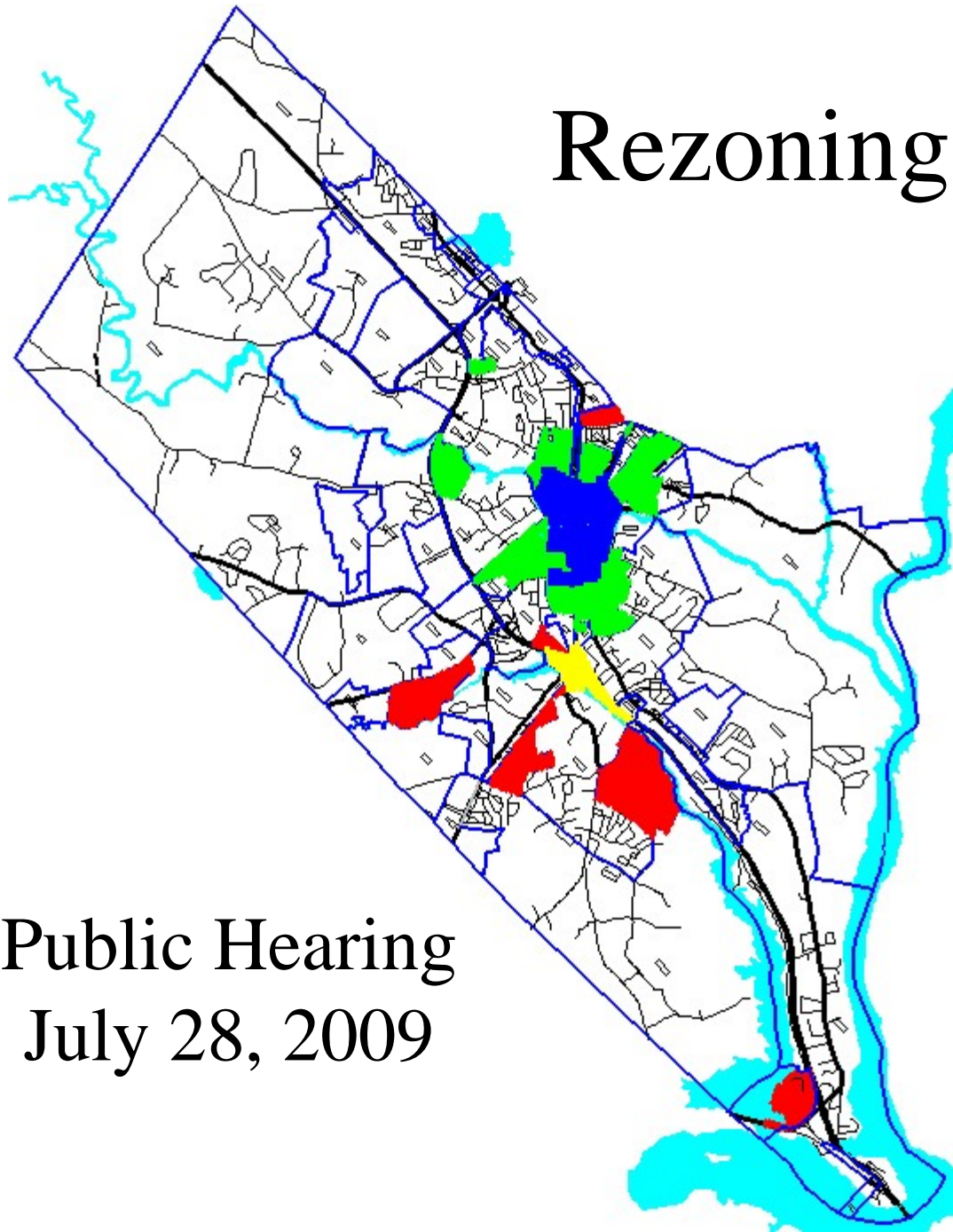


# Rezoning 2009



Public Hearing  
July 28, 2009

# Amendment Type

Amendment	Housekeeping	Environmental	Dimensional	Form Based
2	X			
3	X	X		X
4	X			
5 - 6			X	
7 - 8				X
9	X		X	
10				X
11 - 13	X			
14			X	
15 - 16		X		
17 - 18			X	
19 - 25	X			
26				X
27 - 30	X			

# Housekeeping

#	Intent
2	Update Chapter to reflect separation of Inspection Services and Zoning, by renaming code administrator
3	Combine all definitions into one area. Add definition for “Slope”, update Accessory Structure definition and add “Form Based Code” definitions.
4	Update the names of districts
9	Recreate the tables and use and definition to be more “user friendly” – one table per district.
11	Clarify regulations for residential swimming pools
12	Place accessory structure dimensional regulations in tables (see 9)
13	Update references to tables of dimension and use
19	Add Zoning Administrator to Building permit procedure in the Groundwater Protection District

# Housekeeping

#	Intent
20	Move telecommunications definitions to “Definitions” section
21	Move impact fee definitions to “Definitions” section, clarify the assessment and collection process
22	Move extraction definitions to “Definitions” section, clarify process
23	Move sign definitions to “Definitions” section, eliminate table, clarify application process with Zoning Administrator, increase violation fees
24	Update districts in fence ordinance
25	Clarify setbacks for additions made to a non-conforming structures
27	Delete required parking spaces section
28	Clarify appeal period for Zoning Board of Appeals
29	Clarify amendment procedures

# Environmental: Conservation District

Amendment 15 brings the local regulations into compliance with State RSA, amends the Conditional Use Permit criteria, incorporates the Urban Exemption from the Comprehensive Shoreland Protection Act, and adds slope criteria.

Section	Old	New
A (8): Purpose	N/A	Adds public health and safety as a part of the intent
B (3): Location	Listed in table format	Change to text format
B (4): Location	Steep slopes are in excess of 20%	Clarifies how to calculate the 20% area
C (2): Conditional Use	Basic criteria	Clarifies and expands criteria to assist property owner, Conservation Commission, and Planning Board in reviews. Specifies erosion controls and Con Com review.
E (1): Other provisions	RSA 483	Clarifies Comprehensive Shoreland Protection Act RSA
E (1): Other provisions	Limits tree cutting in district	Expands to cover fertilizer, pesticides and removal of ground cover
E (10/11): Other provisions	N/A	Enables enforcement and fee assessment
F: Non-binding	Cites UMUD/B-2/CWD	Cites Urban Exemption area

# Environmental: Wetlands District

Amendment 16 brings the local regulations into compliance with State RSA, deletes reference to a Wetlands Map, clarifies marking of wetlands, amends the Conditional Use Permit criteria, and updates wetlands and buffer uses

Section	Old	New
<b>B (3): Purpose</b>	<b>Protect rare species</b>	<b>Adds the word “threatened”</b>
<b>C (1): District Boundaries</b>	<b>Defines wetlands</b>	<b>Adds state RSA 482-A:2, X</b>
<b>C (2): District Boundaries</b>	<b>Wetlands map referenced</b>	<b>Deletes map</b>
<b>D 1 (c): Procedures</b>	<b>Wetlands shall be delineated</b>	<b>Specifies how to delineate and mark wetlands</b>
<b>D 2: Procedures</b>	<b>Conservation Commission notice</b>	<b>Clarifies Conservation Commission review</b>
<b>F (1): Conditional Use</b>	<b>Defines uses in the wetlands</b>	<b>Incorporates buffers into use restrictions</b>
<b>F (1) d: Conditional Use</b>	<b>N/A</b>	<b>Requires mitigation for disturbances over 10K square feet</b>
<b>G: Specific Provisions</b>	<b>Buffer is 50’ around wetlands</b>	<b>Clarifies buffer location and uses/disturbances allowed</b>

# Dimensional Amendment 5:

## Mill Street changes



Changes district around Mill and Charles Streets, as well as Central Avenue in the vicinity of Spaulding Turnpike Exit 7.



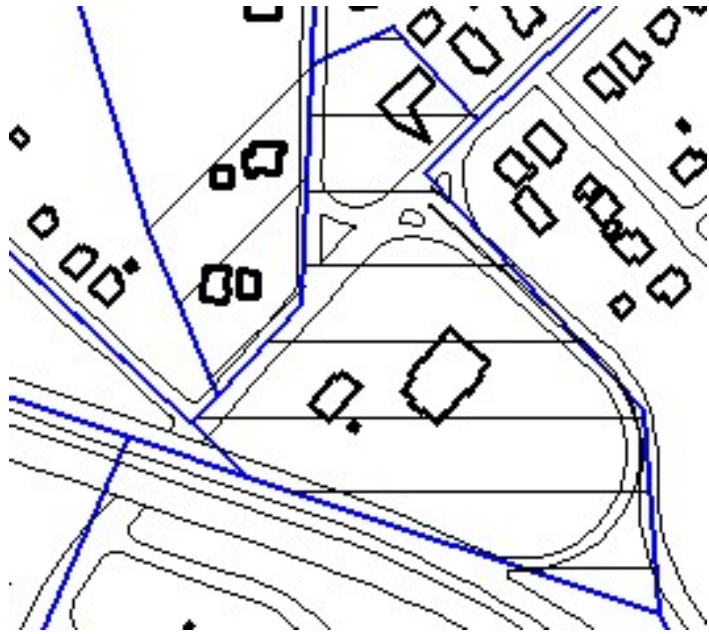
# Mill St:

## UMUD to R-12 and B-5

Changes 38 acres, all mixed use in nature, from urban density to medium density residential. Changes 11 acres from mixed use to commercial/retail along Central Avenue.

Dimensional Requirements	Urban Multiple Use District (UMUD)	Medium Density Residential (R-12)	Commercial/Retail (B-5)
Minimum Lot Size	0 square feet	12,000 square feet	20,000 square feet
Minimum Frontage	0 feet	100 feet	125 feet
Minimum Front Building Setback	0 feet	30 feet	50 feet
Minimum Rear Building Setback	0 feet	15 feet	25 feet
Minimum Side Building Setback	0 feet	15 feet	15 feet
Minimum Abut a Street Setback	0 feet	30 feet	50 feet
Maximum Coverage of a Lot	70 percent	30 percent	50 percent
Maximum Height	75 feet	35 feet	50 feet
Density	1 unit per 600 sf	1 unit per 12,000 sf	N/A



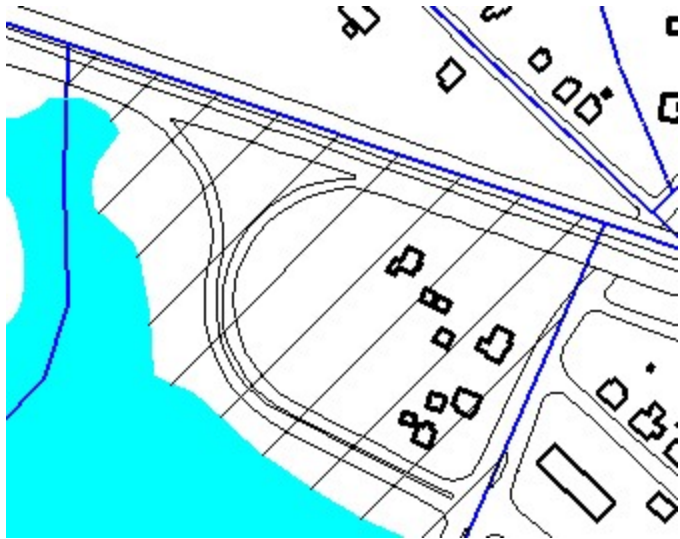


# Central Avenue:

B-3 and I-1 to B-5

Changes 5 acres, along Central Avenue, from thoroughfare business to commercial/retail. Changes 2 acres from industrial to commercial/retail along Central Avenue/Locust Street.

Dimensional Requirements	Restricted Industrial (I-1)	Thoroughfare Business (B-3)	Commercial/Retail (B-5)
Minimum Lot Size	40,000 square feet	20,000 square feet	20,000 square feet
Minimum Frontage	150 feet	125 feet	125 feet
Minimum Front Building Setback	50 feet	50 feet	50 feet
Minimum Rear Building Setback	25 feet	15 feet	25 feet
Minimum Side Building Setback	15 feet	1 feet	15 feet
Minimum Abut a Street Setback	50 feet	50 feet	50 feet
Maximum Coverage of a Lot	50 percent	50 percent	50 percent
Maximum Height	50 feet	40 feet	50 feet
Density	N/A	1 unit per 5,000 sf	N/A



# Central Avenue:

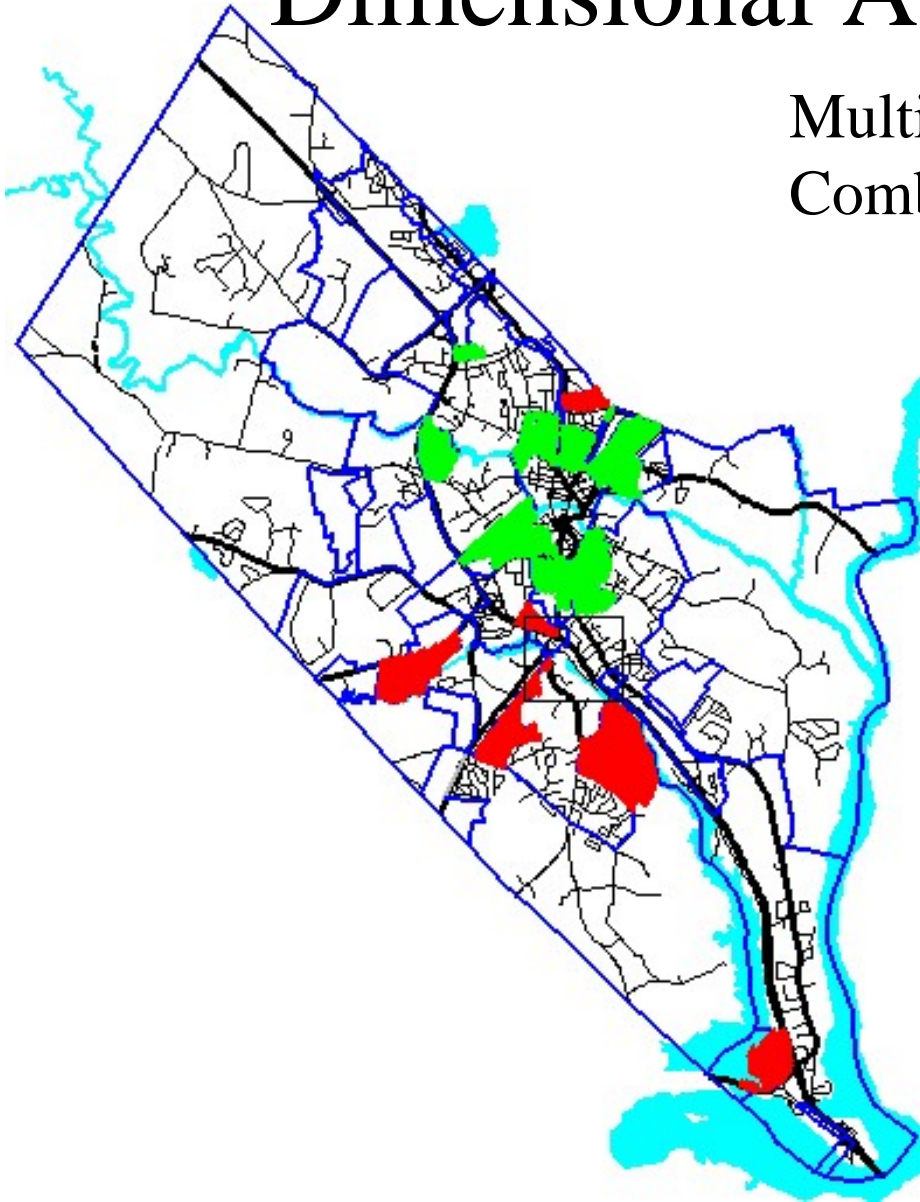
R-20 to B-5

Changes 12 acres, along Central Avenue, from residential to to commercial/retail.

Dimensional Requirements	Low Density Residential (R-20)	Commercial/Retail (B-5)
Minimum Lot Size	20,000 square feet	20,000 square feet
Minimum Frontage	125 feet	125 feet
Minimum Front Building Setback	35 feet	50 feet
Minimum Rear Building Setback	15 feet	25 feet
Minimum Side Building Setback	20 feet	15 feet
Minimum Abut a Street Setback	30 feet	50 feet
Maximum Coverage of a Lot	30 percent	50 percent
Maximum Height	35 feet	50 feet
Density	1 unit per 5,000 sf	N/A

# Dimensional Amendment 6:

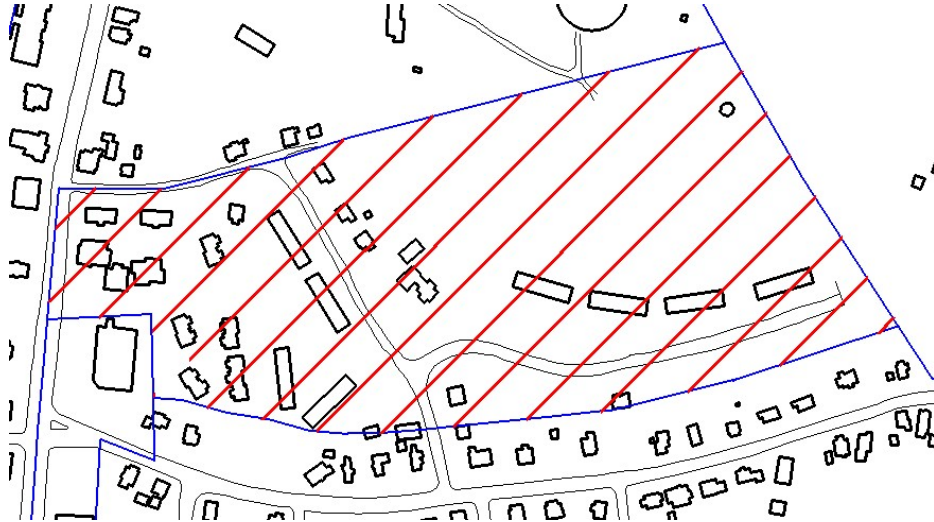
## Multi-Residential Combinations



Merges 4 multi-residential districts into 2.

- **RM-12 and RM-20 are merged into the RM-SU (red)**

- **RM-8 and RM-10 are merged into the RM-U (green)**

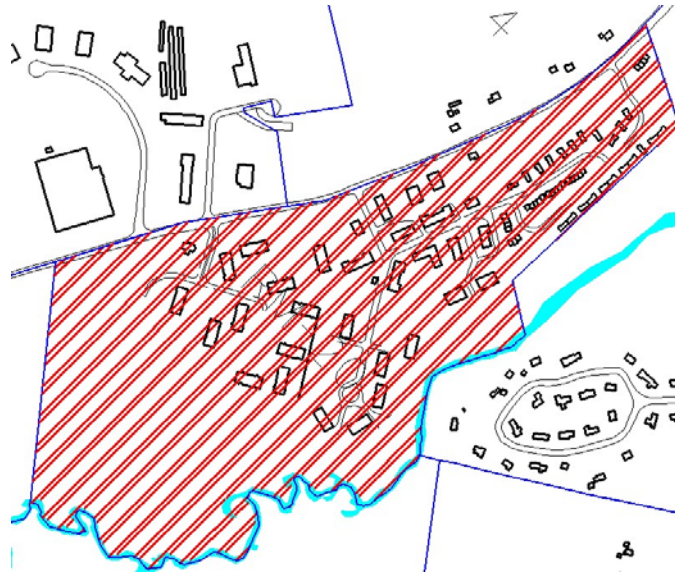


# High Ridge Drive:

## Drive:

RM-20 to RM-SU

Dimensional Requirements	Suburban Density Multi-residential (RM-20)	Suburban Density Multi-residential (RM-SU)
Minimum Lot Size	20,000 square feet	20,000 square feet
Minimum Frontage	150 feet	150 feet
Minimum Front/Abut a Street Building Setback	50 feet	50 feet
Minimum Rear Building Setback	20 feet	20 feet
Minimum Side Building Setback	20 feet	20 feet
Maximum Coverage of a Lot	40 percent	40 percent
Maximum Height	40 feet	40 feet
Density (1/2 Family)	20,000 sf	20,000 sf
Density (3-4 Family)	1 unit per 10,000 sf	1 unit per 10,000 sf



# Knox Marsh Road:

RM-20 to RM-SU

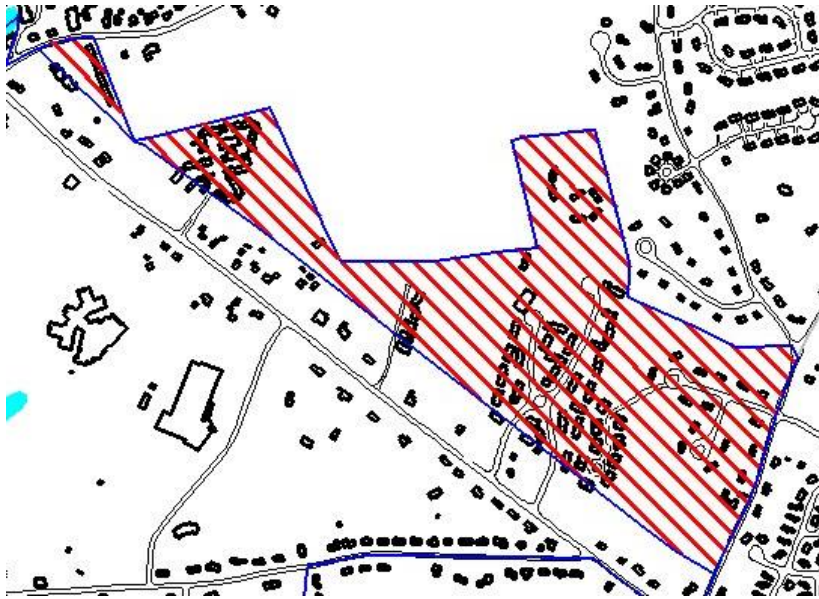
Dimensional Requirements	Suburban Density Multi-residential (RM-20)	Suburban Density Multi-residential (RM-SU)
Minimum Lot Size	20,000 square feet	20,000 square feet
Minimum Frontage	150 feet	150 feet
Minimum Front/Abut a Street Building Setback	50 feet	50 feet
Minimum Rear Building Setback	20 feet	20 feet
Minimum Side Building Setback	20 feet	20 feet
Maximum Coverage of a Lot	40 percent	40 percent
Maximum Height	40 feet	40 feet
Density (1/2 Family)	20,000 sf	20,000 sf
Density (3-4 Family)	1 unit per 10,000 sf	1 unit per 10,000 sf



# Rutland Street:

RM-20 to RM-SU

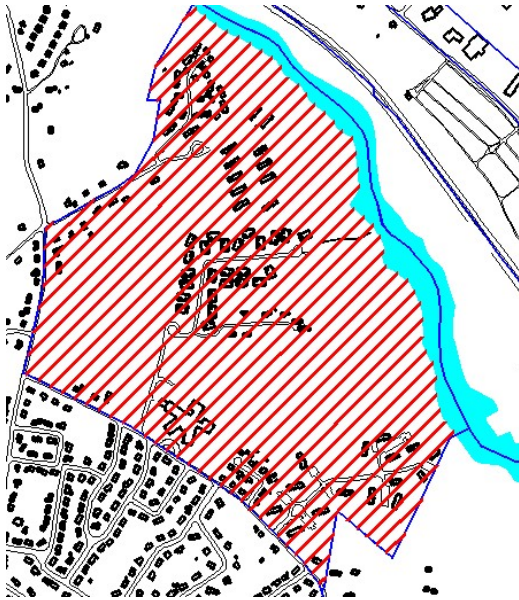
Dimensional Requirements	Suburban Density Multi-residential (RM-20)	Suburban Density Multi-residential (RM-SU)
Minimum Lot Size	20,000 square feet	20,000 square feet
Minimum Frontage	150 feet	150 feet
Minimum Front/Abut a Street Building Setback	50 feet	50 feet
Minimum Rear Building Setback	20 feet	20 feet
Minimum Side Building Setback	20 feet	20 feet
Maximum Coverage of a Lot	40 percent	40 percent
Maximum Height	40 feet	40 feet
Density (1/2 Family)	20,000 sf	20,000 sf
Density (3-4 Family)	1 unit per 10,000 sf	1 unit per 10,000 sf



# Durham Road:

RM-20 to RM-SU

Dimensional Requirements	Suburban Density Multi-residential (RM-20)	Suburban Density Multi-residential (RM-SU)
Minimum Lot Size	20,000 square feet	20,000 square feet
Minimum Frontage	150 feet	150 feet
Minimum Front/Abut a Street Building Setback	50 feet	50 feet
Minimum Rear Building Setback	20 feet	20 feet
Minimum Side Building Setback	20 feet	20 feet
Maximum Coverage of a Lot	40 percent	40 percent
Maximum Height	40 feet	40 feet
Density (1/2 Family)	20,000 sf	20,000 sf
Density (3-4 Family)	1 unit per 10,000 sf	1 unit per 10,000 sf

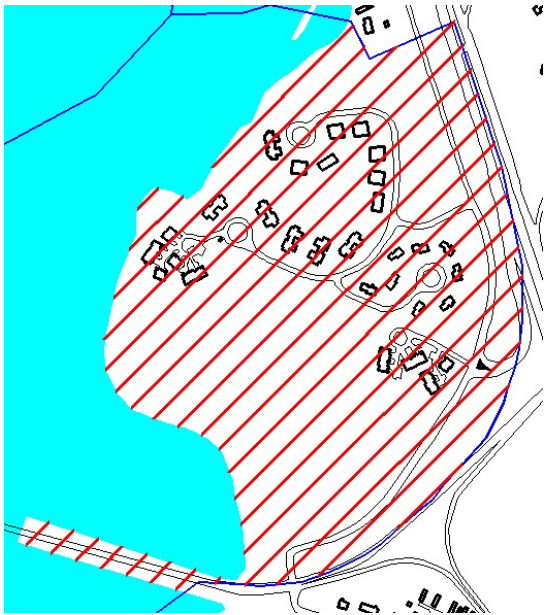


# Back River/ Garrison Roads:

RM-12 to RM-SU

Dimensional Requirements	Low Density Multi-residential (RM-12)	Suburban Density Multi-residential (RM-SU)
Minimum Lot Size	20,000 square feet	20,000 square feet
Minimum Frontage	125 feet	150 feet
Minimum Front/Abut a Street Building Setback	35 feet	50 feet
Minimum Rear Building Setback	20 feet	20 feet
Minimum Side Building Setback	20 feet	20 feet
Maximum Coverage of a Lot	40 percent	40 percent
Maximum Height	40 feet	40 feet
Density (1/2 Family)	20,000 sf	20,000 sf
Density (3-4 Family)	1 unit per 15,000 sf	1 unit per 10,000 sf





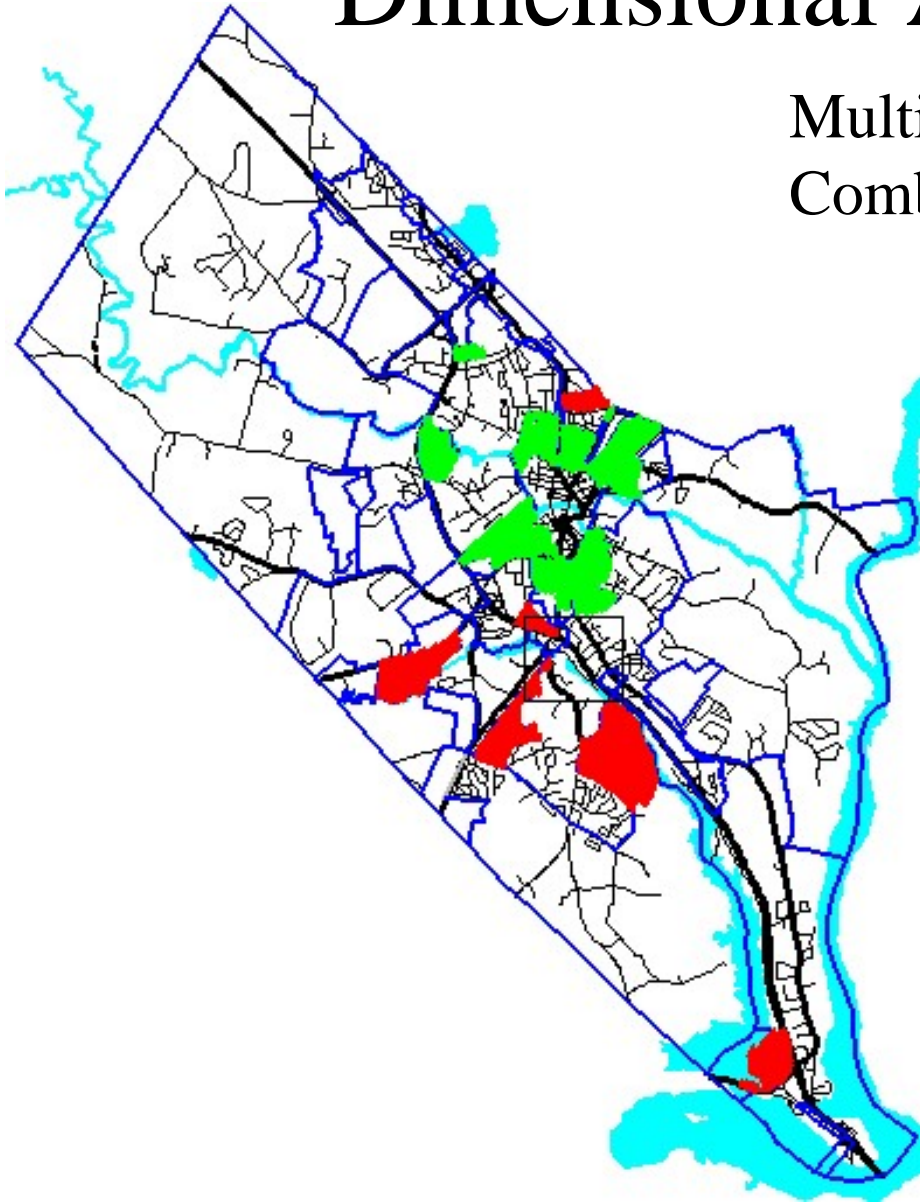
# Spur Road:

## RM-12 to RM-SU

Dimensional Requirements	Low Density Multi-residential (RM-12)	Suburban Density Multi-residential (RM-SU)
Minimum Lot Size	20,000 square feet	20,000 square feet
Minimum Frontage	125 feet	150 feet
Minimum Front/Abut a Street Building Setback	35 feet	50 feet
Minimum Rear Building Setback	20 feet	20 feet
Minimum Side Building Setback	20 feet	20 feet
Maximum Coverage of a Lot	40 percent	40 percent
Maximum Height	40 feet	40 feet
Density (1/2 Family)	20,000 sf	20,000 sf
Density (3-4 Family)	1 unit per 15,000 sf	1 unit per 10,000 sf

# Dimensional Amendment 6:

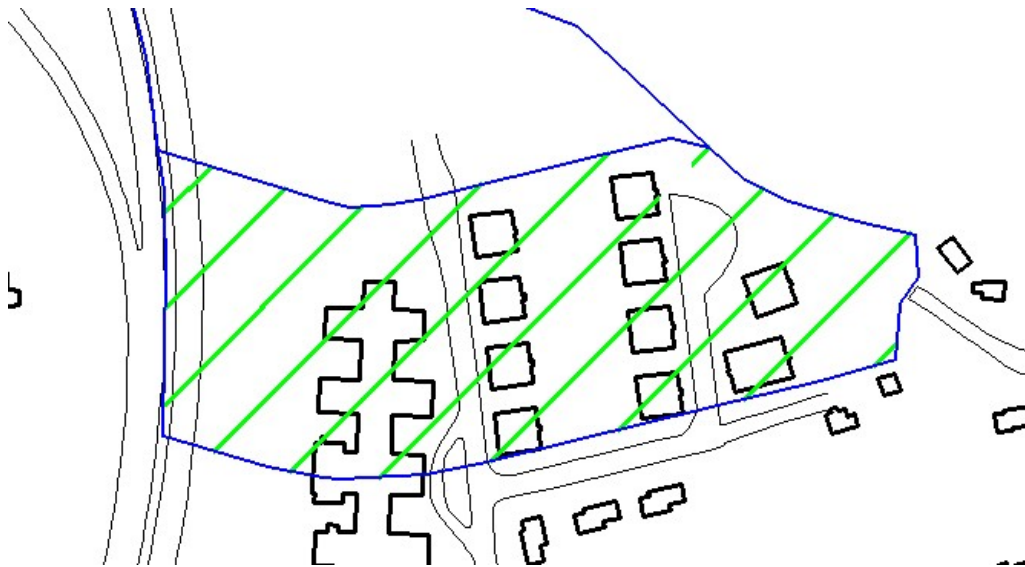
## Multi-Residential Combinations



Merges 4 multi-residential districts into 2.

- RM-12 and RM-20 are merged into the RM-SU (red)

- RM-8 and RM-10 are merged into the RM-U (green)**



# Plaza Drive:

RM-8 to RM-U

Dimensional Requirements	High Density Multi-residential (RM-8)	Urban Density Multi-residential (RM-U)
Minimum Lot Size	8,000 square feet	10,000 square feet
Minimum Frontage	80 feet	80 feet
Minimum Front/Abut a Street Building Setback	15 feet	20 feet
Minimum Rear Building Setback	15 feet	15 feet
Minimum Side Building Setback	15 feet	15 feet
Maximum Coverage of a Lot	40 percent	40 percent
Maximum Height	50 feet	40 feet
Density (1/2 Family)	8,000 sf	10,000 sf
Density (3-4 Family)	1 unit per 4,000 sf	Special Exception



# Park Street area:

RM-8 to RM-U

Dimensional Requirements	High Density Multi-residential (RM-8)	Urban Density Multi-residential (RM-U)
Minimum Lot Size	8,000 square feet	10,000 square feet
Minimum Frontage	80 feet	80 feet
Minimum Front/Abut a Street Building Setback	15 feet	20 feet
Minimum Rear Building Setback	15 feet	15 feet
Minimum Side Building Setback	15 feet	15 feet
Maximum Coverage of a Lot	40 percent	40 percent
Maximum Height	50 feet	40 feet
Density (1/2 Family)	8,000 sf	10,000 sf
Density (3-4 Family)	1 unit per 4,000 sf	Special Exception



# Mount Vernon Street area:

RM-8 to RM-U

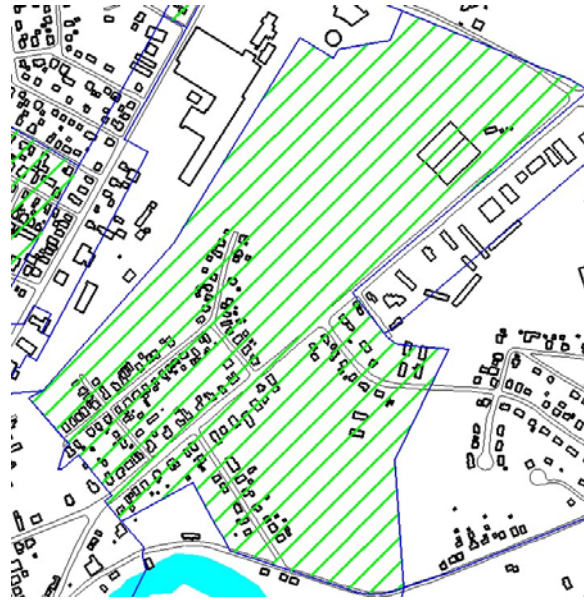
Dimensional Requirements	High Density Multi-residential (RM-8)	Urban Density Multi-residential (RM-U)
Minimum Lot Size	8,000 square feet	10,000 square feet
Minimum Frontage	80 feet	80 feet
Minimum Front/Abut a Street Building Setback	15 feet	20 feet
Minimum Rear Building Setback	15 feet	15 feet
Minimum Side Building Setback	15 feet	15 feet
Maximum Coverage of a Lot	40 percent	40 percent
Maximum Height	50 feet	40 feet
Density (1/2 Family)	8,000 sf	10,000 sf
Density (3-4 Family)	1 unit per 4,000 sf	Special Exception



# Whittier Street:

## RM-8 to RM-U

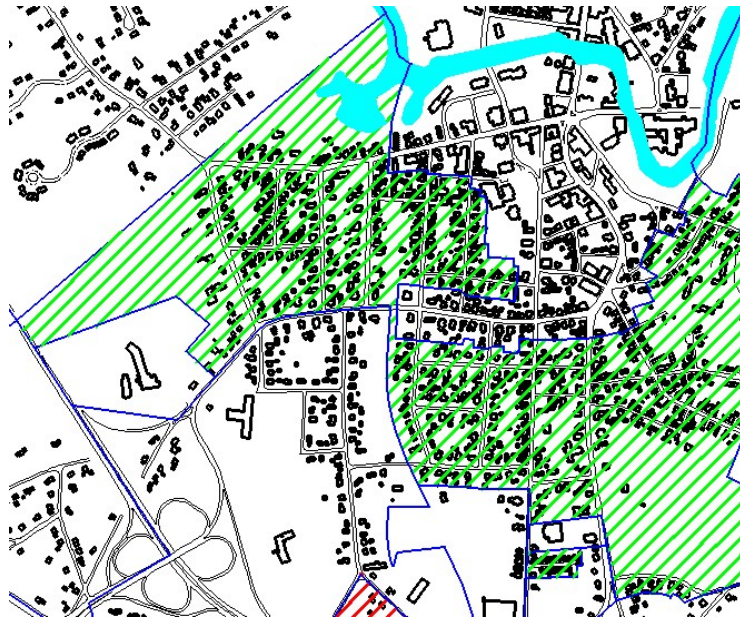
Dimensional Requirements	High Density Multi-residential (RM-8)	Urban Density Multi-residential (RM-U)
Minimum Lot Size	8,000 square feet	10,000 square feet
Minimum Frontage	80 feet	80 feet
Minimum Front/Abut a Street Building Setback	15 feet	20 feet
Minimum Rear Building Setback	15 feet	15 feet
Minimum Side Building Setback	15 feet	15 feet
Maximum Coverage of a Lot	40 percent	40 percent
Maximum Height	50 feet	40 feet
Density (1/2 Family)	8,000 sf	10,000 sf
Density (3-4 Family)	1 unit per 4,000 sf	Special Exception



# Portland Avenue:

RM-10 to RM-U

Dimensional Requirements	Medium Density Multi-residential (RM-10)	Urban Density Multi-residential (RM-U)
Minimum Lot Size	10,000 square feet	10,000 square feet
Minimum Frontage	80 feet	80 feet
Minimum Front/Abut a Street Building Setback	20 feet	20 feet
Minimum Rear Building Setback	15 feet	15 feet
Minimum Side Building Setback	15 feet	15 feet
Maximum Coverage of a Lot	40 percent	40 percent
Maximum Height	40 feet	40 feet
Density (1/2 Family)	10,000 sf	10,000 sf
Density (3-4 Family)	Special Exception	Special Exception



# Washington/ Locust Streets:

RM-10 to RM-U

Dimensional Requirements	Medium Density Multi-residential (RM-10)	Urban Density Multi-residential (RM-U)
Minimum Lot Size	10,000 square feet	10,000 square feet
Minimum Frontage	80 feet	80 feet
Minimum Front/Abut a Street Building Setback	20 feet	20 feet
Minimum Rear Building Setback	15 feet	15 feet
Minimum Side Building Setback	15 feet	15 feet
Maximum Coverage of a Lot	40 percent	40 percent
Maximum Height	40 feet	40 feet
Density (1/2 Family)	10,000 sf	10,000 sf
Density (3-4 Family)	Special Exception	Special Exception



# Dimensional: Table Updates

Amendment 9 recreates the table of uses and dimensional regulations based upon creating one table per district.

Certain setbacks are adjusted as follows:

<b>Dimensional Requirements</b>	<b>Rural Residential (R-40)</b>	<b>Low Density Residential (R-20)</b>	<b>Medium Density Residential (R-12)</b>
<b>Minimum Front/Abut a Street Building Setback (Principal Structure)</b>	<b>50 feet to 40 feet</b>	<b>35 feet to Neighborhood Average</b>	<b>30 feet to Neighborhood Average</b>
<b>Minimum Rear Building Setback (Principal Structure)</b>	<b>15 feet to 30 feet</b>	<b>15 feet to 30 feet</b>	<b>15 feet to 30 feet</b>

Additionally, wetlands buffers may only count for 40% of the contiguous upland allowed in a residential lot.

# For More Information....

- **The full text is available:**
  - **On the City’s Web Site:** [www.dover.nh.gov](http://www.dover.nh.gov) under “Current Reports”
  - **In the Planning Department and City Clerk’s Office M-F 8 am to 4 pm.**
  - **At the Public Library**
  - **In the back of the room there is a limited amount.**
- **Please call 516-6008 with further questions.**