

Town of Bedford, NH – Official Ballot Voting Petition

Pursuant to RSA 675:4, each of the undersigned Town of Bedford, New Hampshire voters hereby petition to have the following placed on the March 9, 2021 ballot:

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.]

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