2024 AMENDMENTS TO LAND USE ORDINANCE

Amendment #14 – the words “recreational campground” and “short-term rental” added to Article III, Section 2A. Adopted March 12, 2024

Amendment #15 – Article XII, Recreational Campgrounds, added to the Land Use Ordinance, Adopted March 12, 2024

Amendment #16 – Article XIII, Short-Term Rentals, added to the Land Use Ordinance, Adopted March 12, 2024

**WORDING OF EACH OF THE ABOVE APPROVED AMENDMENTS FOLLOWS BELOW:**

**ARTICLE I**

TITLE

This ordinance shall be known and may be cited as the Town Jefferson Land Use Plan Ordinance, hereinafter referred to as “This Ordinance”.

**ARTICLE II**

PURPOSE

In accordance with the provisions of NH RSA 674:16, this Ordinance is designed to guide and protect the development of Jefferson in a manner consistent with the wishes of its citizens and in accordance with the Master Plan. The purpose of this Ordinance is to promote the health, safety, economic and general welfare of the inhabitants of Jefferson; to protect the value of property; to prevent the overcrowding of lands; to conserve our natural resources; to avoid undue concentration of population; and to facilitate the adequate provisions of other public requirements. A combination of all or a number of factors, topographical, geological, climatological, historical and geographical, create an environment in the Town of Jefferson which is and can be of specific appeal to residential, agricultural, and conservation-based developments. This Ordinance, therefore, is particularly designed to protect, preserve, and encourage such developments.

**ARTICLE III**

PERMITTED USES

SECTION 1 PERMITTED USES All land uses consistent with the stated purpose of this Ordinance are permitted in the Town of Jefferson, including single-family dwellings, two-family dwellings and pre-site built or manufactured housing units, and the buildings incidental to the permitted use, swimming pools (public or private).

SECTION 2. PERMITTED USES BY SPECIAL EXCEPTION The following additional uses may be permitted by the Board of Adjustment (see Art. VII) and shall be considered as Special Exceptions:

A. Motels, hotels, tourist accommodations and lodging units, **recreational campgrounds, short-term rentals,** nursery schools, clinics, hospitals, nursing homes, rest homes, public utility buildings, retail and wholesale stores, parks and recreation areas, cemeteries, greenhouses, private clubs, golf courses, riding stables, restaurants, sawmills, camps, home- based businesses, small businesses, telecommunications equipment and facilities, accessory dwelling unit. (Hotel, motel, tourist accommodations and lodging units shall be defined in the strictest sense and shall not be considered in the context of condominium conversion). (amended 3/2024)

**ARTICLE XII**

RECREATIONAL CAMPGROUNDS

Definition: NH RSA 216-I:1, VII “Recreational Campground or Camping Park” means a parcel of land on which two or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and are not for permanent or year-round residency, excluding recreation camps as defined in RSA 170-E:55,L.

1. **Purpose**

These provisions are intended to allow campgrounds as a Special Exception in the town’s Land Use Ordinance provided that the property owner is granted such from the Zoning Board of Adjustment and receives subdivision plan approval from the Planning Board. The campground shall comply with this ordinance to maximize compatibility with surrounding land uses, avoid health and safety hazards, protect environmental and aesthetic resources, minimize demands on public services, not cause significant disruption to other who live or use adjacent areas, and protect the rural and scenic qualities of the community.

1. **Adherence to New Hampshire Laws, Statutes and Regulations**

All campgrounds must adhere to all applicable laws, rules, and ordinances, including, but not limited to NH RSA 216-I, RSA 227-L and RSA 485-A. If any provision of this ordinance conflicts with any other provision of the Jefferson Land Use Ordinance, or any other applicable state law, rule or ordinance, the provision imposing the more stringent standard shall be controlling.

1. **Definitions:**

The definitions set forth in NH RSA 216-I:1 shall apply to this ordinance.

**PROVISIONS**

1. **The lot serving as a campground must have a minimum of two hundred (200) feet of frontage on a Class V or better road that is maintained by either the town or the state.**
2. **The minimum size land required for a campground is twenty (20) acres.**
3. **The minimum size for a RV or permanent frame recreational camping cabin campsite is two thousand (2000) square feet.**
4. **The minimum size for a tent only campsite is eight hundred (800) square feet.**
5. **Maximum Occupancy per campsite is eight (8) people.**
6. **Setback requirements – distance. No individual campsite may be located within two hundred (200) feet of a public way, land boundary, stream, lake, or pond. All structures must conform to the Land Use Ordinance setback requirements.**
7. **Setback Screening requirement. The Planning Board may impose setback screening requirements if the setback area does not provide sufficient natural screening to provide reasonable privacy both for the campsites and for abutting properties.**
8. **Access**

The campground shall have adequate, safe vehicular access from a public highway, including sufficient sight distances for vehicles, bicycles, and pedestrians to safely enter and exit the campground. In determining whether the campground has adequate vehicular access, residential density and road conditions along the public highways that provide access to the campground may be considered. The applicant may be required to obtain a traffic impact study to assess traffic safety concerns and the need for capital improvements. All signs, including their dimensions and placement must be approved.

Campgrounds that utilize access from a state-owned highway must obtain applicable permits from the NH Department of Transportation to authorize the new change or use.

Adequate provisions shall be made for the parking and/or arrival and departure of vehicles to preclude any potential backup on public highways.

All internal campground roads and driveways shall comply with town commercial driveway standards and be maintained in good condition.

Campground roads must provide sufficient emergency access to every campsite that conforms to the state fire code. This includes, but is not limited to, ensuring sufficient road width, overhead clearance, and turning radius for emergency vehicles. In the event that the campground ceases to exist as a campground, all roads within will cease to have approved standing for any other use until the Planning Board grants approval for the subsequent use.

**OPERATIONS**

1. **Campgrounds are seasonal, recreational facilities. Except for the owner or operator, there may be no permanent residents and all sites must be unoccupied outside of the posted open dates for the campground.**
2. **Sites may not be sold; the land is strictly the property of the campground owner.**

**ARTICLE XIII**

SHORT-TERM RENTALS

SECTION 1. Definition

 “Short-Term Rental” is a commercial use in a dwelling unit where transient lodging is provided for compensation for stays of between one and 30 consecutive nights, and where the dwelling unit would normally be considered a residential living unit not associated with regulated commercial activities such as a hotel, motel, or bed-and-breakfast.

SECTION 2. Purpose

 2.1 To preserve the traditional character of residential neighborhoods that can be negatively impacted by this type of use.

 2.2 To help preserve the quality and quantity of housing stock for year-round residential use.

 2.3 To ensure the safety of Short-Term Rental occupants.

SECTION 3. Application Procedure

 3.1 Short-Term Rentals are permitted by Special Exception.

 3.2 Specific items to consider in the Special Exception application beyond those listed in Article VII, Section 1.C of the Land Use Ordinance.

 3.2.1 Setbacks to property lines and proximity to abutting parcels and/or residences.

 3.2.2 Compatibility with neighborhood and abutting properties

 3.2.3 Other uses of subject property.

 3.2.4 Road status of subject property (public versus private).

 3.2.5 Driveway access (topography, width, shared, right-of-way).

 3.2.6 Adequate onsite parking.

 3.2.7 Owner-occupied or absentee owner.

SECTION 4. Fines and Penalties for Violations

 4.1 Using a dwelling unit for Short-Term Rentals without a valid Special Exception being granted and an approved permit from the Select Board will subject the owner of fines and penalties outlined in RSA 676:17.