

SECTION 4: DISTRICTS & DISTRICT REGULATIONS

4.1 Town-Wide Regulations

4.1.1 Aircraft

Takeoffs and landings of Aircraft are prohibited in all zoning districts within the Town of Jackson, except as follows:

4.1.1.1 A helicopter pilot with a valid license, or an ultra light pilot, who owns or leases from an owner prior to November 10, 2003, property with an existing principal use in Jackson and containing an established landing area as an Accessory Use, and who has made takeoffs and landings from that landing area as pilot in command prior to November 10, 2003, may continue to use that landing area as an Accessory Use for as long as that ownership or rental agreement remains in effect.

4.1.1.2 The exception in Sec. 4.1.1.1 above applies only to the pilot eligible for the exception and to the specific landing site where the landings and takeoffs qualifying for the exception have been made; this right is not transferable.

4.1.1.3 Properly licensed helicopters may be used on a short-term basis i) to transport construction materials to a site in the Town of Jackson where no other practical method is available, ii) to provide medical and related evacuation services and emergency services essential to the public health and safety, or iii) for short-term special events, with prior written approval from the Board of Selectmen.

4.1.2 Minimum Lot Size

Determined by soil type. See Section 6.

4.1.3 Building Height

35 foot maximum. See definition of Height.

4.1.4 Septic System Leach Field

Setback shall be 100 feet from the near bank of any year-round stream or body of water. If the leach field is installed in excessively drained soil, the setback shall be 150 feet from any year-round stream or body of water (excluding any fire ponds.)

4.1.5 Driveways

All Driveways must be constructed to comply with standards set by the State of New Hampshire and the Town of Jackson. (See definition of Driveway.)

4.1.5.1 The location and design of Driveways shall minimize traffic hazards and not unduly retard traffic flow in the public right of way.

4.1.5.2 Driveways serving more than one Dwelling Unit shall be designed to accommodate prospective traffic and to meet requirements of the Zoning Ordinance and any additional requirements of the Fire Department.

4.1.5.3 Construction of Driveways shall not result in excess sedimentation, erosion, or the creation of a watercourse where one did not previously exist on neighboring or town property.

4.1.6 Site Disturbance

Any Site Disturbance, Land Development, or activities that alter watercourses shall be designed and performed reasonably to prevent increased rate of run-off, soil loss, or Erosion from the site or lot.

4.1.6.1 Design guidelines which may be used by developers, individual landowners, engineers, and others planning Site Disturbance or Land Development activities will be available in the Town Offices for review and use in designing site work so as to minimize Erosion and Sedimentation.

4.1.6.2 All areas of Site Disturbance and Land Development still in progress at approach of winter shall be stabilized against Erosion and Sedimentation prior to November 15th, to minimize soil depletion and degradation over winter.

4.1.7 **Well Radius**

In order to protect water quality on all lots, the well radius for each lot must be located within the same lot that the well serves; if a well radius cannot be entirely located within the lot that the well serves, then it shall be located within the well radius of an abutting lot, or within land which is non-buildable under state and/or local regulations. In the event that the well radius does not fall entirely within the lot it serves, the landowner shall release and hold harmless the Town of Jackson from any obligation in connection with the protective well radius *or* shall obtain an easement from any abutting lot owner on whose land encroachment by the well radius will be necessary; *all* releases, hold harmless agreements, and easements shall be recorded at the Carroll County Registry of Deeds.

4.2 Division of Town into Districts

For the purpose of this Ordinance, the Town of Jackson is divided into the following districts:

4.2.1 **“Village District”** means that land within 500 feet on either side of the traveled center line of public Route 16 and 16A and all other land between said routes in the Town of Jackson, as shown on the Official Zoning Map.

4.2.2 **“Rural-Residential District”** means all land within the Town of Jackson not otherwise designated as within the Village District, as shown on the Official Zoning Map.

4.2.3 **“River Conservation District”** is an Overlay District. See Section 5.

4.3 District Regulations

4.3.1 **Rural-Residential District**

A building or structure may be erected or used, and a lot may be used or occupied, only for the following purposes and in accordance with the following provisions:

4.3.1.1 Uses Permitted

- 1) Single family residences, Multi-Family Residential Developments, and Cluster Single-Family Developments, the latter two categories being subject to prior approval by the Planning Board pursuant to Section 8 of this Zoning Ordinance, and Accessory Apartments pursuant to Section 9 of this Zoning Ordinance.
- 2) Farms
- 3) Forestry according to recognized soil conservation and best management practices
- 4) Parks, and conservation areas, with the exception of facilities or space primarily for tenting and trailers
- 5) Open space
- 6) Nature trails, and non-motorized recreational uses such as hiking, biking, snowshoeing, and cross-country ski trails
- 7) Municipal facilities and areas
- 8) Customary Home Occupations
- 9) Jackson Historical Society and/or Jackson Historical Museum.

4.3.1.2 Setbacks

No building, structure, porch, or portion thereof shall be located on a lot nearer any lot line, year-round stream or body of water than the minimum setback set forth below:

- 1) From the center line of the traveled way of any public or Private Road: Fifty (50) feet.
- 2) From any abutter property line, or sideline of any public or private road that does not provide access to the lot: Twenty Five (25) feet.
- 3) From the near bank of any year-round stream or body of water: Fifty (50) feet.

4.3.1.3 Frontage

Each lot shall have Frontage on a State or Town highway with a Class I, II, III, IV or V classification, or Private Road constructed to Town standards as required by the Planning Board. The minimum distance for Frontage shall be no less than 200 feet except where a road cul-de-sac dictates a shorter Frontage of not less than 100 feet and satisfactory to the Planning Board.

4.3.1.4 Number of Dwelling Units Per Lot

Only one Dwelling Unit may be built on a single lot, except in the case of a single family residence having an Accessory Apartment, as an Accessory Use, approved under Section 9, in which case two Dwelling Units per lot may be permitted; and except for Multi-Family Residential Developments approved under Section 8, in which case multiple Dwelling Units per lot may be permitted.

4.3.2. **Village District**

A building or structure may be erected or used, and a lot may be used or occupied, only for the following purposes and in accordance with the following provisions:

4.3.2.1 Uses Permitted

- 1) All uses permitted in the Rural-Residential District and, in addition,
- 2) Restaurants
- 3) Professional and/or commercial businesses except for
 - i) Businesses whose inventory for resale or lease includes petroleum products, self-propelled motorized vehicles, Manufactured or travel trailers
 - ii) Businesses primarily engaged in sale or lease of prepared foods primarily for consumption outside the building
 - iii) Businesses of facilities that contain more than three (3) coin, ticket, or token-operated games
 - iv) Casino gambling
 - v) Amusement parks or arcades
 - vi) Water slides, other commercial slides, or other similar entertainment
 - vii) Hazardous waste and radioactive dump sites
- 4) Hotels
- 5) Motels
- 6) Private and/or charitable facilities
- 7) Lodging House
- 8) Non-profit educational facilities for preschool age children

4.3.2.2 Setbacks

No building, structure, porch, or portion thereof shall be located on a lot nearer any lot line, year-round stream or body of water than the minimum setbacks set forth below:

- 1) From the center line of the traveled way of any public or Private Road: Fifty (50) feet.
- 2) From Route 16A with motor vehicle parking between structure and right-of-way: Fifty (50) feet.
- 3) From Route 16A without motor vehicle parking between structure and right-of-way: Twenty Five (25) feet.
- 4) From abutter property line: Twenty Five (25) feet.
- 5) From the near bank of any year-round stream or body of water which is a property boundary: Fifty (50) feet.

4.3.2.3 Frontage

Each lot shall have a Frontage no less than 150 feet on a public or Private Road right-of-way.