

Legal Notice
Town of Bedford, NH
2021 Proposed Zoning Amendments

The Bedford Planning Board will hold public hearings at 7:00 PM on Monday, January 11, 2021, and January 25, 2021, to hear comments from interested persons on proposed amendments to the Bedford Zoning Ordinance. Due to the Coronavirus crisis and in accordance with Governor Sununu’s Emergency Order #12 pursuant to Executive Order 2020-04, the Planning Board is using the Zoom platform to conduct this meeting electronically. Please contact the Planning Department for instructions regarding participation in the meeting. The meeting will also be broadcast live on BCTV.

ZONING AMENDMENTS PROPOSED BY THE PLANNING BOARD:

Amendment No. 1

Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Bedford Zoning Ordinance to amend Article VIII, Section 275-62 A(1) and Table 3, Table of Dimensional Standards, as follows:

Deleting “80” in the Maximum Building Height column for properties located on U.S. Route 3 with municipal water and sewer and replacing it with “60” and by deleting “80” in the Maximum Building Height column for properties located on local roads or U.S. Route 3 when private shared access drives are used and replacing it with “60.”

[This amendment reduces the maximum height for buildings located in the Performance Zone, on properties with access to water and sewer utilities, from 80 feet to 60 feet.]

Amendment No. 2

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Bedford Zoning Ordinance to amend Article XV, River Corridor Smart Growth District, by deleting the Article XV in its entirety and to amend Article II, Section 275-7, Establishment of Districts and Section 275-8, Location of Districts, to remove the River Corridor Smart Growth District.

[This amendment is intended to repeal Article XV, River Corridor Smart Growth District (RCSGD) from Bedford’s Zoning Ordinance because it was never fully enacted by the Planning Board. The RCSGD is an overlay district that was intended to be an optional zoning tool to permit mixed-use development subject to certain design standards. The overlay district includes the entire Performance Zone in Bedford. At this point, the Planning Board would recommend repealing the zoning and reviewing other regulatory tools to guide development in the Performance Zone.]

ZONING AMENDMENTS PROPOSED BY CITIZEN PETITION:

Amendment No. 3

Are you in favor of the adoption of Amendment No. 3 as proposed by Citizens’ Petition, to amend, Town of Bedford Zoning Ordinance, Article II, Section 275-7 Establishment of Districts, District Names, by deleting the words shown in the strikethrough and adding the words in bold as follows:

Performance Zone PZ To provide areas for a variety of uses including mixed use, retail, workforce housing, office, medical office, research and development and industrial uses serving both regional and local needs. The PZ provides for flexibility in land use development in exchange for meeting certain site, layout, landscaping, parking and environmental design standards **specified in Article VIII, Performance District Zoning**. Residential uses are not permitted except by approval of a waiver by the Planning Board **as noted in Article III, Section 275-21, Table 2, Table of Uses and Article VIII, Section 275-61, Permitted Uses**. ~~This is an innovation land use control ordinance where the Planning Board serves as the land development review board for all zoning and planning matters with the exception of encroachments into the wetland setback.~~

To amend Article VIII, Performance Zoning District, Section 275-56, Statutory Authority, by adding the words in bold as follows:

§ 275-56. Statutory authority.

This Article VIII is enacted by the Town of Bedford pursuant to RSA 674:21, II. This innovative land use control ordinance shall provide for all approvals **associated with Article VIII, “Performance District Zoning”,** including the granting of conditional or special use permits, by the Planning Board, **except for Section 275-61 “Use Regulations”**. Any decision made by the Planning Board under this innovative land use control ordinance may be appealed directly to Superior Court in the same manner provided by statute for appeals from the Planning Board, as set forth in RSA 676:5, III, and RSA 677:15. A waiver process from particular requirements set forth in Article VIII may be employed by the Planning Board where the applicant demonstrates substantial compliance with the standards set forth in Article VIII, Chapter 275-58, Purpose, Subsections A through E. **The Zoning Board of Adjustment shall have the power to authorize upon appeal, a variance from the terms associated with Article III, Section 275-21, “Use Regulations” and Article VIII, Section 275-61 “Permitted Uses” in accordance with RSA 674:33. Any decision made by the Zoning Board of Adjustment under this innovative land use control ordinance may seek a rehearing and appeal the decision to Superior Court as set forth in RSA 677.**

[This amendment is intended to remove the power to grant waivers of the permitted land uses in the Performance Zone (PZ) from the Planning Board and provide this authority to the Zoning Board of Adjustment.]

[THE PLANNING BOARD **DOES/DOES NOT** SUPPORT PASSAGE OF THIS AMENDMENT. *The Board will discuss the amendment at the public hearings on January 11th and 25th and will vote to support or not support the zoning amendment.*]