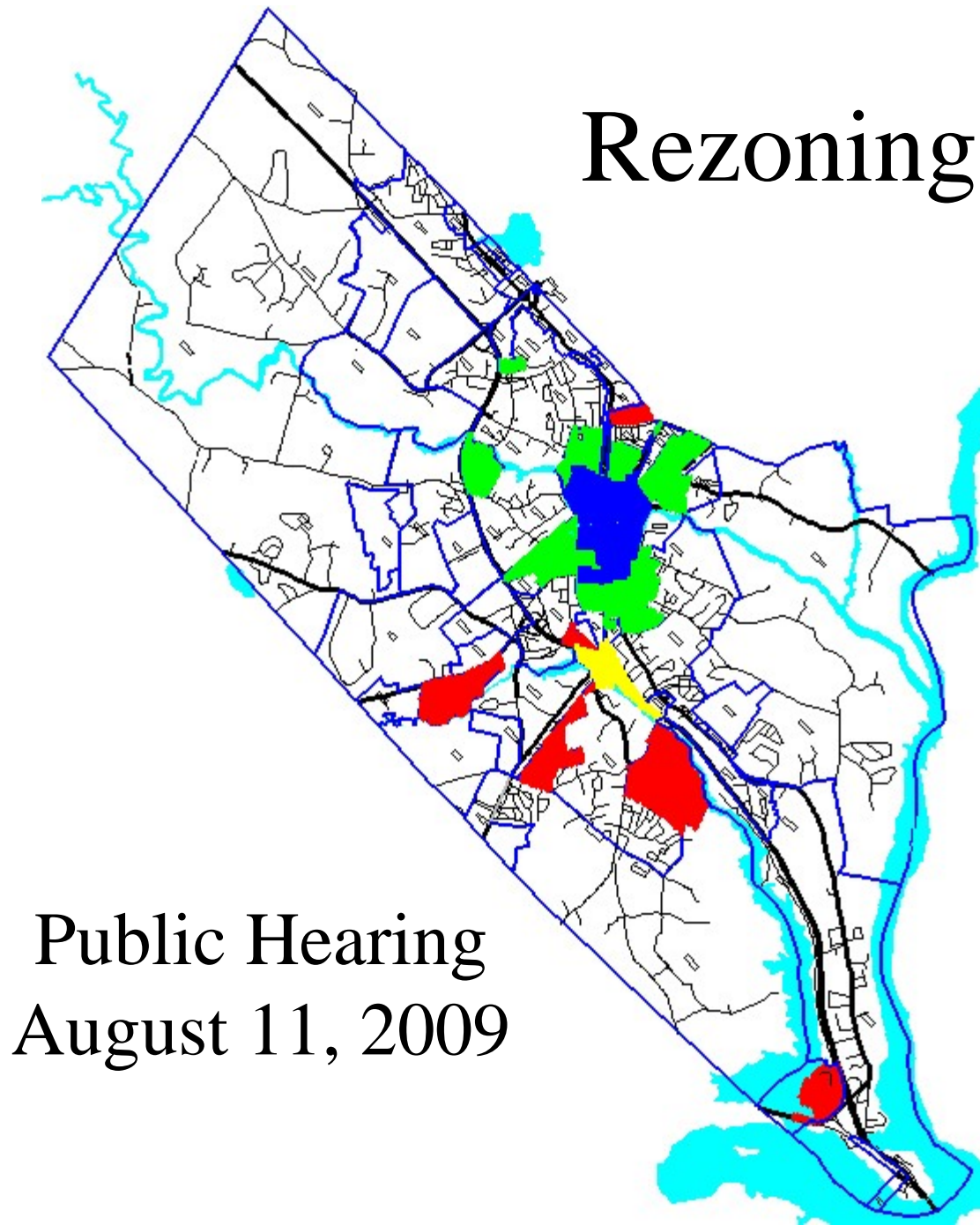


Rezoning 2009



Public Hearing
August 11, 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			

Public Feedback

1. Concern regarding FBC regulations and boundaries
2. Concerns with TDR changes
3. Concerns with Flexible uses in I-1 district
4. Concerns with Central Ave – north side along Exit 7
5. Concerns with Wetlands/Conservation changes

(1) Form Based Code

- Concern
 - Architectural Standards have to be met
 - Clarify need for Conditional Use Permit
 - Building Heights are too rigid
- Change
 - Architectural Standards are optional – incentive created
 - Fast Track project
 - CUP is needed for alteration of standards, not every time.
 - Minimum height retained, max removed

(1) Form Based Code cont.

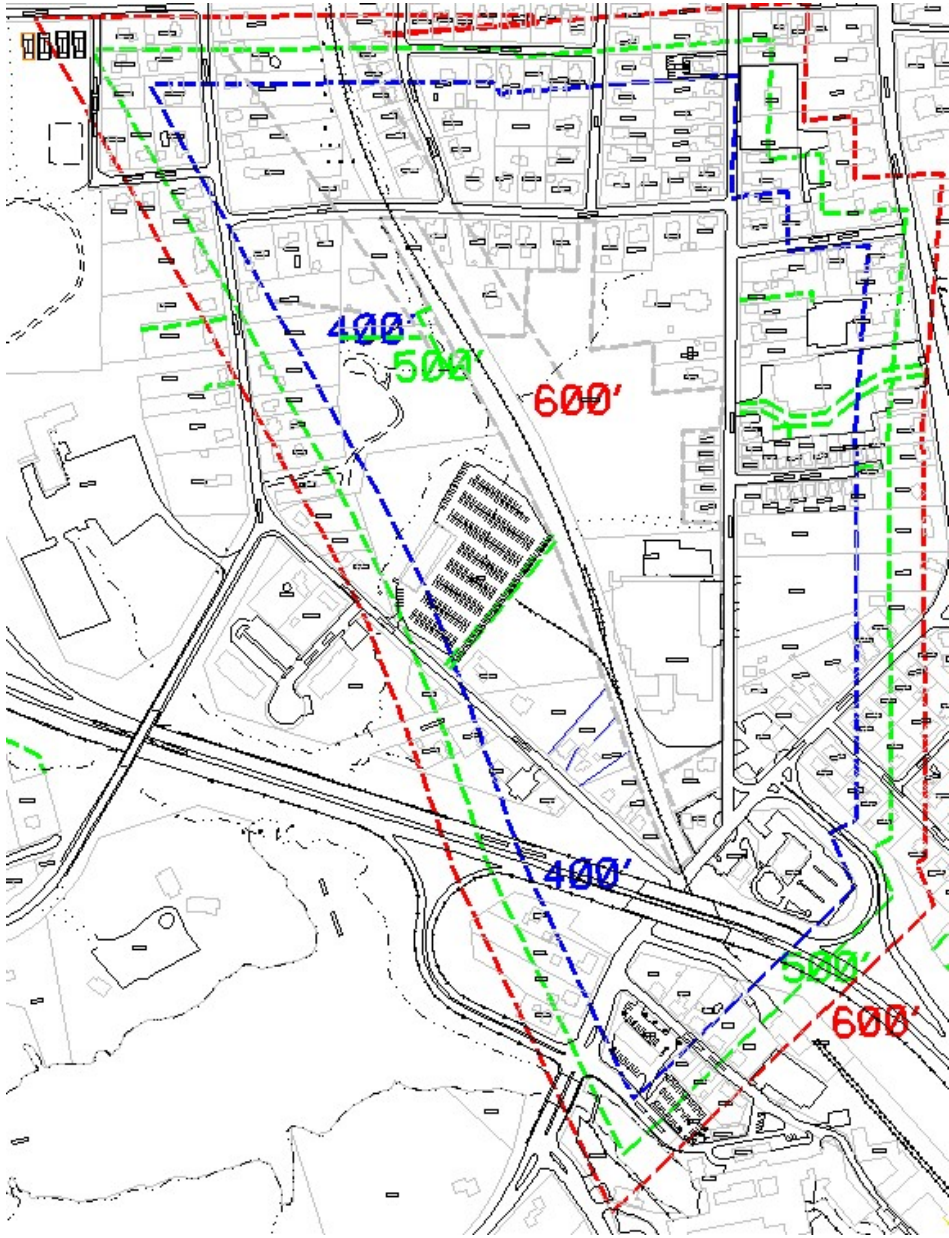
- Concern
 - Too many sub - districts
 - Need to appeal to Superior Court
 - Sub-districts go too far
 - Creating a Historic District, without properly following HDC process
- Change
 - Reduced from 6 to 3
 - Clarified ZBA has appellate review.
 - Adjusted in three areas:
 - Silver Street
 - Cochecho Street
 - Hanson Street
 - By removing arch. Standards, this is clarified.

(2) Transfer of Development Rights

- Concern
 - Replacing private process with public one.
 - Too rigid/inflexible.
- Change
 - Adjusted private process, and added public option.
 - This increases opportunities and allows more flexibility

(3) Flexible Uses in I-1

- Concern
 - Residential density is based upon lot size and not average density.
 - Conflicts with purpose
 - Radius to determine density is awkward
- Change
 - Clarified residential density is based upon neighborhood density not lot size.
 - Radius is increased to 600'



(3) Flexible Uses in I-1



(3) Flexible Uses in I-1

(5) Conservation District

- Concern
 - Vegetation removal standards are unclear for 50 – 100 foot area
 - State uses Reference Line instead of Mean High Water as line to measure
- Change
 - Inserted separate standards for 50 foot area and 50 – 100 foot area
 - Changed to Reference Line

(5) Wetlands District

- Concern
 - Marking of wetlands could be confused with property pins
 - Marking of Wetlands buffer is not needed in all cases
- Change
 - Removed requirements
 - Made marking optional and added standard that if development is within 20 feet of buffer, marking may be required

(5) Wetlands District

- Concern
 - Mitigation requirement goes beyond state standards and has no guidelines
- Change
 - Remove mitigation requirement
 - Require copy of mitigation plan
 - Remove function assessment requirements

Form Based Code



Jeffrey H. Taylor & Associates – Concord, NH

Traditional vs FBC

Area	Traditional	Form Based
Use	High priority	Low priority
Placement of structure	Medium priority	High priority
Array of other elements	Low priority	Medium priority

Permitted Uses			
Uses	Commercial General	Mixed Use	Residential
Residential	Permitted, but not on ground floor,	Permitted, but not on ground floor	Permitted

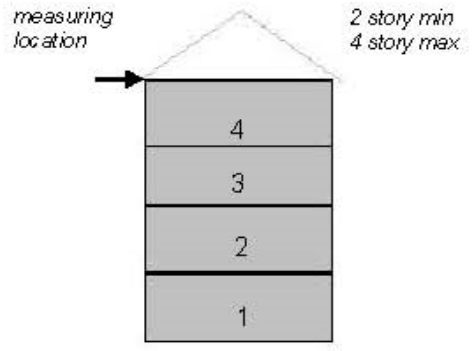
1g

LOT OCCUPATION	
Lot Coverage	75% min
BUILD TO LINES - PRINCIPAL BUILDING	
Front (Principal)	0 ft min (10 ft max)
Front (Secondary)	0 ft min (10 ft max)
Side	0 ft min 24 ft max
Rear	10 ft min
Frontage Buildout	70% min
OUTBUILDING/ACCESSORY SETBACKS	
Front Setback	not permitted
Side Setback	not permitted
Rear Setback	not permitted
PRIVATE FRONTAGES	
Common Yard	not permitted
Porch and Fence	not permitted
Terrace / Lightwell	not permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted
BUILDING HEIGHT	
Principal Building	2 story min
Outbuilding	not permitted

*CUP may be used to adjust above standards

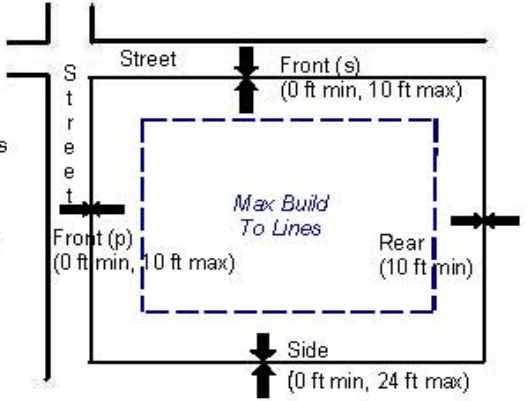
Building Height

1. Building height shall be measured in number of Stories, excluding attics and raised basements.
2. Height shall be measured to the eave or roof deck as specified in the ordinance.



Build to Lines

1. The Facades and Elevations shall be distanced from the Lot lines as shown.
2. Facades shall be built to a minimum of 70% of the Frontage Buildout.



Other	Via CUP (170-10.1 B)	Via CUP (170-10.1 B)	Via CUP (170-10.1 B)
-------	----------------------	----------------------	----------------------

HCS, LLC.

• M
r
• P

it

3



Interdependence of
Public and Private
Investments and
Spaces



Location at back of
sidewalks

Multi-story buildings



Form Based Zoning would have New Development mimic what is already here.



Days Inn is an
Excellent Example.

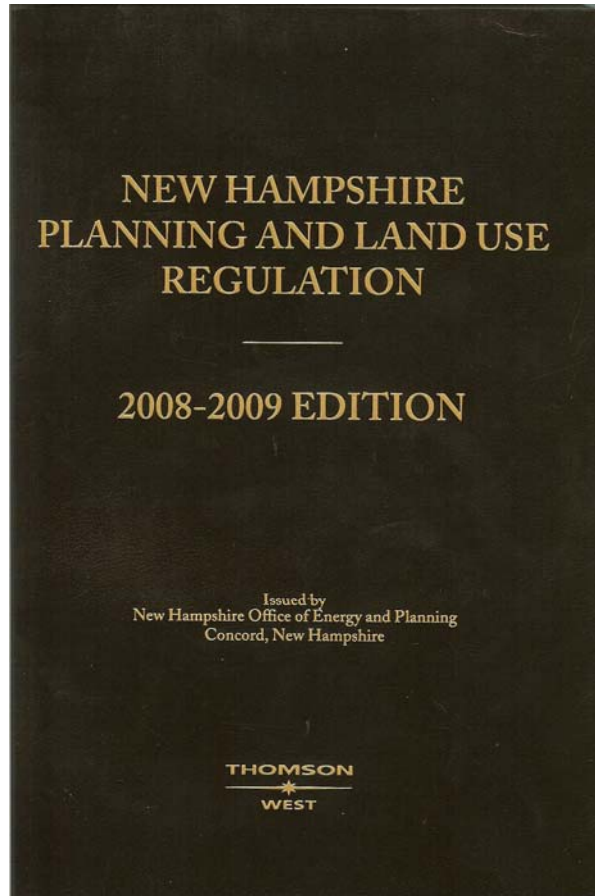
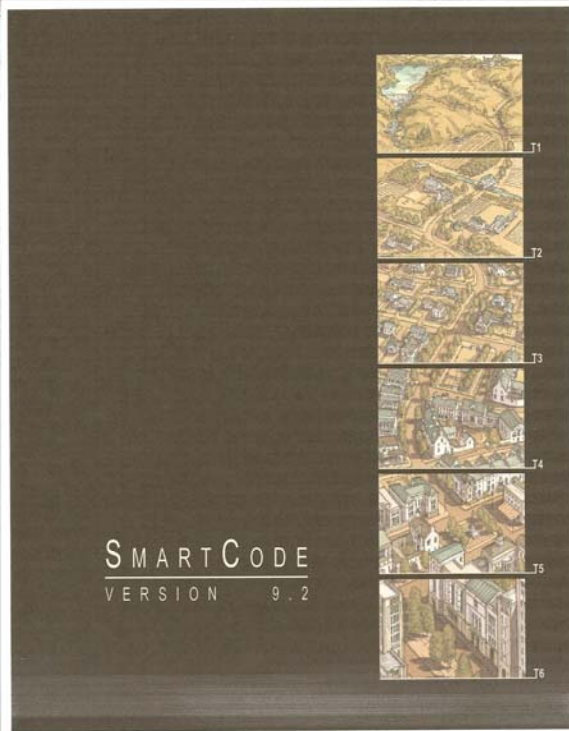


The Goal is *both* to Preserve the quality and density of what is already here, *and*

To establish a design standard for New Development for areas that have long term Redevelopment potential.



1. Start with SmartCode



2. Filter through RSAs and Enabling Legislation

3. Insert as an Amendment to Dover's Zoning

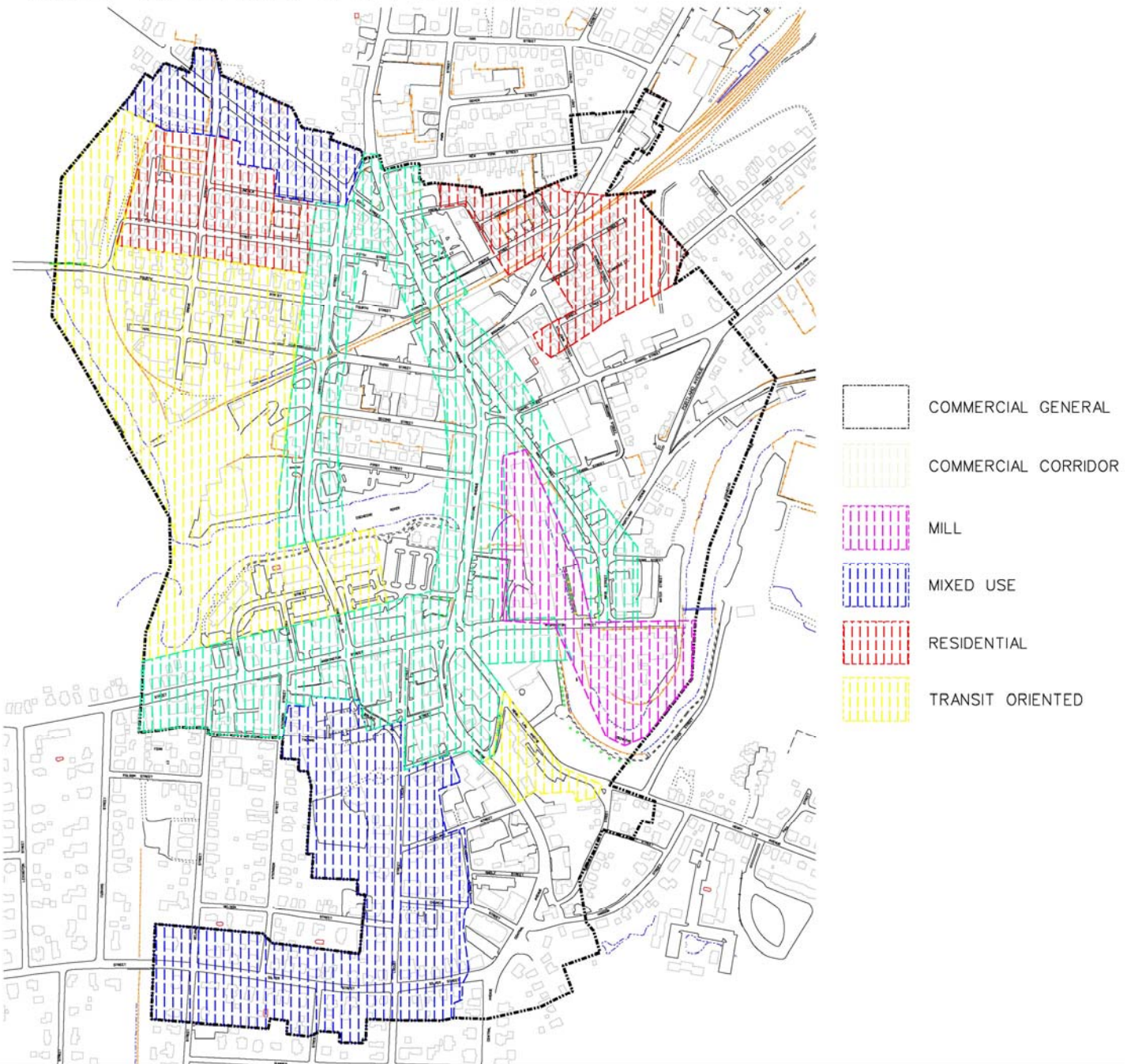
	<i>DOVER CODE</i>
	ZONING
	CHAPTER 170
	ARTICLE I
	GENERAL PROVISIONS
170-1.	Title.
170-2.	Authority.
170-3.	Purpose.
170-4.	Interpretation.
170-5.	Applicability.
	ARTICLE II
	WORD USAGE
170-6.	Definitions.
	ARTICLE III
	DISTRICTS AND BOUNDARIES
170-7.	Establishment of districts.
170-8.	Zoning Map.
170-9.	Amendments to Zoning Map.
170-10.	Interpretation of district boundaries.
	ARTICLE IV
	USES; TABLES
170-11.	Use regulations.
170-12.	Applicability of Table of Use Regulations.
	ARTICLE V
	DIMENSIONAL REGULATIONS
170-13.	Availability of utilities and services.
170-14.	Nonconforming lots.
170-15.	Open space requirements.
	<i>170-1</i>

Process

- Designate Area
- Interviews
- Measuring
- Charrettes
- Drafting
- Review(s)
- Ready for Adoption
2009



CBD REGULATING PLAN





Lots of Measuring!!

Design Charrettes November 19 & 22 *and* Available for Comment





When New Development occurs, the “build to” standards would seek to replicate the earlier density and development patterns.



When New Development occurs, the “build to” standards would seek to replicate the earlier density and development patterns.



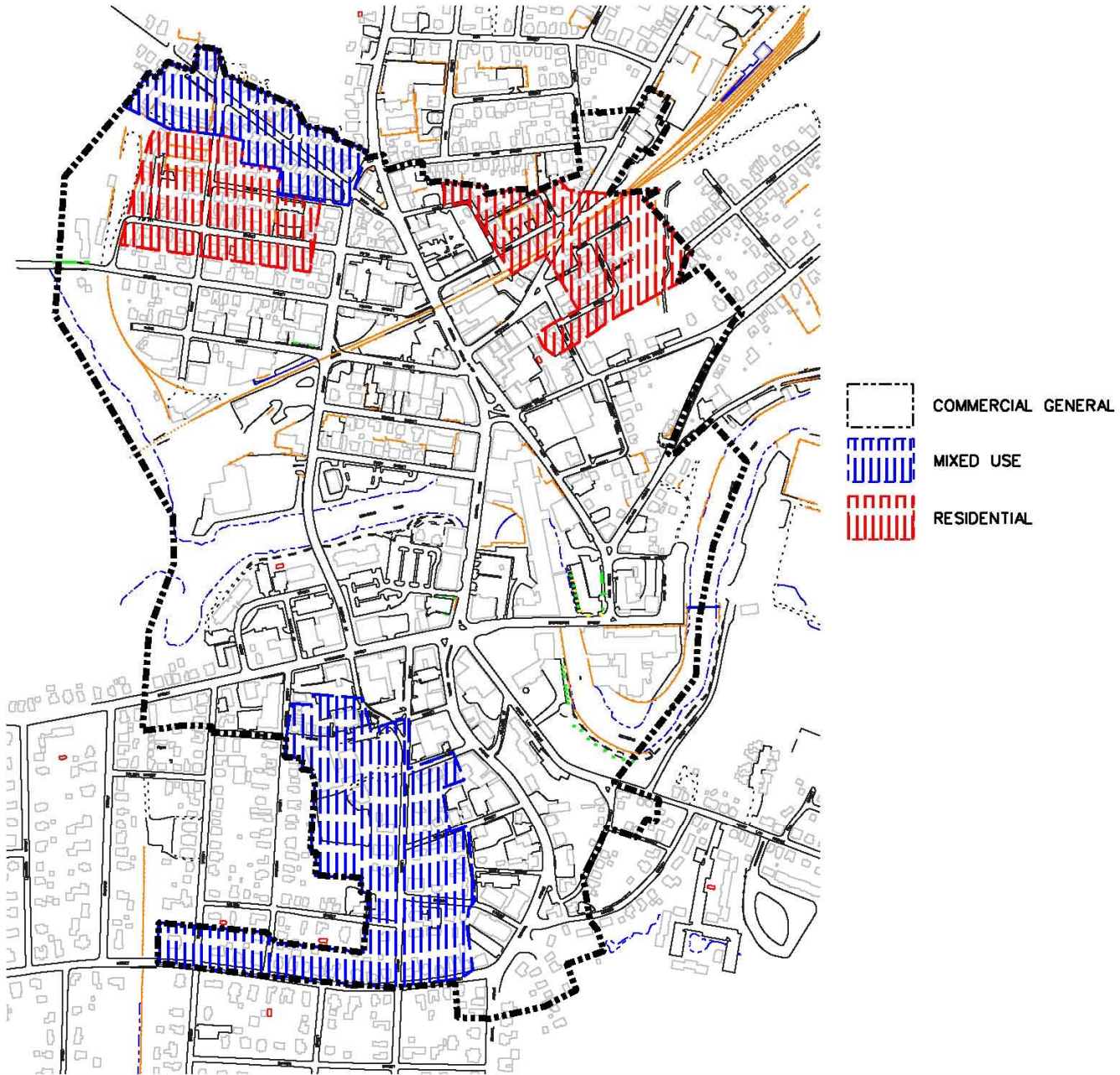


...or perhaps encourage new development patterns consistent with a Dover theme.

First Street,
Looking east from
Chestnut



CBD REGULATING PLAN



Process



- Review(s)
- Ready for Adoption
2009

FBC Frequently Asked Questions

- What triggers the Code?
 - (Re)development that requires site plan review
- Are repairs/maintenance redevelopment?
 - No, site plan review is more substantial construction
- Is this aesthetic zoning
 - No, the focus is on massing and siting of a building

FBC Frequently Asked Questions

- My building doesn't conform, am I grandfathered?
 - Yes, all structures and uses are grandfathered
- What uses are allowed
 - Uses are simplified into 7 general categories
- What if I can't meet all the requirements?
 - The Conditional Use Permit is our relief valve

For More Information....

- **The full text is available:**
 - **On the City’s Web Site: 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**
- **Please call 516-6008 with further questions.**
- **Email: c.parker@dover.nh.gov**