

**ATKINSON ZONING ORDINANCE AMENDMENT – 2020 Town Meeting**  
**Article VI: Rural Cluster Residential Development, Sections 600:11, 600:14 and 600:15**

EXISTING SECTION 600:11

**600:11** Buffers Requirements:

- a. A multi-family townhouse cluster development shall have a one hundred (100) foot landscaped buffer around the entire parcel and along existing town roads to provide an adequate division of transition from abutting land uses and existing town roads.
  
- b. Single family residential cluster shall be subject to the following landscaped buffer requirement:
  - Fee simple lot ownership subdivision .....50'
  - Condominium ownership .....100'

The landscaped buffer shall extend around the perimeter of the entire parcel and along existing town roads to provide adequate transition between abutting land uses. Wherever possible, natural vegetation shall be retained. No construction, excepting primary access roads shall be permitted in the buffer. Septic systems, parking areas, and service roads shall be excluded from the landscaped buffer. No portion of the buffer area shall encroach onto any lot defined for construction of a dwelling within the single-family residential cluster development. (2001)

**The Planning Board proposes to delete the existing Section 600:11 and replace with the following revised text.**

PROPOSED SECTION 600:11

600:11 Perimeter Buffer Requirements

- a. ~~Definition:~~—The perimeter buffer serves to provide separation from and transition ~~from~~between abutting land uses (e.g. residential, non-residential, conservation lands) and existing town ~~road~~or private roads. Trees and other vegetation shall be retained. Trees, vegetation or invasive species deemed a hazard by the Atkinson Tree Warden may be removed on an individual basis or identified as part of a buffer management plan.
  
- b. The perimeter buffer shall ~~be comprised of~~ the following and any combination of the following:
  - i. ~~D~~Natural forest or landscape features or densely planted with trees and understory along the road frontage. A buffer management plan shall be provided as part of the application; or
  - ii. Managed forest or a combination of managed forest and other natural landscape features. A buffer management plan shall be provided as part of the application; or
  - iii. Restored buffer through replanting of trees and understory vegetation. A buffer management plan shall be provided as part of the application; or

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- iv. Natural forest or other vegetation, meadow or other landscape features such as wetlands that do not require active management to maintain.
  
- c. Rural Cluster Residential Developments shall be subject to the following perimeter buffer requirements:
  - i. Multi-family ~~townhouse~~-cluster developments 100 feet width
  - ii. Fee simple ownership subdivision 50 feet width
  - iii. Condominium ownership 100 feet width
  
- d. The perimeter buffer shall extend around the perimeter of the entire parcel being developed ~~including the road frontage~~ and along existing town roads. No grading land disturbance or construction (e.g. structure or common facility such as playground, gazebo, pavilion, clubhouse), excepting for primary access roads, utility crossings and trails for non-motorized recreation, shall be permitted in the perimeter buffer.
  
- e. No portion of the perimeter buffer shall be included as part of any lot defined for construction of a dwelling.
  
- f. All lots or building envelopes (e.g. for condominium type ownership) defined for construction of a dwelling or other structure shall have a 320 foot setback from ~~the lot line abutting~~ the perimeter buffer.

EXISTING SECTION 600:14

At least fifty percent (50%) of the total land area, exclusive of roads, public or private, parking and essential services, shall be set aside as common land covenanted to be maintained as “permanent open space”. (1990)

PROPOSED SECTION 600:14

At least fifty percent (50%) of the total land area, exclusive of roads, public or private, parking and essential services including stormwater management practices, shall be set aside as common land covenanted to be maintained as “permanent open space”. For the purposes of this Article, permanent open space is defined as lands used for active agriculture or forestry guided by a forest management plan, natural landscapes that are actively maintained, and lands permanently protected from development (e.g. structures, construction activity, stormwater management) ~~with the exception of recreational trails maintained for non-motorized use~~ and uses permitted under Section 600:15.

PROPOSED SECTION 600:15

Such common land shall be restricted to open space recreational uses such as tot lot, park, swimming pool, tennis courts, playground, playfield, ~~golf course~~ or conservation.

DELETE THE DEFINITION O4 OPEN SPACE FROM ARTICLE III DEFINITIONS.