

Warrant Article 2: Amendment #1: Section 1.14. Definitions.

Add and amend several definitions to remain consistent with current state laws and provide further clarification as follows:

1.00 ADMINSTRATIVE REQUIREMENTS

1.14 Definitions

- a) Abutter:
 - I. As defined by N.H. RSA 672:3, as may be amended by the State of NH.
 - II. For purposes of notification, abutter ownership information for lots located in Farmington, shall be obtained through the Town's Tax Assessing Office.
- b) Accessory Dwelling Unit. A residential living unit that is within, ~~or~~ attached, or detached (as part of an existing accessory structure) to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principle dwelling unit it accompanies (RSA 674:71-73).
- c) Agriculture (or Farming). All operations of a farm or activities of a farm, as is defined in RSA 21:34-a, II, as may be amended by the State of NH.
- d) Agritourism. Agritourism means attracting visitors to a farm to attend events and activities that are accessory uses to a primary farm operation use, including, but not limited to, eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm, as defined in RSA 21-34-a, II(b)(5), as may be amended by the State of NH.
- e) Amusement arcade. An indoor or outdoor area or open structure, open to the public, that contains any of the following as its primary use or purpose: coin- or token-operated games, rides, shows or similar entertainment facilities and devices.
- f) Amusement park. A facility, primarily outdoors, that may include structures and buildings, where there are various devices for entertainment, including rides, booths for the conduct of games, buildings for shows and entertainment and restaurants and souvenir sales.
- g) Barn. A building, which shall be at least 120 square feet in floor area, constructed to shelter livestock, equipment, feed or other farm products. It may be free-standing or connected to one or more other structures. Common New Hampshire barn types should be encouraged, which include but are not limited to English Barns, Yankee Barns, Bank Barns, and Ground Stable Barns.
- h) Farm. Any land, buildings, or structures on or in which agriculture and farming activities are carried out or conducted and shall include the residence or residences of owners, occupants, or employees located on such land. Structures shall include all farm outbuildings used in the care of livestock, and in the production and storage of fruit, vegetables, or nursery stock; in the production of maple syrup; greenhouses for the production of annual or perennial plants; and any other structures used in agriculture/farming operations, as defined in RSA 21:34-a, I, as may be amended by the State of NH.

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- i) Farmers Market. An event series or events at which 2 or more vendors of agricultural commodities are invited to gather for purpose of offering for sale such commodities to the public as defined in RSA 21:34-a, V, as may be amended by the State of NH. Commodities offered for sale must include, but are not limited to, products of Agriculture, as defined above.
- j) Garage, private. An extension of an existing principal residential use designed to be utilized for the parking or storage of one or more motor vehicles, which is enclosed on three or more sides and covered with a solid roof.
- k) Gazebo/Pavilion. A small, freestanding, outdoor structure that has a roof but is open on all sides that provides shade, shelter, ornamental features in a landscape, and a place to rest. They are often built in a park, garden, or spacious public area.
- l) Gross Floor Area. The sum of the physical areas of all floors of a building as measured to the exterior surfaces of the exterior walls, but not including cellars, attics, porches, decks, garages, balconies, open-side roofed-over areas or areas occupied by heating and ventilating equipment.
- m) Habitable Floor Area. The sum of heated areas used daily for living, eating, cooking, closets, and sleeping, but excluding garages, unheated storage areas, utility spaces, etc. as measured to the exterior surfaces of the exterior walls.
- n) Forestry Activities: Developing, caring for, or cultivating forests; timber harvesting; silviculture; and customary management and supporting activities.
- o) Mixed-Use: A building or structure containing a mix of (a) residential and non-residential uses, or (b) two or more complementary and integrated uses in a compact urban form, provided that such uses are individually allowed in the applicable Zoning District.
- p) Outdoor recreation (low impact). low intensity activities in nature that do not require major structures or motorized vehicles including but not limited to hunting, hiking, fishing, swimming, canoe/kayaking, biking, and skiing. Low impact outdoor recreation will only be regulated when the proposed land use activity is the principle use and shall not apply to pedestrian uses, such as those listed above, that utilize trail systems to cross or connect to and from other areas.
- q) Outdoor recreation (high impact). high intensity activities that require motorized vehicles including but not limited to all-terrain vehicles, snowmobiles, boating (only those that require a temporary boating license) and motocross bikes. High impact outdoor recreation will only be regulated when the proposed land use activity is the principal use and shall not apply to the use of motorized vehicles on private property that utilize trail systems to cross or connect to and from other areas.
- r) Principal Structure. A structure intended for the principal use of the lot. This shall not apply to ~~barns~~, silos, stables, ~~garages~~ or other similar agricultural or industrial structures when such use is not the primary use of the lot, and is clearly accessory and incidental to the principal use.

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- s) Principal Use. The main or primary purposes for which a structure(s) or lot is designed, arranged or intended or for which it may be used, occupied or maintained under this Ordinance consistent with Section 2.00 of this Ordinance, Table of Principal Uses. This shall not apply to ~~berns~~, silos, stables, ~~garages~~ or other similar agricultural or industrial structures when such use is not the primary use of the lot, and is clearly accessory and incidental to the principal use.
- t) Storage shed. A small building used for the storage of garden equipment, toys, sports gear, and other miscellaneous yard tools. The structure shall be 120 square feet or less in floor area and not situated on a permanent foundation.
- u) Vacant lot. Any parcel of land that currently has no buildings or structures on it.
- v) Youth recreation camp. A camp in operation for at least 10 days per license year for the purpose of providing recreational opportunities, or a combination of recreation and instruction, to 10 or more youth per day, at a place which is continuously or periodically used for such purposes, and includes residence camps and seasonal and year-round day camps, as defined in Env-Wq 902.21, as may be amended in the NH Code of Administrative Rules.

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Warrant Article 3: Amendment #2: Section 2.00 C & E. Table of Uses and Special Exception

Revise part of Section 2.00 to amend the Town's Table of Permitted Uses and address confusion with the Special Exception General Standards

2.00 BASE ZONING DISTRICTS

2.00 (C) Table of Permitted Uses

I. Agricultural

A. Principal Uses

Principal Uses	AR	SR	RR	UR	VC	CB	IB
¹ <u>Agritourism</u>	<u>PR</u>	<u>PR</u>	<u>PR</u>	-	-	-	-
² <u>Barns</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

II. Residential

A. Principal Uses

*Principal Uses	AR	SR	RR	UR	VC	CB	IB
³ <u>Barns</u>	<u>P/SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	=	=	=
⁴ <u>Garage</u>	<u>P/SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	=	=	=
⁵ <u>Gazebo/Pavilion</u>	<u>P/SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	=	=	=
Residential units above the ground floor of mixed-use structures	-	-	-	PR	P	-	-
<u>Mixed-use</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>PR</u>	<u>PR</u>	<u>PR</u>	<u>PR</u>
⁶ <u>Storage sheds</u>	<u>P/SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	=	=	=

*Any residential use that is permitted by special exception will not require site plan review

¹ Agritourism may be permitted with Planning Board review on any property within the AR, SR, and RR zones, where the primary use is for agriculture as defined by RSA 21:34-a.

² A barn in which agriculture and farming activities are carried out or conducted, as defined by RSA 21:34-a, shall be permitted by right in all zoning districts

³ A barn not intended for agricultural or industrial purposes, and located on a lot that is adjacent or abutting to a lot under the same ownership which has a principal use is allowed by right in the AR district. A barn not intended for agricultural or industrial purposes, and not located on a lot that is adjacent or abutting to a lot under the same ownership which has a principal use is allowed by special exception in the AR district.

⁴ A garage not intended for agricultural or industrial purposes, and located on a lot that is adjacent or abutting to a lot under the same ownership which has a principal use is allowed by right in the AR district. A garage not intended for agricultural or industrial purposes, and not located on a lot that is adjacent or abutting to a lot under the same ownership which has a principal use is allowed by special exception in the AR district.

⁵ A gazebo/pavilion located on a lot that is adjacent or abutting to a lot under the same ownership which has a principal use is allowed by right in the AR district. A gazebo/pavilion not located on a lot that is adjacent or abutting to a lot under the same ownership which has a principal use is allowed by special exception in the AR district.

⁶ A storage shed located on a lot that is adjacent or abutting to a lot under the same ownership which has a principal use is allowed by right in the AR district. A storage shed not located on a lot that is adjacent or abutting to a lot under the same ownership which has a principal use is allowed by special exception in the AR district.

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IV. Recreational

A. Principal Uses

Principal Uses	AR	SR	RR	UR	VC	CB	IB
<u>Amusement arcade</u>	=	=	=	=	<u>PR</u>	<u>PR</u>	<u>SE</u>
<u>Amusement park</u>	=	=	=	=	=	<u>PR</u>	<u>SE</u>
Campgrounds	PR	PR	PR	-	-	-	-
Fully enclosed places of recreation	-	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>P</u>	<u>PR</u>	-
Golf courses	PR	PR	PR	-	-	SE	-
<u>Indoor recreation</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>PR</u>	<u>PR</u>	<u>SE</u>
<u>Outdoor recreation (low impact)</u>	<u>PR</u>	<u>PR</u>	<u>PR</u>	<u>PR</u>	<u>SE</u>	<u>PR</u>	<u>SE</u>
<u>Outdoor recreation (high impact)</u>	<u>SE</u>	=	<u>SE</u>	=	=	<u>SE</u>	<u>SE</u>
<u>Movie theaters; drive-ins</u>	<u>SE</u>	=	=	=	<u>PR</u>	<u>PR</u>	<u>SE</u>
<u>Youth recreation camp</u>	<u>PR</u>	<u>SE</u>	<u>PR</u>	<u>SE</u>	=	=	=
Recreational uses not specified	SE	SE	SE	-	SE	-	-

VI. Commercial & Industrial

A. Principal Uses

Principal Uses	AR	SR	RR	UR	VC	CB	IB
Laboratories	-	-	-	-	<u>SE PR</u>	<u>SE PR</u>	PR
Research and Development Facility	-	-	-	-	<u>SE PR</u>	<u>SE PR</u>	PR
Retail stores: > 2,500 SF & < 7,500 SF	=	=	=	=	PR	PR	=
<u>Retail stores: > 7,500 SF</u>	=	=	=	=	=	<u>SE</u>	=

2.00 (E) **Special Exception General Standards**

(g) The proposed use is consistent in character with other Permitted uses allowed within the District where the use is proposed to be located and is consistent with the purpose of said District.

Warrant Article 4: Amendment #3: Section 2.05. Village Center District

Amend multiple sections of the Village Center District as follows:

2.00 BASE ZONING DISTRICTS

2.05 Village Center District (VC)

- A. Purpose. The purpose of the Village Center District shall be to promote new development, reuse, infill, and redevelopment within Farmington's town center in a manner that enhances and preserves the unique character of the core area. The Village Center functions as an urban and social center for residents, businesses, and visitors to the Town. Furthermore, the purpose of the Village Center District is to:
- a. Accommodate sustainable growth in Farmington by encouraging new development on vacant and underutilized properties in the town center that have existing infrastructure, utilities and public facilities (i.e. "infill"), while addressing the needs and desires of the local community.
 - b. Encourage efficient use of land and public services in the context of the existing community and neighborhood.
 - c. Stimulate economic investment and development in the Town of Farmington.
 - d. Provide developers and property owners reasonable flexibility in order to achieve high quality design and develop infill projects that strengthen the health and well-being of the Town.
 - e. Create a high-quality town center that consists of a balanced compact mix of residential, commercial, institutional, recreational, and open space land uses and building types.
 - f. Implement the goals, objectives, and policies of the Farmington Master Plan.
 - g. Provide clear standards and guidelines for infill development.
 - h. Encourage pedestrian and energy efficient compact development.
- B. Standards. All buildings and Structures shall be erected, structurally altered, enlarged, or moved, and all land within the Village Center District shall be used in accordance with Table 2.05(B).
- C. Special Considerations.
- a. In recognizing the space constraints within the densely developed Village Center District, flexible and innovative parking solutions meeting the criteria set forth in Section 3.08 shall be considered for uses located within the Village Center District.
- D. **Downtown Commercial Overlay (DCO) District. In the DCO District, any proposed mixed-use will be required to conform with standards set in Section 4.07 of the Zoning Ordinance.**

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Table 2.05(B) – Space and Bulk Standards – Village Center District

Maximum Net Residential Density	1 per 5,000 SF <u>1 unit per 600 SF of gross floor area of available residential space</u>
Minimum Lot Size	1/4 Acre (10,890 SF) <u>0.20 Acre (8,000 SF)</u>
Minimum Street Frontage	50 feet
Front Setback - Principal buildings	Where the existing buildings have a uniform setback relationship to the street (see definitions), any new building or alteration of an existing building shall maintain the existing relationship.
- Accessory buildings	An accessory building shall not be located closer to the front Lot line than the principal building.
Minimum Side and Rear Setbacks (principal and accessory buildings)	None except where residential buffer applies.
Maximum Height	55 feet for principal and accessory buildings
<u>Minimum Unit Size</u>	<u>350 SF</u>

Warrant Article 5: Amendment #4: Section 3.16 A-6 Recreational Vehicle Parks or Campgrounds

Amend the Town's Table of Permitted Uses to allow the following uses by special exemption in all zoning district, excluding the Urban Residential, Village Center, and Commercial Business Districts:

3.00 GENERAL STANDARDS

3.16 Recreational Vehicles Parks or Campgrounds

(B) ~~Temporary Use and Storage~~ and Temporary Use on a Vacant Lot of a Recreational Vehicle outside of Recreational Vehicle parks and Campgrounds:

~~Unless otherwise prohibited or restricted by this Ordinance or state law, no more than one (1) recreational vehicle may be located on a lot and it may be occupied by the owner, owner's family or the owner's friends, collectively, for no more than 30 days at a time in any 90 day period, in any District except the Commercial Business and Industrial Business Districts. A Permit from the Code Enforcement Office must be obtained for occupation of a recreational vehicle for any period of time longer than 30 days in any 90 day period. Notwithstanding the above, recreational vehicles must comply with all other provisions of this Zoning Ordinance, town regulations, and state law.~~

- 1) Storage. Storing a single recreational vehicle is allowed in any zoning district; however only on lots where there is an existing residential primary use as listed in Table 2.00 (C) Table of Permitted Uses under Principal Uses, or located on a lot that is adjacent or abutting to a lot under the same ownership which has a principal use.
- 2) Temporary Use on Vacant Lots. Recreational vehicles may be temporarily parked on, and temporarily occupied by the property owner or his/her lessee, on a vacant lot (i.e. a lot that does not have a primary use) for temporary, recreational purposes only. The recreational vehicle must be fully licensed and ready for highway use and not attached to utilities. Such allowed temporary use is permitted for 90 consecutive days total in one calendar year. Such use requires – before placing the recreational vehicle on the lot - an application and permit from the Building Inspector. While the temporary recreational vehicle is in use on the lot, the permit must be prominently displayed (with protective covering from the elements) at the edge of the lot so that it is visible from the right of way/road for inspection by the Building Inspector without requiring access to the property. Failure to so post the permit shall result in revocation of the permit.

No other recreation vehicle use is permitted on any lot except as specifically allowed by this Section 3.16.

The following words or phrases are hereby defined for the purpose of this article:

~~**Recreational Vehicle:** Any mobile home, trailer, motor home, tent, lean-to, shelter or other temporary, semi-permanent structure normally intended for transient or recreational use. All campers or recreational vehicle must be eight (8) feet or less in width in its traveling mode.~~

Recreational Vehicle: A vehicle that is intended to be self-propelled or towed and is equipped to serve as, or intended by the manufacturer for use as, temporary living quarters for recreational, camping, or travel purposes. It includes, but is not limited to a mobile home, trailer, and motor home.

Warrant Article 6: Amendment #5: Downtown Commercial Overlay (DCO) District.

Amend zoning ordinance and update the Official Zoning Map of the Town of Farmington to create the Downtown Commercial Overlay District with the following boundaries: along Main Street: Starting at Map U6, Lot 91 west of the Cocheco River and Map U6, Lot 89 at the corner of Main Street and Elm Street, continuing to Map U5, Lot 114 and Map U5, Lot 1 at the corner of Blouin Street; and Central Street: Starting at Map U5, Lot 178 and Map U5, Lot 200 at the intersection of Main Street, continuing to Map U5, Lot 206 at the corner of Central Street and Lilac Street and Map U6, Lot 169 at the corner of Central Street and Spring Street. Copies of the map depicting the proposed zoning district are available for review at the Town Office and will be available the day of the election.

4.00 OVERLAY DISTRICTS

4.07 Downtown Commercial Overlay (DCO) District

- (A) Purpose. The purpose of this ordinance is to promote new development, reuse, infill and redevelopment within Farmington's Town Center in a manner that enhances and preserves the unique character of the core area by encouraging a mixed-use of buildings and affordable housing options.
- (B) Boundaries. The DCO District is a subdistrict of the Village Center and shall consist of all parcels identified within the following areas:
 - a. Along Main Street: Starting at Map U6, Lot 91 west of the Cocheco River and Map U6, Lot 89 at the corner of Main Street and Elm Street, continuing to Map U5, Lot 114 and Map U5, Lot 1 at the corner of Blouin Street.
 - b. Central Street: Starting at Map U5, Lot 178 and Map U5, Lot 200 at the intersection of Main Street, continuing to Map U5, Lot 206 at the corner of Central Street and Lilac Street and Map U6, Lot 169 at the corner of Central Street and Spring Street
- (C) Standards. All buildings and structures shall be erected, structurally altered, enlarged, or moved, and all land within the DCO District shall be used in accordance with Table 2.05(B).
- (D) Special Considerations. Residential units are prohibited on the first floor of any mixed-use building in the DCO District.

Warrant Article 7: Amendment #6: Section 6.00. Accessory Dwelling Units.

Amend multiple parts of the Town's Accessory Dwelling Units section to ensure compliance with state statute (RSA 674:71-73), clarify the administrative process, and revise several provisions as follows:

6.00 ACCESSORY DWELLING UNITS

6.01 Accessory Dwelling Units

(A) Authority. This ordinance is enacted in accordance with the provisions of RSA 674:71-73 ~~and RSA 674:21.~~

~~(B) Administration. The Town of Farmington authorizes the Planning Board to administer this Section 6.00 Accessory Dwelling Units.~~

~~(C) Purpose. To increase housing alternatives while maintaining neighborhood aesthetics and quality,~~ one An accessory dwelling unit ("ADU") is permitted by right in all zoning districts that permit single family dwellings, subject to the following provisions listed: ~~in Section 6.04 (d) and all other applicable sections of this ordinance.~~

~~(D) Provisions. An attached accessory dwelling unit shall be permitted in all zoning districts that permit single family dwellings, subject to the following;~~

(1) Only one (1) ADU shall be permitted for each single-family dwelling. An ADU shall not be permitted on a property where more than one dwelling unit currently exists.

(2) ADUs shall be permitted only on properties containing an owner-occupied single-family dwelling. The owner must demonstrate that one of the units is their principle place of residence. Both primary dwelling unit and the ADU must remain in common ownership. The ADU shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the principle single-family dwelling. In order to ensure compliance with this requirement, the property owners at the time the ADU is established shall be required to execute a restrictive covenant that shall include restrictions on ownership, condominium conversion, and if the ADU is detached, the requirements as stated in Section 6.01(6). The covenant will run in favor of the Town, which shall be recorded in the Strafford County Registry of Deeds and a copy of which shall be provided to the Planning Department and the Town Assessor prior to the issuance of a certificate of occupancy.

(3) The ADU must provide independent living facilities for one or more persons including the four (4) elements of sleeping, eating, cooking, and sanitation.

(4) The ADU shall have independent means of ingress and egress, or shall have ingress and egress through a common space such as a shared hallway to an exterior door.

~~(5) The ADU shall be attached to the principal dwelling unit. In order to be considered an attached ADU there must be a common wall. If the ADU is attached to the principal dwelling unit, the ADU must share a common wall between the principle dwelling unit and the ADU. Detached accessory dwelling units are prohibited. An and an interior door shall be provided between the principle dwelling unit and the ADU.~~

(6) If the ADU is detached, it must be located entirely within an accessory structure that provides an accessory use to the primary structure on the lot. Examples include barns, garages, etc. Standalone detached ADU's are not permitted.

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(7) The area of the ADU shall have an area of no less than three hundred and fifty (350) square feet and no greater than not exceed seven hundred and fifty eight hundred and fifty (850) square feet. If located in a detached accessory structure, the accessory dwelling unit shall be located entirely on the second floor of the structure.

(8) The number of bedrooms in the ADU shall not exceed two (2).

(9) All required setbacks shall be complied with.

(10) Building materials used for additions shall be similar to the principal dwelling unit. ADUs shall maintain an aesthetic continuity with the principal dwelling unit as a single-family dwelling unit.

(11) ~~A single family dwelling with an ADU shall have a minimum of two (2) off street parking spaces, one (1) of which is dedicated to the ADU. No additional curb cut is permitted. A minimum of one dedicated off-street parking space shall be provided for the ADU.~~ The Code Enforcement Officer may require additional off-street parking spaces.

(12) If the ADU is not on public water and sewer, water supply and sewage disposal shall comply with RSA 485-A:38 and the regulations adopted by the New Hampshire Department of Environmental Services. Water and wastewater systems for the principal single-family dwelling unit and the ADU may be combined or separate.

~~(E) Minimum Lot Dimension Requirements. An ADU Shall not be required to meet additional lot area requirements other than already provided for the principal dwelling unit.~~

~~(F) Accessory Dwelling Unit Approval. Planning Board Approval is required for all ADUs. Where applicable, a building permit is also required for an ADU.~~

~~(1) A complete application for an ADU shall be submitted to the Planning Board a minimum of 30 days prior to the date of the Public Hearing.~~

~~(2) ADU approval shall be granted when the Planning Board has determined that the provisions contained in Section 6.01 (d) have been met.~~

~~(3) The ADU approval shall be valid for a period of two (2) years from the date of issued and shall expire if the use is not occupied by that time, unless an extension is approved by Code Enforcement Officer.~~

~~(G) Occupancy Permit. Prior to occupancy of the ADU, the property owner shall obtain an occupancy permit from the building inspector.~~

(H) Owner Must Reside on the Property

(1) If owner of record of the property ceases to reside on the property, a fine shall be levied to the owner of the property, according to the provisions of RSA 676:17, until an owner resides on the property or the ADU is discontinued. The property owner must occupy one of the two dwelling units. Electric, water, and sewer utilities shall be metered on a single bill. Owners who are temporarily absent from property, such as members of the armed forces called to active duty, may apply for relief from this provision to the Board of Selectman. (Reference: Service-members Civil Relief Act, Public Law 108-189, December 2003.) ~~If a property with an accessory dwelling unit is conveyed to a new owner, the new owner may either,~~

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~~a. Obtain a new ADU permit to continue use of the ADU following the provisions of Sections F above, or~~

~~b. Discontinue the ADU~~

~~If a new ADU permit is not obtained or the use is not discontinued, a fine shall be levied to the owner of the property, according to the provisions of RSA 676:17, until the ADU permit is renewed or the ADU is discontinued.~~

(I) Discontinuance of an accessory dwelling unit:

(1) A property owner can notify the Code Enforcement Officer in writing that he or she wishes to discontinue use of an ADU.

(2) The ADU shall not be occupied at the time of discontinued.

(3) An ADU is deemed to be discontinued when the Code Enforcement Officer revokes the Certificate of Occupancy.

(J) Enforcement Authority. The Board of Selectmen and/or their designed code enforcement Officer shall be the final authority on compliance and enforcement of this article.

(K) Severability. The invalidity of any provisions of this Ordinance shall not affect validity of any of the provisions. If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding will not affect or impair any other section, clause, provision of this ordinance.

Warrant Article 8: Amendment #7: Section 3.04

Amend zoning ordinance to include a new section on rear lot subdivisions.

3.00 GENERAL STANDARDS

3.04 Development of Rear Lots

Upon subdivision approval by the planning board and in accordance with the provisions of this subsection, rear lots may be created in the following zones: (AR), (SR), (RR) and (UR). Space and bulk standards for rear lot subdivision shall be in accordance with Tables ~~3.04~~ in Section 2.00.

For purposes of this Section, a "rear lot" is defined as the back portion of a parent lot proposed for subdivision into two lots where the parent lot has sufficient street frontage on a Class V or better road as required by Section 2.00, and the proposed rear lot has a minimum of 30 feet of fee simple street frontage on a Class V or better road.

(A) Purpose. The purpose of this Section is to offer an opportunity for subdivision for existing lots of record that lack sufficient street frontage for one (1) additional lot but contains sufficient acreage for subdivision in its zone, while maintaining the rural character of the community and minimizing impact upon on existing roadways by reducing curb cuts and impervious roads.

(B) Requirements: Rear lot subdivisions shall be subject to review and approval in accordance with the Land Subdivision Regulations of the town of Farmington, as amended as well as the following requirements listed below:

- a. Parent lot must ~~have the required amount of frontage per Section 2.00 and~~ be created before the adoption of this Section Zoning Ordinance (March 14, 2006 March 10, 2020).
- b. Only one (1) rear lot may be created from the parent lot; any further subdivision of the rear lot must fully comply with the requirements of this Zoning Ordinance and the Subdivision Regulations and cannot further use the benefit of this Section 3.00 to further subdivide a rear lot.
- c. Parent lot must have sufficient Street Frontage as required by Section 2.00 on Class V or better road.
- d. The proposed subdivided front lot must ~~have a~~ maintain the minimum of fee simple-owned street frontage, as required by the space and bulk standards in the Tables in Section 2.00 for each zoning district, on a Class V or better road.
- e. The proposed subdivided rear lot must have a minimum of 30 feet of fee simple-owned street frontage on a Class V or better road.
- f. Minimum access width to the rear lot is 30 feet; meaning that the portion of the rear lot to be used for a driveway to access a Class V or better road shall be no less than 30 feet in width for its entire length.
- g. The use of rear lots created under this Section are limited solely to single family residential use.
- h. Unless otherwise expressly excepted in this Section 3.00, the proposed access to the rear lot must conform to this Zoning Ordinance and the Farmington Road and Driveway Design and Construction Standards.
- i. Unless otherwise expressly excepted in this Section 3.0, the requirements for lots and the placement of buildings and structures remain subject to all requirements of this Zoning Ordinance and State laws.