

**Draft Zoning Amendments for Planning Board Public Hearing on Wednesday 1/8/25 at 6:15 p.m.**

Language to be added to the Zoning Ordinance is shown like this and language to be removed is shown like this.

**Draft Amendment No. 1 (Failed to gain Planning Board support)**

Would make Hotels, Motels, and Condotels by Special Exception everywhere except District V; Remove Hotels, Motels, and Condotels from the definition of Public Accommodations and add individual definitions for Hotels, Motels, and Condotels in Article XXII, Definitions.

**Article V. Zoning Districts, Uses, and Dimensional Standards**

Add “Hotels, Motels, and Condotels” in use tables as new row following Mixed Use, to be a new use allowed by Special Exception in all Districts except District V.

**Article XXII. Definitions**

**Condotels:** a condominium project that is operated as a hotel with a registration desk, cleaning service and more. The units are typically individually owned. Unit owners also have the option to place their unit in the hotel's rental program where it is rented out like any other hotel room to paying guests.

**Hotels:** A building in which the primary use is transient lodging accommodations offered to the public on a daily rate for compensation and where ingress and egress to the sleeping rooms is made primarily through an inside lobby or office, supervised by a person in charge at all hours. Such facilities may include, where allowed, such accessory uses as restaurants, bars, taverns, nightclubs, function rooms, places of public assembly or recreational facilities, but shall not include casino gambling, keno or other forms of gambling.

**Motels:** A building or group of detached or connected buildings intended or used primarily to provide sleeping accommodations to the public on a daily rate for compensation and having a parking space generally located adjacent to a sleeping room with each sleeping room discharging directly outdoors. Such facilities may include, where allowed, such accessory uses as restaurants, bars, taverns, nightclubs, function rooms, places of public assembly or recreational facilities, but shall not include casino gambling, keno or other forms of gambling.

**Public Accommodations:** A building or group of buildings in which more than one dwelling unit, or guest rooms (three or more rooms if in an owner-occupied dwelling where the owner or a live-in manager is present during the period of rental) are provided for lodging, or lodging and meals, for transient or seasonal guests for compensation; or a residential building with rooms

(three or more rooms if in an owner-occupied dwelling where the owner or a live-in manager is present during the period of rental) that are provided to lodgers who may not be transient or seasonal. Public accommodations include, but are not limited to, motels, hotels, condotels, inns, lodges, bed and breakfasts, and boarding or rooming houses. Includes multiple cottages, camps or cabins operated under a single management entity and offered only for transient or seasonal use. Also includes campgrounds. May include customary lodging amenities and facilities such as restaurants and meeting rooms.

## Draft Amendment No. 2

Would propose changes to the Town's current Sign Ordinance to help reduce light pollution.

### **Article VI. Signs**

8. No new internally lit signage is permitted.

Signs may be illuminated by external light sources only. All illuminated signs shall be so arranged as to direct and shield the light -- coming from above -- away from public streets and adjoining structures. All lighting shall be directed at the signage only with no light leakage beyond the sign.

Sign lighting shall be dimmed by at least 50 percent, motion-activated, or turned off outside of business operating hours.

Whenever an existing internally lit sign is modified, extended, expanded or added to, it shall be subject to the requirements of this ordinance. Owners or operators of non-conforming internally lit signs are encouraged to bring their signs into voluntary compliance with these requirements.

## Draft Amendment No. 3

Would propose changes to the lighting ordinance to protect human and ecological health, preserve the benefits of safe, healthy outdoor lighting, provide clear guidelines for its installation and operation, and encourage widespread adoption of the five principles of responsible outdoor lighting put forth in the guidelines developed by the Illumination Engineering Society and Dark Sky International.

### **Article VIII. Lighting**

In the interest of maintaining the historic character of the Town of Bethlehem, and preventing

further reduction of visibility of the wonder of the night sky for our children and us, and minimizing energy wasted on lighting, the voters of Bethlehem enacted the following lighting regulations:

1. Any new outside lighting whether for area illumination, sign illumination, building illumination, or other purpose, will project no light rays above the horizon from the lamp, its lens structure, or any associated reflector.
2. An exception is allowed for the up lighting of buildings, provided the lamps are so shielded that the illumination does not overshoot the building on the top and sides, the intent being to keep all the direct light on the premises. Properly done, the bulk of the illuminated wall will appear well lit, but edges of the wall and roofline will appear dark.
3. Seasonal/decorative lighting displays using multiple low wattage bulbs are exempted from this Ordinance.
4. New sign or newly illuminated signs may be illuminated only by continuous indirect white light, with illumination from above, and with light sources shielded so that they will not constitute a nuisance or hazard caused by glare to neighbors, pedestrians, or drivers. An exception to overhead sign lighting can be made if the illumination is confined to the area of the sign as in the building up lighting above.

### **Statement of Purpose and Intent**

The purpose of this ordinance is to enhance public safety and welfare by providing adequate and appropriate outdoor lighting that will complement the character of the town, reduce glare, minimize light trespass, reduce the cost and waste of unnecessary energy consumption and prevent further degradation of the night sky. Well-designed and managed nighttime illumination will preserve rural sky quality, reduce energy consumption and improve nighttime visibility and provide opportunities for astrotourism.

The goal of this lighting ordinance is to protect human and ecological health, preserve the benefits of safe, healthy outdoor lighting and provide clear guidelines for its installation and operation, and encourage widespread adoption of the five principles of responsible outdoor lighting, following guidelines developed by the Illumination Engineering Society and Dark Sky International.

These principles are:

1. Use light only if/when it is needed
2. Direct light so it falls only where needed
3. Light should be no brighter than necessary
4. Use light only when it is needed

5. Use lights which exhibit as little blue color correlated temperature light as possible

## **Definitions**

For purposes of this ordinance the following definitions apply:

Light Trespass means light emitted directly from the lamp or fixture that shines beyond the property boundary.

Glare means any light, direct or indirect, which reduces a normal viewer's ability to see at any location beyond the property boundary.

Kelvin refers to the temperature or hue of light

Color Correlated Temperature refers to the hue of light.

## **Requirements**

This ordinance shall apply to commercial, industrial, agricultural, and residential structures and uses. Whenever an existing outdoor lighting fixture or installation is being modified, extended, expanded or added to, that fixture or installation shall be subject to the requirements of this ordinance. Owners or operators of non-conforming fixtures and installations are encouraged to voluntarily bring their outdoor lighting into compliance with these requirements.

- a. All new outdoor light fixtures shall be fully shielded so that all direct light is projected below a horizontal plane passing through the light source.
- b. All new outdoor lighting shall be designed, located, shielded and maintained in such a manner as to prevent any light trespass or glare onto adjacent properties and public ways.
- c. All new outdoor lighting hues shall be at or below 3000 Kelvin, with 2200 Kelvin and 2700 Kelvin illumination to be preferred.
- d. Lighting fixtures used to illuminate any outdoor advertising sign, street sign, or directive sign shall be mounted on top of the sign structure; shielded in such a manner as to prevent light trespass and/or glare; and directed to the target area to avoid light spillage.
- e. Exterior commercial and industrial lighting shall be designed to adequately illuminate the site and parking areas without causing glare, excessive illumination or light trespass on neighboring properties or streets.
- f. Exterior commercial and industrial lighting shall be dimmed by 50 percent or more, motion-activated or turned off outside of operating hours.

## **Exceptions**

The requirements above shall not apply to the following structures and uses:

- a. Existing non-conforming structures and uses are exempt. Any time a fixture is being replaced or changed, it *must* be brought into compliance.
- b. Seasonal/decorative lighting displays using multiple bulbs, not to exceed 15 watts (incandescent) or 225 lumens (LED and others) per bulb.
- c. All temporary lighting required for construction projects related to road construction and repair, installation of sewer and water facilities, and other public and private infrastructure. However, such lighting shall be directed to minimize glare to pedestrians and drivers utilizing the roadway.
- d. All temporary emergency lighting needed by the police or fire departments or other emergency services including vehicular luminaries.
- e. All hazard warning luminaries required by Federal regulatory agencies except that those luminaries shall be in conformance with the federally required minimum lumen output requirement for the specific task concerned.

## Draft Amendment No. 4

Would propose changes to the septic system requirements for Short Term Rentals.

### **Article XVII. Short Term Rental**

The septic system is properly functioning, with a NHDES permit on file for the number of bedrooms. For systems without a NHDES permit on file, an evaluation by a NH Certified Septic System Evaluator will be required, along with a current NHDES-approved design to be constructed in the event of system failure.

*The septic system is properly sized and functioning as demonstrated by one or more of the following: (a) NHDES septic permit from the time of construction that documents the system size and number of bedrooms; (b) an evaluation by a NH Certified Septic System Evaluator; (c) a statement by a septic servicer within the past 12 months with number of gallons pumped and that the system did not appear to be in failure at the time it was serviced.*