

**2023 Fremont NH Planning Board
Proposed Zoning Amendments**

Public Hearing December 7, 2022
Finalized December 21, 2022

ZONING PROPOSAL 3

Existing language

New language

~~Existing language to be removed~~

ARTICLE 13 – OPEN SPACE ORDINANCES

Section 1301 – Elderly Open Space

1301.1 Purpose: The standards in this section have been established for the purpose of encouraging the construction of elderly housing developments (or the conversion of existing structures into elderly housing facilities), which are designed and constructed to meet the unique needs of elderly citizens, while ensuring compliance with local planning standards, land use policies, good building design, and the requirements for the health, safety and general welfare of the inhabitants of Fremont. Such developments shall not include assisted living and/or extended care facilities.

This Ordinance has also been developed to incorporate open space development components for elderly housing projects. The Town of Fremont understands the importance of maintaining open space as a way of preserving rural character, protecting wildlife habitat, and preserving important natural resource areas. In an effort to achieve these goals, this ordinance encourages the placement of elderly housing units in relatively compact areas within the development site in order to leave large undeveloped areas free of negative development impacts.

The Town of Fremont recognizes that one aspect of elderly housing development is that the housing built will continue to be put to this use in perpetuity, consistent with restrictive covenants and consistent with the provisions of state and federal law that permit housing units to be restricted by age.

This Ordinance is also developed to allow mixed-use development to occur within the project. The standards herein allow service and retail facilities to be developed in conjunction with the creation of elderly housing. These mixed uses are allowed and encouraged because of their inherent connection to the needs of elderly residents and because such uses expand the feeling of community within the elderly development. This Ordinance is adopted pursuant to the provisions of RSA 674:21 (Innovative Land Use Controls), and the Planning Board is hereby empowered and authorized to

administer this Ordinance in conjunction with the Selectmen and building officials of the Town of Fremont.

Pursuant to RSA 674:17, IV, any dimensional or procedural incentive under this elderly open space ordinance is deemed applicable to a development of workforce housing as defined in RSA 674:58, IV. Any proposed workforce housing development shall comply with the provisions of the Fremont zoning ordinance, site plan and subdivision regulations with respect to environmental protection, water supply, sanitary disposal, traffic safety and fire and life safety protection.