

MEMORANDUM

To: Joint Committee of the Planning Board and PLD Committee
From: Mari Brunner, Senior Planner
Through: Paul Andrus, Community Development Director
Date: March 2, 2026
Subject: O-2026-02 Relating to the Definition of Family

Overview

This Ordinance proposes to amend the definition of the term “Family” in Article 29 of the Land Development Code (LDC) to bring the city’s definition into compliance with New Hampshire State Statute 674:16, which prohibits a local municipality from adopting or enforcing an ordinance that is based on the familial or non-familial relationships or marital status, occupation, employment status, or educational status of the occupants of a dwelling unit.

In addition, this ordinance proposes to amend the definition of the term “Dwelling Unit” in Article 29 to clarify that this term does not include transient occupancies such as hotels/motels or bed and breakfasts. Lastly, this ordinance proposes to add clarifying language to Article 1, Section 1.2.1 “Definitions” and Article 26, Section 26.4 “Land Development Code Amendments” to state that any modifications to the definitions in Article 29 that would have the effect of modifying the zoning ordinance shall follow the same application and review procedures that are required for an amendment to the zoning ordinance.

Background

During the 2025 legislative session, the New Hampshire State Legislature adopted [House Bill 457 “relative to zoning restrictions on dwelling units”](#) with an effective date of September 13, 2025. This change to state law prohibits municipalities from adopting or enforcing an ordinance that restricts the number of occupants of any dwelling unit to less than 2 occupants per bedroom or that is “based on the familial or non-familial relationships or marital status, occupation, employment status, or the educational status, including but not limited to scholastic enrollment or academic achievement at any level among the occupants of the dwelling unit, including but not limited to college students.”

The City of Keene Land Development Code (LDC) currently defines the term “Family” in Article 29 as follows:

Family - Family shall mean one of the following: 1) two or more natural persons related by blood, marriage, civil union, adoption, or foster care, living together as a single housekeeping unit with or without customary household helpers in a dwelling unit; or 2) a group of four or fewer natural persons, who are not related by blood, marriage, civil union, adoption, or foster

care, living together as a single housekeeping unit in a dwelling unit. This term shall not preclude one natural person from being the sole occupant of any dwelling unit.

This definition no longer complies with state law. The term "Family" is referenced in three definitions in the LDC, including the definitions of "Dwelling, Single-Family," "Dwelling, Two-Family / Duplex," and "Dwelling, Multi-family." The term is used 148 times throughout the LDC, almost always in reference to one of these three terms/uses. The term is also used in the workforce housing section of the subdivision regulations.

To bring the city's definition of family in the LDC into compliance with state law, staff recommend using a "functional family" approach that focuses on group behaviors and characteristics rather than the familial or non-familial relationships between the group members.

Functional family definitions often include the following components:

- The phrase "single housekeeping unit,"
- A focus on stable, rather than transient living arrangements,
- Shared cooking facilities, and
- Shared household budget.

Proposal

This ordinance proposes to delete the existing definition of "Family" in its entirety and replace it with the following definition:

Family – Family shall mean a natural person living alone or a group of natural persons living together as a single housekeeping unit that is primarily non-transient. For the purposes of this definition, "transient" shall mean occupancy of a room or dwelling unit for less than 30 consecutive days or rental of a room or dwelling unit for a term of less than one month.

This definition would not place an overall occupancy limit for the dwelling unit; rather, it focuses on how the group operates and whether the group is stable or transient. Transient is defined as an occupancy of less than 30 days, or rental with a term of less than one month (e.g. renting a room by the day or week) to be consistent with building and life safety codes.

This ordinance also proposes to amend the definition of "Dwelling Unit" to clarify that this term does not include hotels, motels, bed and breakfasts, or any other similar uses that are transient, as follows:

Dwelling Unit - A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

A dwelling unit use shall not be deemed to include such transient occupancies as hotel/motel or bed and breakfast.

Finally, this ordinance proposes to fix a loophole identified by staff with respect to amendment procedures for definitions in Article 29. Currently, the LDC states that any amendments to Article 29 shall follow the regular City Council ordinance process; however, there are some definitions in Article 29 that, if changed, could change the meaning and/or effect of the zoning regulations. Examples include "Family" and "Frontage." Staff propose adding language to two sections of the LDC, including the "Definitions" section of Article 1 (Section 1.2.1) and the procedure for

amendments to the LDC in Article 26 (Section 26.4), to make it clear that any modifications to the definitions in Article 29 that would have the effect of modifying the zoning ordinance shall follow the same application and review procedures that are required for an amendment to the zoning ordinance.

Discussion of Potential Impacts

Occupancy limits

One potential impact of this proposed change is the removal of occupancy limits for single- and two-family dwellings. Under the current definition of family, a group of four or fewer unrelated people can live together in a single- or two-family dwelling unit whereas a “traditional” family of any size can occupy those same unit types. For example, a family of five could live in a single-family home, but five unrelated individuals cannot. In contrast, the proposed definition would not address occupancy numbers and instead focuses on the transiency of the group and whether it operates as a single housekeeping unit. However, although the proposed definition would not regulate occupancy within the zoning code, staff could still regulate overcrowded units under other codes such as life/safety codes to address safety issues (e.g., using the structure in a way that exceeds the structural capacity of the building). In addition, if there are impacts related to overcrowding such as trash or human waste piling up outside and/or infestation, the health code and housing property standards provide an avenue for addressing those issues.

Congregate Living and Social Service Uses

Another potential impact of this proposed change could be a shift in how the city regulates Congregate Living and Social Services uses where the occupants meet the new definition of a family, such as group homes. Currently, the City requires Small Group Home uses (up to 8 residents) and Large Group Home uses (up to 16 residents) to obtain a conditional use permit from the Planning Board and an annual license from the Congregate Living and Social Services Licensing Board. The City Attorney’s Office is currently in the process of reviewing this category of uses, and staff anticipate bringing recommendations to City Council regarding this use category later this year.

Short-term Rental Uses

Finally, this proposed change could impact properties where the principal use is for short-term rentals (e.g., Airbnb, VRBO) that are operating in residential districts where similar transient uses, such as hotels, motels, and bed breakfasts, are not allowed. The LDC does not currently address short-term rentals explicitly and data from the [2023 Housing Needs Assessment report](#) found that only 50 short-term rental units were available at the time in Keene, representing 0.5% of total housing stock. Staff recommend that City Council review current data related to short-term rentals and address this use in a separate ordinance.

Consistency with the 2025 Comprehensive Master Plan (CMP)

The 2025 Comprehensive Master Plan is centered around six pillars: Livable Housing, Thriving Economy, Connected Mobility, Vibrant Neighborhoods, Adaptable Workforce, and Flourishing Environment.

Livable Housing

Goal 5 under the “Livable Housing” pillar is to “address the housing needs of all residents, current and future.” This ordinance proposes to eliminate an outdated definition of “family” that attempts to define what a family is based on the relationships between group members, rather than

focusing on behaviors and characteristics of the group and how it fits into a neighborhood setting. Switching to a definition based on how the group lives and operates will make housing in Keene more accessible, especially for specific groups such as college students and residents in recovery from drug or alcohol addiction who need a supportive living environment.

Vibrant Neighborhoods

Under the “Importance of Vibrant Neighborhoods” section, the CMP notes that fostering strong community bonds and focusing on place-making will “enhance the community fabric, peoples’ sense of belonging, and being included in the community.” Goal 2 under this pillar is to “Foster Community Relationship-Building and Collaboration.” This ordinance proposes to establish a definition of “family” and “dwelling unit” that allows for non-transient groups that operate as a household unit to occupy residential dwellings and ensuring that dwellings continue to be used primarily as long-term residences. These family groups are more likely than transient occupants to form bonds with their neighbors and develop a connection to the neighborhood.

Goal 4 of this pillar is to “Foster a High Quality of Life for all Residents.” This ordinance furthers this goal by promoting non-transient occupancy of residential dwellings, which improves the sense of neighborhood safety and helps to promote interaction amongst neighbors. Studies have shown that high-opportunity neighborhoods with positive social and environmental conditions have a strong influence on the health, life expectancy, and employment prospects of the people that live there.^{1,2}

Adaptable Workforce

Goal 4 under this pillar is to “Meet Quality of Life Needs and Reduce Workforce Barriers, Such as Housing Availability, Childcare, and Transportation.” This ordinance opens up opportunity for existing housing stock to be utilized more efficiently by removing arbitrary occupancy limits for single-family and two-family dwellings. This could allow homes to be occupied by larger groups, as long as they are non-transient and operate as a household unit, which may help to meet some of the housing needs of Keene’s workforce and college student population.

Recommendation:

If the Committee is inclined to approve this request, the following language is recommended for the motion for each board:

Planning Board Motion: “To find the proposed Ordinance O-2026-02 consistent with the 2025 Comprehensive Master Plan.”

Planning, License & Development Committee Motion: “To recommend that the Mayor set a public hearing date.”

¹ Wang D, Li H and Liu P (2025) The impact of neighborhood environment and social interaction on the health of Chinese residents: empirical analysis from CGSS 2021. *Front. Public Health* 13:1547499. doi: 10.3389/fpubh.2025.1547499

² National Center for Chronic Disease Prevention and Health Promotion (US) Office on Smoking and Health. Community Health and Economic Prosperity: Engaging Businesses as Stewards and Stakeholders—A Report of the Surgeon General [Internet]. Washington (DC): US Department of Health and Human Services; 2021 Jan. CHAPTER 2, How Neighborhoods Shape Health and Opportunity. Available from: <https://www.ncbi.nlm.nih.gov/books/NBK568862/>



APPLICATION TO AMEND THE ZONING ORDINANCE

Petitioner: Community Development Department Date: February 2, 2026

Address: 3 Washington St., Keene NH

Telephone: (603) 352-5440 Email: communitydevelopment@keenenh.gov

Existing Section Reference in Chapter 100, Land Development Code: Article 29, Article 1, Ar

Does the amendment affect "Minimum Lot Size"? Yes No

Does the amendment affect "Permitted Uses"? Yes No

Number of parcels in Zoning District*: N/A

Validation of Number of parcels by the
Community Development Department

Petitioner's Signature

SUBMITTAL REQUIREMENTS WHICH MUST BE COMPLETE AT TIME OF SUBMISSION TO THE CITY CLERK:

- A properly drafted Ordinance containing the amendment in a form meeting the requirements of the City Clerk.
- A typed or neatly printed narrative explaining the purpose of, effect of, and justification for the proposed change(s).
- \$100.00 application fee.
- As provided for in RSA 675:7, if the proposed amendment would change the minimum lot sizes or the permitted uses in a zoning district, ***and such change includes 100 or fewer properties**, the Petitioner shall submit a notarized list of property owners affected by the zoning amendment. The list shall include the tax map number and address of each abutter or owner, and must be current with the Assessing Department's records within ten days of submittal. Two sets of mailing labels shall be provided.

Date Received by City Clerk: _____ Ordinance Number: _____

On City Council agenda: _____ Workshop to be held: _____

Public Hearing to be held _____

CITY OF KEENE
NEW HAMPSHIRE

O-2026-02 Relating to the Definition of Family

This Ordinance proposes to amend the definition of the term “Family” in Article 29 of the Land Development Code (LDC) to bring the city’s definition into compliance with New Hampshire State Statute 674:16, which prohibits a local municipality from adopting or enforcing an ordinance that is based on the familial or non-familial relationships or marital status, occupation, employment status, or educational status of the occupants of a dwelling unit.

In addition, this ordinance proposes to amend the definition of the term “Dwelling Unit” in Article 29 to clarify that this term does not include transient occupancies such as hotels/motels or bed and breakfasts. Lastly, this ordinance proposes to add clarifying language to Article 1, Section 1.2.1 “Definitions” and Article 26, Section 26.4 “Land Development Code Amendments” to state that any modifications to the definitions in Article 29 that would have the effect of modifying the zoning ordinance shall follow the same application and review procedures that are required for an amendment to the zoning ordinance.

The attached materials include the full text of Ordinance O-2026-02 and excerpted sections of the City of Keene Land Development Code that are proposed to be amended with this ordinance. Text that is **bolded and underlined** is proposed to be added, and text that is ~~stricken through~~ is proposed to be deleted.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty-Six

AN ORDINANCE Relating to the Definition of "Family"

Be it ordained by the City Council of the City of Keene, as follows:

That Chapter 100 of the City Code of the City of Keene, New Hampshire, as amended, is hereby further amended by adding the bolded underlined text, and deleting the stricken text as follows:

1. That Article 1, Section 1.2.1 "Definitions" be amended by adding a new sub-section "D," as follows. The intent of this proposed change is to ensure that any future changes to definitions in the Land Development Code that would modify the meaning of the zoning regulations are treated as a zoning amendment.

1.2.1 Definitions

Terms that are not specifically defined in this LDC shall be accorded their commonly accepted meanings, unless the context in which they are used clearly indicates to the contrary.

- A. For the purposes of determining the commonly accepted meaning of any term, reference may be made to the latest edition of Webster's Dictionary.
- B. Terms not otherwise defined in this LDC that are defined in NH Revised Statutes Annotated (RSAs) may take on the statutory definition.
- C. The definitions of this LDC shall take precedence over any conflicting definitions, if such conflict arises.
- D. **For the purpose of amendments to this LDC, any modifications to one or more definitions that would have the effect of modifying the Zoning Regulations shall be treated as a zoning text amendment. These terms shall include, but not be limited to, "Family," "Frontage," and "Public Right-of-Way."**

2. That Article 26, Section 26.4.3.A be amended to state that modifications to the definitions in Article 29 which would have the effect of modifying the zoning ordinance shall follow the same application and review procedures described in Section 26.3 of the LDC, as follows:

- A. Articles 1 through 19 **and Article 29**. For amendments proposed to Article 1 through 19 of this LDC **or for amendments to definitions in Article 29 that affect the Zoning Regulations**, the same application and review procedures shall be followed as those

described in Section 26.3 of this LDC, with respect to amendments to the Zoning Regulations and Zoning Map.

3. That the definition of the term “Dwelling Unit” in Article 29 be amended to clarify that this term does not include transient uses such as hotels or motels, as follows:

Dwelling Unit - A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. **This use shall not be deemed to include such transient occupancies as hotel/motel or bed and breakfast.**

4. That the definition of the term “Family” in Article 29 be deleted in its entirety and replaced, as follows. The intent of this proposed change is to bring the City of Keene’s definition into compliance with New Hampshire State Statute 674:16, which prohibits a local municipality from adopting or enforcing an ordinance that is based on the familial or non-familial relationships or marital status, occupation, employment status, or educational status of the occupants of a dwelling unit.

~~Family – Family shall mean one of the following: 1) two or more natural persons related by blood, marriage, civil union, adoption, or foster care, living together as a single housekeeping unit with or without customary household helpers in a dwelling unit; or 2) a group of four or fewer natural persons, who are not related by blood, marriage, civil union, adoption, or foster care, living together as a single housekeeping unit in a dwelling unit. This term shall not preclude one natural person from being the sole occupant of any dwelling unit.~~

Family – Family shall mean a natural person living alone or a group of natural persons living together as a single housekeeping unit that is primarily non-transient. For the purposes of this definition, “transient” shall mean occupancy of a room or dwelling unit for less than 30 consecutive days or rental of a room or dwelling unit for a term of less than one month.

Jay V. Kahn, Mayor

1.2 RULES OF INTERPRETATION

1.2.1 Definitions

Terms that are not specifically defined in this LDC shall be accorded their commonly accepted meanings, unless the context in which they are used clearly indicates to the contrary.

- A. For the purposes of determining the commonly accepted meaning of any term, reference may be made to the latest edition of Webster's Dictionary.
- B. Terms not otherwise defined in this LDC that are defined in NH Revised Statutes Annotated (RSAs) may take on the statutory definition.
- C. The definitions of this LDC shall take precedence over any conflicting definitions, if such conflict arises.
- D. **For the purpose of amendments to this LDC, any modifications to one or more definitions that would have the effect of modifying the Zoning Regulations shall be treated as a zoning text amendment. These terms shall include, but not be limited to, "Family," "Frontage," and "Public Right-of-Way."**

1.2.2 Lists & Examples

Unless otherwise expressly indicated, lists of items or examples that use "including," "such as," or similar terms are intended to provide examples only, and shall not be construed as being limited to the items or examples listed.

1.2.3 Time Computation

In computing any period of time prescribed or allowed by these rules, except as may be required by order of a court or by applicable law, the day of the act, event, or default after which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, Sunday, legal holiday, or other day upon which the City is closed, in which event the period shall extend until the end of the next day that is not a Saturday, Sunday, legal holiday, or other day upon which the City is closed.

1.2.4 Conjunctions

- A. "And" indicates that all connected words or provisions apply.
- B. "Or" indicates that the connected words or provisions may apply singly or in any combination.
- C. "Either [...] or" indicates that the connected words or provisions apply singly, but not in combination.

1.2.5 Mandatory, Prohibitory, & Permissive Terms

- A. "Must," "will," and "shall" are mandatory terms that express a requirement.
- B. "Must not," "will not," "shall not," and "may not" are terms that express a prohibition.
- C. "Should" is a term that expresses a suggestion or recommendation.
- D. "May" is permissive term.

1.2.6 Current Versions & Citations

All references to other regulations or manuals in this LDC refer to the most current version and citation for those regulations or manuals, unless indicated otherwise. When the referenced regulations or manuals have been repealed and not replaced by other regulations or manuals, the requirements for compliance as specified in this LDC are no longer in effect.

1.2.7 Graphics, Illustrations, & Flowcharts

Graphics, illustrations, diagrams, and flowcharts are included in this LDC to visually explain the intent and requirements of the text. In the case of a conflict between the text and any graphic, illustration, diagram, or flowchart, the text controls.

1.2.8 Common Abbreviations

- A. "ft" is an abbreviation for "feet."
- B. "in" is an abbreviation for "inch."
- C. "Max" is an abbreviation for "maximum."
- D. "Min" is an abbreviation for "minimum."

26.4 LAND DEVELOPMENT CODE AMENDMENTS

26.4.1 Description

The standards and requirements set forth in the City of Keene Land Development Code (also referred to as "this LDC") may be amended from time to time. The process for amending this LDC varies depending upon which article or articles are proposed to change. The process for amending the Zoning Regulations, which are contained in Articles 2 through 19 of this LDC, shall be as described in Section 26.3.

26.4.2 Authority

The City Council, after receiving a recommendation from the Planning Licenses and Development Committee, and from the Planning Board with respect to Articles 20, 21 and Sections 26.10 through 26.14 of Article 26, and from the Historic District Commission with respect to amendments to Article 22 and Section 26.15 of Article 26, shall take action on proposed amendments to this LDC.

26.4.3 Procedure

In addition to the common application and review procedures of this Article, the following procedures shall apply with respect to proposed amendments to this LDC.

- A. **Articles 1 through 19 and Article 29.** For amendments proposed to Articles 1 through 19 of this LDC **or for amendments to definitions in Article 29 that affect the Zoning Regulations,** the same application and review procedures shall be followed as those described in Section 26.3 of this LDC, with respect to amendments to the Zoning Regulations and Zoning Map.
- B. **Articles 20, 21, 25 and Sections 26.10-26.14 and 26.19 of Article 26 - "Subdivision Regulations," "Site Development Standards," and "Earth Excavation Regulations"** and Planning Board Application Procedures. For amendments proposed to Articles 20, 21, 25, and Sections 26.10 through 26.14 and 26.19 of Article 26 of this LDC, the following procedures shall apply.

1. **Planning Board Public Hearing.** In accordance with NH RSA 675:6, the Planning Board shall hold a public hearing on the proposed amendments, and shall decide on whether they should be approved, approved with amendments, or denied. If the Planning Board denies the proposed amendments, the process shall come to an end.

- a. Notice for this public hearing shall be provided pursuant to NH RSA 675:7.

2. **Introduction to and Review by City Council.** Following either approval or approval with amendments by the Planning Board, the proposed amendments shall be submitted to City Council as a draft ordinance. Such ordinance shall be referred to the Planning, Licenses, and Development Committee for a recommendation to City Council. Upon receipt of such recommendation, the City Council shall vote to approve or disapprove the ordinance.

3. **Filing.** Following approval by City Council, the amended regulations shall be certified by a majority of the Planning Board, and shall be placed on file with the City Clerk in accordance with NH RSA 675:8. A copy of the amended regulations shall be sent to the NH Office of Planning and Development (OPD) for filing pursuant to NH RSA 675:9; provided, however, that failure to file the amended regulations with OPD shall not affect their validity.

- C. **Article 22 and Section 26.15 of Article 26 - "Historic District Regulations" and "Historic District Certificate of Appropriateness."** For amendments proposed to Article 22 of this LDC, the following procedures shall apply.

1. **Historic District Commission Public Hearing.** In accordance with NH RSA 675:6, the Historic District Commission shall hold a public hearing on the proposed amendments, and shall decide on whether they should be approved, approved with amendments, or denied. If the Historic District Commission denies the proposed

Driveway - The travel surface for vehicles that connects an off-street parking space(s), or a parking area of a parking lot to the street access.

Drug Treatment Clinic - A non-residential facility authorized by the state to provide treatment and licensed drugs to natural persons, including, but not limited to, methadone or suboxone, to manage and treat drug dependencies.

Dwelling - A structure, or portion thereof, designed or used exclusively for human habitation, including single-family dwellings, two-family dwellings, and multi-family dwellings. Dwellings may be either attached or detached.

Dwelling, Above Ground Floor - A dwelling unit that is located on the second story or higher of a building that is above ground.

Dwelling, Manufactured Housing - Any structure, transportable in one or more sections, which in the traveling mode is 8-body feet or more in width and 40-body feet or more in length or when erected on site is 320-sf or more, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating and electrical systems contained therein. Manufactured housing is regulated by the U.S. Department of Housing and Urban Development via the National Manufactured Housing Construction and Safety Standards and is so labeled. Manufactured housing as defined in this section does not include campers or recreation vehicles as defined in NH RSA 216-I:1 or NH RSA 259:84-a; presite built housing as defined in NH RSA 674:31-a; or modular buildings as defined in NH RSA 205-C:1, XI.

Dwelling, Multi-family - A structure containing 3 or more dwelling units located on a single lot, with dwelling units either stacked or attached horizontally, which is designed, occupied, or intended for occupancy by 3 or more separate families.

Dwelling, Single-Family - A free-standing building containing only 1 dwelling unit on a single lot, which is designed, occupied, or intended for occupancy by 1 family.

Dwelling, Two-Family / Duplex - One building on a single lot containing 2 independent dwelling units, which is designed, occupied or intended for occupancy by 2 separate families.

Dwelling Unit - A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. **This use shall not be deemed to include such transient occupancies as hotel/motel or bed and breakfast.**

Earth - Sand, gravel, rock, soil, or construction aggregate produced by quarrying, crushing, or any other mining activity or such other naturally occurring unconsolidated materials that normally mask the bedrock.

Earth-Disturbing Activity / Earth-Disturbing Events - Actions taken to alter the existing vegetation and/or underlying soil of a site, such as timber harvesting, clearing, grading, site preparation (e.g., excavating, cutting, and filling), soil compaction, and movement and stockpiling of top soils.

Economic Hardship - Quantifiable or verifiable expenditures or fiscal loss that is unreasonable for the property owner to bear under the circumstances. Demonstration of economic hardship shall not be based on or include any of the following circumstances: willful or negligent acts by the owner; purchase of the property for substantially more than market value; failure to perform normal maintenance and repairs; failure to diligently solicit and retain tenants; or failure to provide normal tenant improvements.

Elevation (Building) - (1) A wall of a building; (2) An architectural drawing showing vertical elements, generally exterior, of a building.

Equipment Shelter - For the purposes of Article 13 "Telecommunications Overlay District", equipment shelter shall mean an enclosed structure, cabinet, shed, vault, or box near the base of the mount within which is housed equipment for telecommunication facilities such as batteries and electrical equipment. Equipment shelters are sometimes referred to as "base transceiver structures."

Erect - To construct, reconstruct, excavate, fill, drain or conduct physical operations of any kind in preparation for or in pursuance of construction or reconstruction, or to move a building or structure upon a lot.

Event Venue - A facility that provides hosting and rental services of a banquet hall or similar facility for private events (e.g. wedding receptions, holiday parties, fundraisers, etc.) with on-site or catered food service to invited guests during intermittent dates and hours of operation. Live entertainment may occur as part of an event. An event venue is not operated as a restaurant with regular hours of operation.

Excavation Activity/Excavation Operations/Processing Activities - For the purposes of Article 24 - "Earth Excavation Regulations," excavation activity/excavation operations/processing activities shall mean the act of moving or removing earth, including but not limited to, all activities associated with the commercial taking of earth, production and processing of construction aggregate, transportation of earth and site restoration. Associated excavation and processing activities also include, but are not limited to: digging, drilling, blasting, bulldozing, crushing, washing, screening, sorting, scaling, weighing, stockpiling, loading, and transporting earth.

Excavation Area - For the purposes of Article 24 - "Earth Excavation Regulations," excavation area shall mean the surface area within an excavation site where excavation has occurred or is eligible to occur under the provisions of this LDC, and NH RSA 155-E. This area may be also referred to as the "pit surface area."

Excavation Perimeter - For the purposes of Article 24 - "Earth Excavation Regulations," excavation perimeter shall mean the land within an excavation site, which includes the excavation area, areas where excavation operations and processing activities are performed, stockpiling areas, and any areas where earth materials are or will be loaded or unloaded for purposes of transport.

Excavation Project - For the purposes of Article 24 - "Earth Excavation Regulations," excavation project shall mean a timeframe that includes all excavation activities to be conducted on an excavation site, including all excavation phases.

Excavation Site - For the purposes of Article 24 - "Earth Excavation Regulations," excavation site shall mean any area of contiguous land in common ownership upon which excavation takes place.

Façade - The front of a building or structure or any of its sides that faces a public right-of-way.

Fall Zone - The area within which there is a potential hazard from falling debris, such as ice, which encompasses a circle with a diameter equal to twice the height of a telecommunication facility as measured on the ground from the base of the facility.

Family - **Family shall mean a natural person living alone or a group of natural persons living together as a single housekeeping unit that is primarily non-transient. For the purposes of this definition, "transient" shall mean occupancy of a room or dwelling unit for less than 30 consecutive days or rental of a room or dwelling unit for a term of less than one month.**

Farming - Any land, buildings or structures on or in which agriculture and farming operations or activities are carried out or conducted as defined by NH RSA 21:34-A. Such operations include, but are not limited to, animal husbandry, the cultivation, production, harvesting and sale of any agricultural, floricultural, viticultural, forestry, or horticultural crops as well as ancillary activities integral to the operation of a farm.

Feather Sign (also known as Blade Sail Sign) - A sign made of flexible material that is generally, but not always, rectangular in shape and attached to a pole on one side so the sign can move with the wind.

Fenestration - The arrangement of windows, exterior doors and other exterior openings on a building.

Fire Line - Any pipe, including appurtenant valves or fittings, conveying water from a water main to private fire apparatus, and conveying water at no