- or 240-volt AC circuit while drawing 6.2+ kW to supply 19+ miles of range gained per hour of charging.

**LEVEL 3:** Fast or rapid charging level for EVs that operates on a 100-amp or higher breaker on a 480-volt AC electric circuit or higher three-phase circuit with special grounding equipment and mounting on an equipment pad.

**LOAD MANAGEMENT:** A process for actively controlling the consumption of electricity to ensure power demand stays within the design limits of electrical infrastructure (e.g. devices, circuit wiring, breakers, panels, and transformers). A secondary purpose of load management may be to minimize the cost of such electricity demand and any needed capacity upgrades.



## **DRAFT PROPOSAL For Initial Site Plan Regulations:**

Add under Section 5.1, Drawings and Other Submittals, subsection 4.e (Table Form Information) after existing subsection (5) concerning parking and renumber remaining subsections, or after the last sub-subsection (13):

(X) Number of any off-street parking spaces initially to be EVSE-Installed, EVSE-Ready, EVSE-Capable, and EVSE-Planned, as described in the City's Zoning Ordinance, respectively.

Also under Section 5.1, as part of or following subsection 21 (concerning construction details including parking):

XX. A plan showing which spaces are designated as EVSE-Installed, if any, EVSE-Ready, EVSE-Capable, and EVSE-Planned, as described in the City's Zoning Ordinance. The plan shall indicate where electrical circuit breaker panels will be provided initially, and in the future for EVSE-Planned spaces, whether generally within buildings or outdoors as shown on a site plan. The plan shall also indicate where conduit to serve such panels and spaces will initially be provided and where conduit capacity (such as shared with site lighting) and sleeves will initially be provided for EVSE-Planned spaces to avoid the future need to cut through solid walls and floor slabs or excavate under hard surfaces such as pavement, concrete, sidewalks, and curbs for eventual conversion of EVSE-Planned spaces to EVSE-Capable or EVSE-Ready spaces as future demand may require. The plan shall also include a description of planned triggers for such future upgrades and may include annual reporting to the Planning Department of the number of dwelling units, tenants, or residents using EV charging on site and the number of EVSE-Ready or EVSE-Installed spaces provided.

December 3, 2025

Nathan Reichert  
Director of Planning & Development  
City of Lebanon  
51 N. Park Street  
Lebanon, NH 03766  
[nathan.reichert@lebanonnh.gov](mailto:nathan.reichert@lebanonnh.gov)

**RE: Revision to Zoning Ordinance Section 607.8 – Electric Vehicles**

Mr. Reichert:

This is a second preliminary legal opinion as required by Section 1000.3(B)(2) of the Lebanon Zoning Ordinance concerning an amendment to Zoning Ordinance Section 607.8 – Electric Vehicles. In connection with opinion letters dated October 24 and October 27, respectively, I previously reviewed a citizen-petitioned amendment to Section 607.8 and an amendment to Section 607.8 developed by the Lebanon Energy Advisory Committee (LEAC).

I understand that the citizen petitioner and members of the LEAC EV subcommittee have since met to jointly work on a new combined draft amendment proposal for Section 607.8, and that LEAC endorsed this joint effort at their November 17, 2025 meeting. I am now providing a preliminary review of the joint effort draft attached to this letter.

The ZO requires this legal review to cover: (a) whether such amendment is within the authority delegated to the City under State law; (b) whether the form is appropriate; and (c) whether, from an administrative point of view, the amendment can be administered and enforced.

With respect to the new proposed amendment to Section 607.8 of the Zoning Ordinance, my answer to the three questions in Section 1000.3.B(2) is “yes”. I discern no significant legal or administrative issues of concern with this proposed amendment.

Please do not hesitate to contact me with any questions or concerns about this opinion.

Sincerely,



Matthew C. Decker

## Proposed amendments to the Lebanon Zoning Ordinance and Site Plan Regulations, drafted by the EV Subcommittee of the Lebanon Energy Advisory Committee (LEAC)

Proposed changes in red text were endorsed unanimously by LEAC on June 19, 2025. New proposed text in blue, was developed collaboratively by Sherry Boschert, Clifton Below, Jon Livadas, and the EV subcommittee of LEAC and was endorsed by the LEAC EV Subcommittee on November 13, 2025. The next LEAC meeting is not until November 20. Deletions from existing text are mostly not shown to simplify presentation.

### Zoning Ordinance pages 136-137:

#### 607.8 Electric Vehicles.

A. Purpose. The purpose of this section is to facilitate the transition to electric vehicle use and to expedite the establishment of convenient, cost-effective electric vehicle infrastructure that such a transition necessitates.

B. Applicability. EV charging stations are allowed as an accessory use in all zoning districts. When the retail charging of electric vehicles is proposed to be the principal use of a lot, then the proposed EV charging station shall be considered a service station for zoning purposes.

C. EV Infrastructure Requirements / Off-Street EV Parking Requirements. EVSE-installed spaces, EVSE-ready spaces, and EVSE-capable spaces shall be provided as follows:

1. One- and Two-Family Dwellings. All new one- and two-family dwellings shall provide at least one (1) EVSE-Ready Low-power Level 2 charging space per dwelling unit.
2. All new dwellings with up to three units, including Accessory Dwelling Units (ADUs), shall provide at least one (1) EVSE-Ready Low-power Level 2 charging space per new dwelling unit.
3. Multi-Family Dwellings (four or more units; adding units to existing multi-family housing triggers the requirements for the new units only). Parking for new multi-family dwellings shall provide:
  - a. For each residential unit with parking, at least one EVSE-Ready Low-power Level 2 charging space per unit for 5% (five percent) of total units with parking.
  - b. EVSE-Capable Low-power Level 2 spaces for a minimum of 10% (ten percent) of residential units with parking. When 80% (eighty percent) of the EVSE-Ready spaces described in 3.a. are in use, the property owner shall

convert half or more of the EVSE-Capable spaces to EVSE-Ready; after that, when 80% (eighty percent) of total EVSE-Ready spaces are in use, additional EVSE-Capable or EVSE-Planned spaces shall be upgraded to EVSE-Ready or EVSE-Capable pursuant to an approved site plan.

c. For the remaining number of dwelling units not provided with EVSE-Ready or EVSE-Capable spaces, plus for at least one additional off-street parking space beyond one per dwelling unit (if provided), EVSE-Planned spaces shall be designated in a site plan approved by the Planning Board for incremental development as EVSE-Capable and EVSE-Ready spaces as demand for such spaces requires.

4. Non-Residential Uses. Parking for uses requiring the provision of 10 or more new or additional off-street parking spaces shall include:

a. EVSE-Installed Level 2 spaces for a minimum of 2% of new or additional off-street parking spaces, with a minimum of two EVSE-Installed spaces.

b. For parking spaces dedicated for employee use, the requirement of 4.a. may be replaced by Low-power Level 2 EVSE-Ready charging spaces at a minimum of 5% of new or additional spaces.

c. For 20% (twenty percent) of the remaining number of new or additional parking spaces not provided with EVSE-Installed or EVSE-Ready spaces, EVSE-Planned spaces shall be designated in a site plan approved by the Planning Board for incremental development as demand for such spaces requires.

d. For existing (not “greenfield”) non-residential developments, these requirements for EV charging may be replaced by a contribution to a common fund managed by the City of Lebanon for installing public EV charging stations at a separate site, with the contribution amount to be determined by the City.

5. Where the calculations above result in a fractional parking space, it shall round up to the next whole number.

6. Where the number of EVSE-Installed spaces provided exceeds the minimum required, the excess spaces shall be deducted from the total number of required EVSE-Ready spaces of a similar level (Low-power Level 2, or Level 2).

7. Where the number of EVSE-Ready spaces provided exceeds the minimum required, the excess EVSE-Ready spaces shall be deducted from the total number of required EVSE-Capable spaces of a similar level (Low-power Level 2, or Level 2).

8. Up to ten (10) Level 2 EVSE-Installed spaces may be substituted with one (1) Level 3 EV-Installed space.

9. EVSE-Installed spaces, EVSE-Ready spaces, and EVSE-Capable spaces are to be included in the calculation for both the number of minimum required and maximum permitted off-street parking spaces.

a. Every two (2) EVSE-Installed spaces provided in addition to the required minimum may be counted as four (4) off-street parking spaces as relates to Section 607.1 (Minimum Off-Street Parking Requirements), for reduction of total required parking not greater than 10 percent of the total amount of required parking.

10. In each instance where EVSE Capable is required, EVSE Ready or EVSE Installed may substitute. In each instance where EVSE Ready is required, EVSE Installed may substitute.

11. Devices such as intelligent load management systems and circuit splitters are permitted that may temporarily reduce EVSE electrical capacity for charging below the designated minimum power level.

## Pages 188-189 and 193:

### Appendix A – Definitions

**ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) / EV CHARGING STATION (EVCS):** The apparatus installed specifically for the purpose of transferring energy between the site or building wiring and the Electric Vehicle. EVSE does not include any equipment affixed to the electric vehicle.

**ELECTRIC VEHICLE INFRASTRUCTURE:** Structures, machinery, and equipment necessary and integral to support an electric vehicle, including EV charging stations and electrical outlets.

**ELECTRIC VEHICLE (EV):** An automotive-type vehicle for on-road use primarily powered by an electric motor, including any battery electric vehicle, ~~fuel-cell electric vehicle~~, or plug-in hybrid electric vehicle, that draws current from an onboard battery charged through a building or site electrical service, EVSE, or other source of electric current.

**EVSE-CAPABLE SPACE:** An off-street parking space with electrical panel capacity and space for a branch circuit dedicated to the parking space that is not less than 20-ampere and 110/120-volt panel capacity for Level 1 charging, or 20-ampere and 208/240-volt for Low-Power Level 2 charging, or 40-ampere and 208/240-volt for Level 2 charging, and is equipped with raceways or conduit, both underground and surface mounted, to enable the future installation of EVSE. For two adjacent EV-capable spaces, a single branch circuit is permitted.

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**LOAD MANAGEMENT:** A process for actively controlling the consumption of electricity to ensure power demand stays within the design limits of electrical infrastructure (e.g. devices, circuit wiring, breakers, panels, and transformers). A secondary purpose of load management may be to minimize the cost of such electricity demand and any needed capacity upgrades.



## Conservation Commission Deliberations on Recommendations for Zoning Designations in Lebanon: Some Thoughts from Bruce James

December, 2025

At our November meeting we discussed at length the merits of an IND-L vs. GC-1 zoning designation for the eastern flank of the Centerra area next to the large conservation area between Mt. Support and Rix Ledges. We focused almost exclusively on which type of zoning might lead to more people going into the conservation area and having negative effects, in an effort to protect wildlife and forest habitat. The majority favored leaving the zoning as IND-L.

After the meeting, I wondered if we had looked at the question of GC-1 vs. IND-L in a comprehensive way that considered more than just the frequency of people entering the conservation area from multi-family dwellings (GC-1) vs. industrial light uses (IND-L) that might come into that area. To address my question, I downloaded the attached table from the City of Lebanon website that tabulates all of the zoning ordinances for the city in columns and the uses that could be allowed under each ordinance (rows). “Dwelling, multi-family” is one of permitted uses under GC-1, but not under IND-L. We focused primarily on this difference. See p. 3 and 4.

I have highlighted in orange other uses that could be allowed in IND-L or GC-1 areas and that might be relevant to conservation concerns. The following uses might take place in IND-L, as permitted (P), special exception (SE), or under a conditional use permit (CUP). It is clear that there are many more ways that IND-L uses could affect an adjacent conservation area than simply considering if people might enter the conserved land. Examples are bus terminal, car wash, contractor’s yard, outdoor storage, trucking terminal, and warehouse. As the Northern Lebanon Community Plan is implemented and more people are living there, the demand for these services nearby might put pressure on an eastern IND-L district as a place where they could be located.

These human uses might affect wildlife and the forest ecosystems via noise, lights at night, traffic volume and speed, and air quality, among others. None of these is directly related to humans entering the conservation area. Please see the outlined box at the bottom of p. 4 of this document for examples of ways a given use of land might affect wildlife.

In summary, I would like to recommend that we consider the multiple uses that might take place in a zoning district, beyond just human entry, and to evaluate how these uses could affect wildlife and forest ecology. Our recommendations will be going to the

Planning Board and City Council, and some of the approved zoning changes might end up in court. I believe we should try to be as comprehensive as possible in our recommendations, and document them appropriately. Please see p. 5 and 6 for a list of examples of sources of information for how humans may be affecting wildlife and conserved land. These could support our recommendations with research and experience in other conserved lands.

I hope that these thoughts can be a base for our discussions on zoning changes that are proposed by the Planning staff each year, but especially this year, since so much may be involved with land use as the Northern Lebanon Community is developed for housing and other uses. I welcome your thoughts.

ZONING ORDINANCE OF THE CITY OF LEBANON, NEW HAMPSHIRE

ZONING DISTRICT USES PER ARTICLE III

| BRJ Mark-up                                                                                      | IND-L | IND-RA | IND-H | GC   | GC-1 | CB   | LD  | R-1 | R-2   | R-3   | R-O   | R-O-1 | PB    | RL-1 | RL-2 | RL-3 | MC  |
|--------------------------------------------------------------------------------------------------|-------|--------|-------|------|------|------|-----|-----|-------|-------|-------|-------|-------|------|------|------|-----|
| Accessory dwelling unit (ADU) per Section 610                                                    |       |        |       |      |      |      |     | P   | P     | P     | P     | P     | P     | P    | P    | SE   |     |
| Agriculture                                                                                      |       |        |       |      |      |      |     |     |       |       |       |       |       | P    | P    | P    |     |
| Airport                                                                                          | P     |        |       |      |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Alternative treatment center per Section 613                                                     |       |        |       | SE   | CUP  |      |     |     |       |       |       |       |       |      |      |      |     |
| Amusements (indoor)                                                                              |       |        |       | P    |      | P    | P   |     |       |       |       |       |       |      |      |      |     |
| Art studio                                                                                       |       |        |       |      |      |      | CUP |     |       |       |       |       |       |      |      |      |     |
| Bituminous paving plant                                                                          |       | P      | CUP   |      |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Bulk petroleum and liquid propane gas storage                                                    |       | SE     |       |      |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Bulk storage of petroleum products                                                               |       |        | SE    |      |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Bus terminal                                                                                     | P     |        |       | SE   |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Care and treatment of animals                                                                    | SE    |        |       | CUP  |      |      |     |     |       |       |       |       |       | SE   | SE   |      |     |
| Car wash                                                                                         | CUP   |        |       | P    |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Cemetery                                                                                         |       |        |       |      |      |      |     | SE  | SE    | SE    | SE    |       |       | SE   | SE   | SE   |     |
| Commercial PUD per Section 501                                                                   |       |        |       | CUP  | CUP  | CUP  |     |     |       |       |       |       |       |      |      |      | P   |
| Community center                                                                                 |       |        |       | P    |      | P    | P   |     |       |       | P     |       |       |      |      |      |     |
| Concrete mixing plant                                                                            |       | P      | CUP   |      |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Contractor's yard                                                                                | SE    | P      | P     | CUP  |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Contractor's yard, home-based per Section 600A                                                   |       |        |       |      |      |      |     |     |       |       |       |       |       | SE   | SE   | SE   |     |
| Cottage development per Section 509                                                              |       |        |       |      |      |      |     | CUP | CUP   | CUP   | CUP   | CUP   |       |      |      |      |     |
| Craftsman's shop                                                                                 |       |        |       | CUP  |      | SE   | CUP |     |       |       |       |       |       |      |      |      |     |
| Drive-in restaurant, refreshment stand                                                           |       |        |       | P    |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Drive-through facility                                                                           |       |        |       | P    |      | SE   |     |     |       |       |       |       |       |      |      |      | CUP |
| Drycleaning pick-up station                                                                      |       |        |       | P    | CUP  | P    | CUP |     |       |       |       |       |       |      |      |      |     |
| Dwelling, one-family                                                                             |       |        |       |      |      |      |     | P   | P     | P     | P     | P     | P     | P    | P    | SE   |     |
| Dwelling, two-family                                                                             |       |        |       |      |      |      |     | P   | P     | SE(7) | P     | P     | P     |      |      |      |     |
| Dwelling, multi-family                                                                           |       |        |       | P(4) | P    | P(5) | P   | R-1 |       |       |       |       | P(10) |      |      |      |     |
| Multi-family dwelling per Section 601 (4 dwelling units or less)                                 |       |        |       |      |      |      |     |     | P(6)  |       | P     | P     |       |      |      |      |     |
| Multi-family dwelling per Section 601 (5 dwelling units or more)                                 |       |        |       |      |      |      |     |     | SE(6) |       | SE    | SE    |       |      |      |      |     |
| Dwelling unit(s) above first floor                                                               |       |        |       | P    | P    | P    | P   |     |       |       |       |       |       |      |      |      |     |
| Educational facility, college/university                                                         | SE    |        |       | SE   | CUP  | SE   | CUP |     |       |       | SE    | SE    | SE    |      |      |      |     |
| Educational facility, primary/secondary                                                          |       |        |       |      |      |      |     |     |       |       | SE    | SE    | SE    |      |      |      |     |
| Educational facility, vocational school                                                          | SE    | SE     |       |      |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Equipment and machinery sales, rental and service                                                | P     |        |       |      |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Essential service(s)                                                                             | P     | P      | P     | SE   | P    | CUP  | CUP | SE  | SE    | SE    | SE    | SE    |       | SE   | SE   | SE   | P   |
| Excavation of natural earth material per Section 606                                             |       |        |       |      |      |      |     |     |       |       |       |       |       |      | SE   |      |     |
| Excavation of natural earth material per Section 606 and/or processing of natural earth material |       | SE     | SE    |      |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Financial institution                                                                            |       |        |       | P    | P    | P    | P   |     |       |       |       | P     |       |      |      |      | CUP |
| Funeral home                                                                                     |       |        |       | P    |      | P    |     | SE  | SE    |       | SE    | SE    |       |      |      |      |     |
| Group day care facility per Section 604                                                          | P     | P      |       | P    | P    | P    | P   | SE  | SE    | SE    | P     | P     | P     | SE   | SE   |      | P   |
| Group residence                                                                                  |       |        |       |      |      |      |     | SE  | SE    |       | SE    | SE    |       |      |      |      |     |
| Health club                                                                                      | P     | P      |       | P    |      | P    | P   |     |       |       | SE    | SE    |       |      |      |      | P   |
| Home-based agricultural business per Section 600B.2 (lots 5 acres or more)                       |       |        |       |      |      |      |     | P   | P     | P     |       |       |       |      |      |      |     |
| Home-based agricultural business per Section 600B.2 (lots less than 5 acres)                     |       |        |       |      |      |      |     | SE  | SE    | SE    |       |       |       |      |      |      |     |
| Home-based agricultural business per Section 600B.3 (5-10 acre lots )                            |       |        |       |      |      |      |     |     |       | P     |       |       |       |      |      |      |     |
| Home-based agricultural business per Section 600B.3 ( )                                          |       |        |       |      |      |      |     |     |       | P     |       |       |       |      |      |      |     |
| Home business per Section 600                                                                    |       |        |       |      |      |      |     | P   | P     | P     | P     | P     |       | P    | P    | P    |     |
| Hospice                                                                                          |       |        |       |      |      |      |     |     |       |       | SE    | SE    |       |      |      |      | P   |
| Hospital                                                                                         |       |        |       |      |      |      |     |     |       | P     |       |       |       |      |      |      |     |
| Hotel                                                                                            |       |        |       | P    |      | P    | P   |     |       |       |       |       |       |      |      |      | CUP |
| House of worship                                                                                 |       |        |       | P    |      | P    | P   | P   | P     | P     | P     | P     | P     | P    | P    |      |     |
| Industrial PUD per Section 501                                                                   | CUP   | CUP    |       |      |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Inpatient rehabilitation facility                                                                | CUP   |        |       |      | CUP  |      |     |     |       |       |       |       |       |      |      |      | CUP |
| Intermodal transportation facility                                                               |       | SE     |       |      |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Junkyard per Section 605                                                                         |       |        | SE    |      |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Laundromat                                                                                       |       |        |       | P    |      | P    | CUP |     |       |       |       |       |       |      |      |      |     |
| Library                                                                                          |       |        |       |      |      | P    | P   |     |       |       |       |       |       |      |      |      |     |
| Library or museum                                                                                |       |        |       |      |      |      |     |     |       |       | SE(6) |       |       |      |      |      |     |
| Light industry                                                                                   | P     | P      |       |      | CUP  |      |     |     |       |       |       |       |       |      |      |      |     |
| Local government use                                                                             | P     | P      |       | P    |      | P    | P   |     |       |       |       |       |       |      |      |      |     |
| Lodging house                                                                                    |       |        |       |      |      |      |     | SE  | SE    |       | SE    | SE    | SE    |      |      |      |     |
| Manufactured housing park per Sec. 503                                                           |       |        |       |      |      |      |     | P   |       |       |       |       |       | P    | P    |      |     |
| Manufactured housing PURD per Sec. 504                                                           |       |        |       |      | CUPP |      |     | P   |       |       |       |       |       | P    | P    |      |     |
| Medical center complex per Sec. 506                                                              |       |        |       |      |      |      |     |     |       |       |       |       |       |      |      |      | P   |
| Medical office building                                                                          |       |        |       |      |      |      |     |     |       |       |       |       |       |      |      |      | P   |
| Medical research facility                                                                        |       |        |       |      |      |      |     |     |       |       |       |       |       |      |      |      | P   |
| Membership club                                                                                  |       |        |       | P    |      | P    | P   |     |       |       |       |       |       |      |      |      |     |
| Motel                                                                                            |       |        |       | P    |      | P    |     |     |       |       |       |       |       |      |      |      | CUP |
| Movie theater (note: see also "Theater, concert hall, movie theater")                            |       |        |       | P    |      |      |     |     |       |       |       |       |       |      |      |      |     |
| Museum (note: see also "Library or Museum")                                                      |       |        |       |      |      | P    | P   |     |       |       |       |       |       |      |      |      |     |

|                                                          | IND-L | IND-RA | IND-H | GC  | GC-1 | CB  | LD  | R-1 | R-2   | R-3 | R-O   | R-O-1 | PB | RL-1 | RL-2 | RL-3 | MC  |
|----------------------------------------------------------|-------|--------|-------|-----|------|-----|-----|-----|-------|-----|-------|-------|----|------|------|------|-----|
| <b>Nursing home</b>                                      |       |        |       | P   | P    | P   | P   | SE  | SE    | SE  |       |       |    |      |      |      |     |
| <b>Office</b>                                            | CUP   | CUP    |       | P   | P    | P   | P   |     | SE(6) |     | P(8)  | P(8)  | P  |      |      |      | CUP |
| <b>Office building</b> (11)                              |       |        |       |     |      |     |     |     |       |     |       | P(9)  |    |      |      |      |     |
| Other uses per Section 306.4/307.4                       |       |        |       |     |      | CUP | CUP |     |       |     |       |       |    |      |      |      |     |
| <b>Outdoor storage</b> and sales                         |       | P      |       |     |      |     |     |     |       |     |       |       |    |      |      |      |     |
| <b>Outdoor storage</b> per Section 303.4 (less than 20%) | P     |        |       |     |      |     |     |     |       |     |       |       |    |      |      |      |     |
| <b>Outdoor storage</b> per Section 303.4 (more than 20%) | CUP   |        |       |     |      |     |     |     |       |     |       |       |    |      |      |      |     |
| <b>Parking facility</b>                                  |       |        |       |     |      | CUP | CUP |     |       |     |       |       |    |      |      |      | CUP |
| <b>Personal service</b>                                  |       |        |       | P   | P    | P   | P   |     |       |     | P     | P     | P  |      |      |      | CUP |
| <b>Planned business park</b> per Section 508             | CUP   | CUP(2) |       |     |      |     |     |     |       |     |       |       |    |      |      |      |     |
| Plumbing, electrical or carpentry shop                   | P     |        |       | CUP |      |     |     |     |       |     |       |       |    |      |      |      |     |
| <b>Produce stand</b>                                     |       |        |       | CUP |      |     |     |     |       |     |       |       |    |      | SE   |      |     |
| Public education facility                                |       |        |       |     |      |     |     | P   | P     | P   |       |       |    | P    |      |      |     |
| <b>Public recreation facility</b>                        |       |        |       |     |      |     |     | P   | P     | P   |       |       | SE | P    | P    | P    |     |
| <b>Public safety facility</b>                            |       |        |       |     |      |     |     | P   | P     | P   | SE    | SE    | SE |      |      |      |     |
| Publishing/printing                                      | P     |        |       | P   |      | CUP | CUP |     |       |     |       |       |    |      |      |      |     |
| PURD per Section 501                                     |       |        |       |     |      |     |     | CUP | CUP   | CUP | CUP   | CUP   |    | CUP  | CUP  | CUP  |     |
| PRec per Section 501                                     |       |        |       |     |      |     |     |     |       |     |       |       |    | CUP  | CUP  | CUP  |     |
| Radio or TV studio                                       |       |        |       | P   |      | P   | P   |     |       |     |       |       |    |      |      |      |     |
| Radio or TV tower or other communication equipment       |       |        |       |     |      |     |     |     |       |     |       |       |    | SE   | SE   | SE   |     |
| Recreation(al) camping park per Sec. 505                 |       |        |       |     |      |     |     |     |       |     |       |       |    | SE   | SE   | SE   |     |
| <b>Recreation facility, indoor</b>                       |       |        |       | P   |      | CUP | CUP | SE  | SE    |     | SE    | SE    |    | SE   | SE   | SE   |     |
| <b>Recreation facility, outdoor</b>                      |       |        |       | CUP |      | CUP | CUP | SE  | SE    |     | SE    | SE    |    | SE   | SE   | SE   |     |
| Recycling facility                                       |       | P      | P     |     |      |     |     |     |       |     |       |       |    |      |      |      |     |
| <b>Removal of natural materials</b>                      |       |        | SE    |     |      |     |     |     |       |     |       |       |    |      | SE   |      |     |
| <b>Renewable energy system</b> per Sec. 612              | P     | P      | P     | P   | P    | P   | P   | P   | P     | P   | P     | P     | P  | P    | P    | P    | P   |
| Research laboratory                                      | P     | P      |       |     | CUP  |     |     |     |       |     |       |       |    |      |      |      |     |
| <b>Restaurant</b>                                        |       |        |       | P   | CUP  | P   | P   |     |       |     |       |       |    |      |      |      | CUP |
| <b>Retail product pickup</b>                             | P     |        |       | P   |      |     |     |     |       |     |       |       |    |      |      |      | P   |
| Retail showroom                                          |       | P(3)   |       |     |      |     |     |     |       |     |       |       |    |      |      |      |     |
| Retail showroom per Section 303.5 (less than 10%)        | P     |        |       |     |      |     |     |     |       |     |       |       |    |      |      |      |     |
| Retail showroom per Section 303.5 (between 10-20%)       | CUP   |        |       |     |      |     |     |     |       |     |       |       |    |      |      |      |     |
| <b>Retail store</b>                                      |       |        |       | P   | CUP  | P   | P   |     |       |     |       |       |    |      |      |      | CUP |
| Sandwich shop                                            |       |        |       | P   | CUP  | P   | P   |     |       |     |       |       |    |      |      |      |     |
| Sanitary landfill                                        |       |        | P     |     |      |     |     |     |       |     |       |       |    |      |      |      |     |
| <b>Sawmill</b> per Section 304.5                         |       |        | P     |     |      |     |     |     |       |     |       |       |    |      |      |      |     |
| <b>Senior housing complex</b>                            |       |        |       |     |      | P   | P   | P   | P     | SE  | SE    | SE    |    |      |      |      |     |
| <b>Service station</b>                                   |       |        |       | P   |      |     |     |     |       |     |       |       |    |      |      |      |     |
| <b>Social service center</b>                             |       |        |       |     |      | P   | P   |     |       |     |       |       |    |      |      |      |     |
| Stone crushing plant                                     |       |        | CUP   |     |      |     |     |     |       |     |       |       |    |      |      |      |     |
| Theater, concert hall, movie theater                     |       |        |       |     |      | P   | P   |     |       |     | SE(6) |       |    |      |      |      |     |
| <b>Tourist home (or bed &amp; breakfast facility)</b>    |       |        |       |     |      |     |     | SE  | SE    |     | SE    | SE    | SE |      |      |      |     |
| <b>Truck terminal</b>                                    |       |        |       | SE  |      |     |     |     |       |     |       |       |    |      |      |      |     |
| <b>Trucking terminal</b>                                 | P     |        |       |     |      |     |     |     |       |     |       |       |    |      |      |      |     |
| <b>Vehicular repair</b>                                  |       |        |       | P   |      |     |     |     |       |     |       |       |    |      |      |      |     |
| <b>Vehicular sales</b>                                   | CUP   |        |       | P   |      |     |     |     |       |     |       | CUP   |    |      |      |      |     |
| <b>Warehouse</b>                                         | P     | P      |       | CUP |      |     |     |     |       |     |       |       |    |      |      |      |     |
| Wholesale sales                                          |       |        |       | CUP |      |     |     |     |       |     |       |       |    |      |      |      |     |

uses in bold italics are defined in Appendix A of the Zoning Ordinance

- P = Permitted  
SE = Permitted by Special Exception from the Zoning Board of Adjustment (see Section 801.3 of the Zoning Ordinance)  
CUP = Permitted by Conditional Use Permit from the Planning Board (see Section 302.4 of the Zoning Ordinance)

- NOTES:  
(1) - (deleted)  
(2) - also per Section 303A.4  
(3) - per Section 303A.5  
(4) - see Section 305.5  
(5) - see Section 306.5  
(6) - by conversion only per Section 601  
(7) - by conversion of existing one family dwelling  
(8) - Conversion of a dwelling to office use permitted per Section 601  
(9) - Construction of new office building permitted if 3,000 sf or less, per Section 601;  
construction of new office building permitted by Special Exception if 3,001-6,000 sf, per Section 601  
(10) - per Section 311B.7  
(11) - "office" and "building" are each defined individually in Appendix A of the Zoning Ordinance

LAST REVISED: 4/3/24

For a given use under a zoning code (e.g., IND-L or GC-1), consider these possible ways that that use might impact the conserved forest ecosystem or how wildlife might affect the “urban” district:

--Noise during day and/or night

--Light at night

--Movement of animals, incl. humans, both ways

--Water/hydrology

--Traffic speed and volume

--Impermeable surface area

--Air quality

## Examples of Sources to Support Discussions of Human Effects on Wildlife Populations and Their Habitats

Compiled by Bruce James, December, 2025

### **Black Bear Population Changes in Upper Valley**

[https://northernwoodlands.org/outside\\_story/article/black-bear-populations](https://northernwoodlands.org/outside_story/article/black-bear-populations)

### **White Tailed Deer Effects on Ecosystems**

<https://northernwoodlands.org/articles/article/effects-deer-forest-ecosystems>

### **Amphibian Population Declines**

<https://www.usgs.gov/faqs/why-are-amphibian-populations-declining>

### **Bird Population Declines**

<https://www.birds.cornell.edu/home/bring-birds-back/>

### **Human Contact Effects on Wildlife**

<https://www.nps.gov/subjects/watchingwildlife/animals.htm>

### **Noise Effects on Wildlife Populations**

[https://www.nps.gov/subjects/sound/effects\\_wildlife.htm](https://www.nps.gov/subjects/sound/effects_wildlife.htm)

<https://pmc.ncbi.nlm.nih.gov/articles/PMC9819367/>

<https://pollution.sustainability-directory.com/question/how-does-noise-affect-wildlife/>

## **Light Effects on Wildlife Populations**

<https://darksky.org/resources/what-is-light-pollution/effects/wildlife-ecosystems/>

<https://www.fws.gov/story/2023-07/dim-lights-pollinators-and-plants-night>

<https://www.froglife.org/2019/11/28/croaking-science-artificial-light-at-night-a-problem-for-amphibians/>

## **Air Quality Effects on Wildlife**

<https://www.fws.gov/program/air-quality>

<https://www.npca.org/articles/527-national-parks-plagued-by-significant-air-pollution-impacts-finds->

[new?gad\\_source=1&gad\\_campaignid=687842311&gbraid=0AAAAAD4GDtkBWmr5UwTA5BhFMd4Mq6RXM&gclid=Cj0KCQiAubrJBhCbARIsAHlDxD931743Kb0oATI5VMemNl-tlN0DmpEQWrT5l2Oj7c3uK0YeYPbqofgaAtyVEALw\\_wcB](https://www.npca.org/articles/527-national-parks-plagued-by-significant-air-pollution-impacts-finds-new?gad_source=1&gad_campaignid=687842311&gbraid=0AAAAAD4GDtkBWmr5UwTA5BhFMd4Mq6RXM&gclid=Cj0KCQiAubrJBhCbARIsAHlDxD931743Kb0oATI5VMemNl-tlN0DmpEQWrT5l2Oj7c3uK0YeYPbqofgaAtyVEALw_wcB)