



- 46 B. The entire commercial operation shall be located within 500 feet of the lot  
47 frontage within the Flexible Use Residential District. The Planning Board may  
48 on a case-by-case basis allow commercial operations to be located further  
49 than 500 feet from the lot frontage if the impacts of the use on abutting  
50 properties are demonstrated to be sufficiently minimized. Impacts include, but  
51 are not limited to, noise, odor, visual impacts, traffic, or safety.
- 52 C. The commercial operation shall not result in a change in the essential  
53 characteristics of the area or abutting properties on account of the location or  
54 scale of buildings, other structures, parking areas, access ways, or the  
55 storage or operation of associated equipment or vehicles.
- 56 D. The proposed use complies with all other applicable sections of the Zoning  
57 Ordinance.
- 58 E. The permit is in the public interest.
- 59 F. There will be no greater diminution of neighboring property values than would  
60 be created under any permitted use in the Flexible Use Residential District.
- 61 G. That there are no existing violations of the Fremont zoning ordinance on the  
62 subject property.
- 63 H. That the character of the area shall not be adversely affected in the context  
64 of:
- 65 1. Architecture  
66 2. Transportation  
67 3. Scale of coverage  
68 4. Scale of building size  
69 5. Consistency of uses
- 70 I. That granting the permit will not result in undue municipal expense
- 71 J. That the proposed use will be developed in a manner compatible with the  
72 spirit and intent of the ordinance.
- 73 K. That the capacity of existing or planned community facilities and services  
74 (including streets and highways) will not be adversely impacted.
- 75 L. That the general welfare of the Town will be protected.
- 76 M. That the following impacts have been mitigated to the extent practical:
- 77 1. Noise  
78 2. Light  
79 3. Transportation  
80 4. Visual effects  
81 5. Odor
- 82 N. Landscaped or other appropriate buffers of sufficient opacity and materials  
83 shall be required if deemed reasonably necessary for the welfare of  
84 neighboring properties or the Town.

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86 **704.4** Within the Flexible Use Residential District the Planning Board may grant a  
87 Conditional Use Permit for an Open Space Preservation Development, anywhere in the  
88 district, as per Article 13, Section 1302 of this Ordinance.  
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92 **Section 707 Residential District**

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94 **707.1** The intent of the Residential District is to provide areas for residential uses of  
95 single-family and duplexes that allow for sufficient area to provide necessary water  
96 needs and sewage disposal from on-site systems. Multi-family dwellings are also  
97 allowed with approved Conditional Use Permit, in areas where the neighborhood  
98 character of surrounding residential properties is maintained. This district includes areas  
99 where agriculture, agritourism and other open land uses are appropriate and natural  
100 conditions make the land unsuitable for intense development.

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102 **707.2** Conditional Use Permit Requirements: Pursuant to RSA 674:21, the Planning  
103 Board is hereby authorized to grant a Conditional Use Permit in the Residential District  
104 ~~for multi-family dwellings~~ provided that the following conditions ~~are found to exist:~~ as  
105 ~~listed below are met or impacts mitigated to the satisfaction of the Planning Board prior~~  
106 ~~to the granting of a Conditional Use Permit.~~

- 107 A. The proposal meets the additional setback and frontage requirements under  
108 Article 9 – Lot requirements.
- 109 B. The multi-family dwellings shall not result in a change in the essential  
110 characteristics of the area or abutting properties.
- 111 C. The proposed use complies with all other applicable sections of the Zoning  
112 Ordinance.
- 113 D. The proposed use complies with all other applicable sections of the Zoning  
114 Ordinance.
- 115 E. ~~The permit is in the public interest.~~
- 116 F. ~~There will be no greater diminution of neighboring property values than would~~  
117 ~~be created under any permitted use in the Residential District.~~
- 118 G. ~~That there are no existing violations of the Fremont zoning ordinance on the~~  
119 ~~subject property.~~
- 120 H. ~~That the character of the area shall not be adversely affected in the context~~  
121 ~~of:~~
  - 122 1. ~~Architecture~~
  - 123 2. ~~Transportation~~
  - 124 3. ~~Scale of coverage~~
  - 125 4. ~~Scale of building size~~
  - 126 5. ~~Consistency of uses~~
- 127 I. ~~That granting the permit will not result in undue municipal expense~~
- 128 J. ~~That the proposed use will be developed in a manner compatible with the~~  
129 ~~spirit and intent of the ordinance.~~
- 130 K. ~~That the capacity of existing or planned community facilities and services~~  
131 ~~(including streets and highways) will not be adversely impacted.~~
- 132 L. ~~That the general welfare of the Town will be protected.~~
- 133 M. ~~That the following impacts have been mitigated to the extent practical:~~
  - 134 1. ~~Noise~~
  - 135 2. ~~Light~~
  - 136 3. ~~Transportation~~
  - 137 4. ~~Visual effects~~

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N. Landscaped or other appropriate buffers of sufficient opacity and materials shall be required if deemed reasonably necessary for the welfare of neighboring properties or the Town.

**ARTICLE 8 - CONDITIONAL USE PERMIT**

Pursuant to RSA 674:21, the Planning Board is hereby authorized to grant a Conditional Use Permit to allow for a conditional use in accordance with the restrictions and requirements of ~~Article 7 and 8.this section.~~ A Conditional Use Permit may not establish a use specifically prohibited by this Ordinance.

**Section 805 – Standards for Approval**

All ~~standards conditions~~ as listed in Article 7 ~~and below~~ must be met or impacts mitigated to the satisfaction of the Planning Board prior to the granting of a Conditional Use Permit.

- ~~A. The permit is in the public interest.~~
- ~~B. There will be no greater diminution of neighboring property values than would be created under any permitted use in the Flexible Use Residential District.~~
- ~~C. That there are no existing violations of the Fremont zoning ordinance on the subject property.~~
- ~~D. That the character of the area shall not be adversely affected in the context of:
  - ~~1. Architecture~~
  - ~~2. Transportation~~
  - ~~3. Scale of coverage~~
  - ~~4. Scale of building size~~
  - ~~5. Consistency of uses~~~~
- ~~E. That granting the permit will not result in undue municipal expense~~
- ~~F. That the proposed use will be developed in a manner compatible with the spirit and intent of the ordinance.~~
- ~~G. That the capacity of existing or planned community facilities and services (including streets and highways) will not be adversely impacted.~~
- ~~H. That the general welfare of the Town will be protected.~~
- ~~I. That the following impacts have been mitigated to the extent practical:
  - ~~1. Noise~~
  - ~~2. Light~~
  - ~~3. Transportation~~
  - ~~4. Visual effects~~
  - ~~5. Odor~~~~
- ~~J. Landscaped or other appropriate buffers of sufficient opacity and materials shall be required if deemed reasonably necessary for the welfare of neighboring properties or the Town.~~

**ZONING PROPOSAL 2**

**Section 903 – Lot Size**

- A. All lots created after 1986 shall be a minimum of two (2) acres (87,120 square feet) in area, except for lots serving two (2) or more dwelling as outlined in Section 903.B below.
- B. Any new or legally existing lot serving two (2) or more dwellings shall be a minimum of two (2) acres (87,120 square feet) in area ~~No lot shall be less than two (2) acres in area except that lots on which multiple family dwellings are located~~ and shall be increased by twelve thousand (12,000) square feet per family dwelling unit when less than five (5) units and by twenty thousand (20,000) square feet per dwelling family unit when five (5) or more family dwelling units, ~~ie: two (2) Acres plus twelve thousand (12,000) multiplied by the number of family units or two (2) Acres plus twenty thousand (20,000) multiplied by the number of family units.~~

Number of Dwelling Units	Minimum Lot Size (square feet)	Acres
1	87,120	2.00
2	99,120	2.28
3	111,120	2.55
4	123,120	2.83
5	187,120	4.30
6	207,120	4.75
7	227,120	5.21
8 or more	247,120 sq. feet, plus 20,000 sq. feet for each additional dwelling unit.	5.67 plus 20,000 sq. feet for each additional dwelling unit.

(See also Article 12, Section 1201.6.C. for additional lot sizing requirements.)

- C. Lots with two (2) or more legal dwellings units that do not meet the lot requirements under Section 903.B may be allowed to continue under the requirements of Article 5.
- D. No lot shall have more than one (1) occupied dwelling structure thereon regardless of the number of dwelling units. (See also Article 12, Sections 1203.6 A and H.)

**1203.8 Use Regulations**

- A. Minimum Lot Size:
  - 1. Minimum lot size within the Aquifer Protection District shall be three (3) acres (130,680 square feet). Lots containing up to four (4) units shall contain an additional eighteen thousand (18,000) square feet per unit.

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Lots containing five (5) or more units shall contain an additional thirty thousand (30,000) square feet per unit. ~~No lot shall have more than one (1) residential structure regardless of the number of dwelling units.~~

Number of Dwelling Units	Minimum Lot Size (square feet)	Acres
1	130,680	3.00
2	148,680	3.41
3	166,680	3.83
4	184,680	4.24
5	214,680	4.93
6	244,680	5.62
7	274,680	6.31
8 or more	304,680 sq. feet, plus 30,000 sq. feet for each additional dwelling unit.	6.99 plus 30,000 sq. feet for each additional dwelling unit.
(See also Article 12, Section 1201.6.C. for additional lot sizing requirements.)		

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2. No lot shall have more than one (1) occupied dwelling structure thereon regardless of the number of dwelling units.

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### ZONING PROPOSAL 3

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#### Section 901 – New and ~~Extension~~ Expansion of Existing Structures

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Any new structure or ~~extension~~ expansion of existing structure intended for any use shall be set back from the street property line at least fifty (50) feet. In the case of multiple family dwelling structures, the setback shall be increased by an additional five (5) feet per family dwelling unit (Example: 50 feet + ({# of dwelling units} X 5 feet) = front lot line setback.) ~~ie: (50 plus (5 multiplied by the number of family units)).~~ And that any such structure shall be set back from the side and rear lot lines by at least thirty (30) feet except in the case of multiple family dwelling structures, this set back shall be increased by an additional ten (10) feet per family dwelling unit. (Example: 30 feet + ({# of dwelling units} X 10 feet) = side and rear lot line setback.) ~~ie: (thirty (30) plus ten (10) multiplied by the number of family units).~~ (See also Article 12, Section 1201.6.D)

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### ZONING PROPOSAL 4

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245 **Section 501 – Reconstruction**

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247 Any non-conforming structure ~~which is completely or substantially destroyed by casualty~~  
248 ~~loss~~ may be replaced with a similar structure which has the same building footprint  
249 dimensions and meets the setbacks of the previously existing structure. The structure  
250 may be rebuilt provided such construction is started within one (1) year ~~of the casualty~~  
251 ~~loss and complete within two (2) years of the casualty loss.~~ The provisions of the Town  
252 of Fremont Building Code, as amended, shall apply to any reconstruction.

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254 **ZONING PROPOSAL 5**

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256 **ARTICLE 16 – SIGNS**

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258 **1600.2 – Definitions**

- 259 A. Sign: Any material conveying information which is attached to the exterior of a  
260 structure, a pole, or some object such as a rope or wire between structures,  
261 poles, or the ground shall be considered a sign and subject to the provisions of  
262 this ordinance.  
263 B. Commercial: Any lot in ~~Commercial Highway District, Corporate Commercial~~  
264 ~~District, Main Street District, Shirkin Road Commercial District, Residential~~  
265 ~~District, Fremont Village District, and commercial operations in the Flexible Use~~  
266 ~~Residential District~~ with a Conditional Use Permit laid out as per Article 7,  
267 Section 704.2 of this Ordinance.

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269 **1600.4 – Prohibited Signs**

- 270 A. Signs in the Right-of-Way: No signs shall be allowed in the Town or State Right-  
271 of-Way. B. Highly Reflective and Fluorescent Signs. Signs made wholly or  
272 partially of highly reflective materials and/or fluorescent or day-glow painted  
273 signs.  
274 C. It shall be unlawful to affix, attach, or display any advertisement upon any object  
275 of nature, utility pole, telephone booth, or highway sign.  
276 D. Animated, moving, flashing, intensely lighted signs and signs that emit audible  
277 sound, noise, or visible matter.  
278 **F. Visual Story Signs that convey a sequence of messages.**

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280 **1600.5 – Additional Sign Regulations**

- 281 A. Setbacks. All signs must be set back at least ten (10) feet from all property lines.  
282 A sign must not impair a motorist’s visibility of oncoming traffic.  
283 B. Illumination. All external light sources shall be dark sky compliant. **Internally lit**  
284 **signs are allowed.**