

Final Zoning Changes to Incorporate Agritourism

Prepared by Agritourism Subcommittee of Madbury Planning Board

Madbury NH
11-15-16

Please refer to memo of October 28, 2016 with attachment which discusses agritourism as local land use that under NH RSA 21:34-a enables local governments to permit such activities through their land use regulations. Those documents also provided several regulatory options for permitting such activities in Madbury.

Below are the Agritourism Committee's recommended changes to the Madbury Zoning Ordinance to incorporate the regulation of agritourism activities.

1. Amend Definition Article in Zoning Ordinance by Inserting New Definition for Agritourism. Additions in yellow shading.

Article III Definitions

For the purpose of this ordinance, certain terms are defined as provided in this Article.

ABUTTER: Any person whose property adjoins or is directly across the street or stream from the land under consideration by the Planning Board, including that located in another town and as further defined in NH RSA 672:3.

ACCEPTANCE OF APPLICATION BY THE BOARD: The receipt, review, and signing of a completed application at a formal meeting of the Planning Board where abutters have been notified and notice has been posted.

ACCESSORY BUILDING OR USE: A building or use subordinate to the main building or use and customarily incidental to the main purpose of such building or use.

ACCESSORY SIGN: Any smaller sign relating to activities or business on the premises upon which the sign is located.

AGRITOURISM: An activity as set forth in RSA 21:34-a (VI) including, but not be limited to, farm-to-table events, crop mazes, fairs, on-farm weddings and similar events, hay rides, petting zoos, pick-your-own produce, agriculture tours, nature walks, hiking, snowshoeing, x-country skiing, camping, bird watching, and any other commercial agricultural activities on farms that are intended or designed to attract visitors to a working farm.

APPROVAL: Recognition by the Planning Board certified by written endorsement on the plat, that the final plat meets the requirements of these regulations and satisfies, in the judgment of the Planning Board, all criteria of good planning and design.

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2. Amend RA District to allow for agritourism—additions in yellow shading.

Article V
General Residential and Agricultural District

Section 1. Purpose

Section 2. Uses Permitted

- A. It shall be a district of dwellings and farms. No other uses than those specified will be permitted except the special exception uses which may be granted by the Board of Adjustments as provided under Article XV, SECTION 2.
- B. A single-family or a two-family dwelling is permitted in this district.
- C. General farming, including horticulture, floriculture, dairying, livestock and poultry raising, and other agricultural uses, or the raising of animals for other purposes are permitted in this district. *Agritourism is permitted but will be subject to the granting of a Conditional Use Permit as per Article IV, General Provisions; Section 9, Conditional Use Permits in addition to the following criteria:*
1. Sufficient off-street parking is provided to accommodate any employees and visitors.
 2. Any internal vehicular roadways can accommodate proposed traffic volumes.
 3. The proposed site design is configured in a manner that minimizes and mitigates any impacts to environmental resources and neighboring properties.
 4. The scale, size, frequency of events, and operating hours shall not produce unreasonable impacts or nuisances to the surrounding neighborhood.
- D. Home produce and home products and agricultural products may be bought and sold and exposed for sale in this district.
- E. Tourist homes may be maintained and operated in this district.