

# What Is What, and Who Does What in NH Local Land Use Regulation

**Master Plan:** a guiding, non-regulatory document that assesses community needs and provides a vision for a community's future development. The Master Plan provides the conceptual basis for local zoning. Created and adopted by the Planning Board with public input.

**Subdivision Regulations:** governs the division of land into parcels for sale or rent, including condominium development; may include minimum lot sizes for the purpose of ensuring public health. Created and adopted by the Planning Board with public input. Applications for approvals made to Planning Board; decisions appealed to Superior Court (unless it's a zoning interpretation).

**Site Plan Regulations:** site specific regulation of non-residential and multi-family development. Created and adopted by the Planning Board with public input. Applications for approvals made to Planning Board; decisions appealed to Superior Court (unless it's a zoning interpretation).

**Zoning Ordinance:** regulation of use or property; establishment of dimensional standards for lots, placement of buildings on lots; environmental standards for development. Amendments recommended by the Planning Board (or citizen petition) and adopted by Town Meeting (or other local legislative body). Enforced by the Selectboard (or other local governing body); enforcement is often delegated to the building inspector or code enforcement officer.

- Provisions for “special exceptions” – an allowed use, subject to certain conditions being met; granted by the ZBA; appeal to Superior Court.
- Enforcement decisions or zoning interpretations you don't like: administrative appeal to the Zoning Board of Adjustment (ZBA), where the ZBA makes a “de novo” review – no deference to the original decision. Appeal of ZBA decisions are made to Superior Court.
- What if the Zoning Ordinance doesn't permit something? Apply to the ZBA for a variance – this is the ordinance's Constitutional relief valve to prevent uncompensated regulatory “taking” of private property by the government.