

ARTICLE # __
AMENDMENT # __

Hampton Zoning Ordinance Amendment

~~Strikethrough~~ = Proposed Deletion

Underline = Proposed Addition

Highlighting = All Proposed Changes

Article XI – Construction Provisions, Section 11.5

Section 11.5

Except as provided in Article III, Section 3.49, A all establishments which dispense food and drink will be on a permanent foundations, contain kitchen and sanitary facilities, and meet all applicable codes.

11.5.a All businesses shall be located in a building with a permanent foundation, four walls and a permanent roof.

Article III, New Section 3.49

3.49 Mobile Food Service Vendors on Private Property

As required under RSA Chapter 320 and/or Town of Hampton Code Chapter 628, licensing from the New Hampshire Secretary of State and/or the Town Board of Selectmen will be necessary. This use is expressly limited to charitable purposes or other special events that have received approval for a specified date(s) from the Board of Selectmen. This use is limited to licensed vehicles and trailers with mobile kitchens only, no portable carts. Inspection and sign-off as to health, safety, and location by the Building Inspector/Health Officer is required.

RAA	RA	RB	RCS	B	BS	I	G
B*	B*	B*	X	B	X	B	B

* Prohibited on any RAA, RA, and RB zoned lot that does not meet the respective current minimum lot area requirement in Article IV, Section 4.1.

Section 2.8 Town Center District

C. Permitted Uses in Town Center-Historic District (Amended 2015, 2018, 2021)

The following uses are permitted in the Town Center-Historic District.

1. Apartments up to two units per building above non-residential use;
 2. Convenience stores;
 3. Pharmacies;
 4. Cafés (including cyber-cafés);
 5. Art galleries;
 6. Grocery or neighborhood convenience stores, excluding the sale of motor vehicle fuels;
 7. Business and professional offices;
 8. Retail sales and services (see Note 4);
 9. Banks;
 10. Personal services establishments (as defined in Section 1.6);
 11. Restaurants, except the use of drive-up windows;
 12. Bed & Breakfasts establishments;
 13. Hotels;
 14. Outdoor seating associated with restaurants or cafés subject to applicable licensing/ permitting requirements;
 15. Artist's residential and/or work space establishment;
 16. Mobile Food Service Vendors on Private Property (in accordance with Section 3.49);
 17. Day care establishments for no more than three children; and
 18. Conditional uses as set forth below.
3. Any use change which, in the opinion of the Building Inspector or the Town Planner, requires Planning Board approval in order to safeguard the health, welfare, convenience and safety of Hampton's citizens and recreational guests shall require Use Change Approval.
 4. The following retail uses are prohibited in this District:
 - a. Martial Arts Weapons, as defined in Section 3.46
 - b. Firearms and ammunition sales
 - c. A business selling accessories intended for tobacco use, where more than 15% of the total display, shelf, rack, table, stand, or floor area is devoted to such accessories.

Notes:

1. Any use not specifically enumerated above is deemed to be prohibited in this District.
2. Permitted uses may require Site Plan and/or Subdivision approval by the Hampton Planning Board in accordance with Section 1.5 of the Zoning Ordinance.

F. Permitted Uses in the Town Center-South and Town Center-North Districts

(Amended 2015, 2018, 2020, 2021)

The following uses are permitted in Town Center-North and Town Center-South Districts:

1. Two-family dwellings
2. Bed & Breakfast establishments
3. Retail Sales
4. Lodging houses
5. Multi-family dwellings
6. Private schools
7. Outdoor recreation facilities
8. Farm buildings
9. Public Utility Buildings
10. Accessory Uses
11. Banks
12. Professional Offices
13. Theaters
14. Health Clubs
15. Personal services establishments (as defined in Section 1.6)
16. Restaurants
17. Warehouses
18. Domestic pet grooming shops
19. Motor vehicle repair & filling stations
20. Parking facilities
21. Manufacturing incidental to a business
22. Health care facilities
23. Day care for 3 or less children
24. Dwelling unit with business
25. Family and Group day care
26. Auto Dealers
27. Mobile Food Service Vendors on Private Property (in accordance with Section 3.49)

Notes:

1. Any use not specifically enumerated above is deemed to be prohibited in this District.
2. Permitted uses may require Site Plan and/or Subdivision approval by the Hampton Planning Board in accordance with Section 1.5 of the Zoning Ordinance.
3. Any use change which, in the opinion of the Building Inspector or the Town Planner, requires Planning Board approval in order to safeguard the health, welfare, convenience and safety of Hampton's citizens and recreational guests shall require Use Change Approval.

Section 2.7 Professional Office / Residential District

C. Use regulations. In the POR District, no building or land shall be used, and no building shall be erected, altered or enlarged, which is arranged, intended or designed for other than one or a combination of the following uses:

- (1) Principal uses. (Amended 2018)
 - a. Single family residential. (As defined under Article 3.1 of the Zoning Ordinance)
 - b. Banks, offices and professional establishments, such as insurance agencies, real estate offices, attorney offices, medical professionals and/or other similar businesses, providing direct services to consumers. (All new uses will require a use change and/or site plan review and approval by the Hampton Planning Board).
 - c. Two-family dwellings.
 - d. Multi-family dwellings (in accordance with Article VIII).
 - e. Churches, schools, libraries, and municipal uses.
 - f. The Planning Board may approve other uses which are permitted in the RA and/or RB Zoning Districts (in accordance with Article III) if similarity with surrounding residential uses is demonstrated by the applicant. (All new uses will require a use change and/or site plan review and approval by the Hampton Planning Board).

(2) Mobile Food Service Vendors on Private Property (in accordance with Section 3.49)