

**CITY OF DOVER**

## CITY OF DOVER - ORDINANCE

Posted: February, 09, 2021

Ordinance Title: Site Review Regulations Amendments  
Chapter: 153

1. Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising the chapter as a whole by eliminating any instance of the term “I-1”

AND

Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising the chapter as a whole by replacing any instance of the term “I-2” with “CM”

AND

Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising the chapter as a whole by replacing any instance of the term “B-1” with “G”

AND

Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising the chapter as a whole by replacing any instance of the terms “I-4” or “ETP” with “IT”

AND

Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising the chapter as a whole by replacing any instance of the term “Executive and Technology Park” with “Innovative Technology”

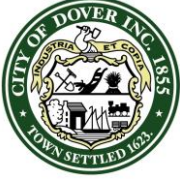
AND

Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising the chapter as a whole by replacing any instance of the terms “B-3” “B-4” or “B-5” with “C”

2. Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising Section 8, “Certification” to read as follows:

**“153-8. Certification. [Amended per Planning Board 09-11-1990; amended per Planning Board 09-28-1993; amended per Planning Board 04-22-2003; amended per Planning Board 08-26-2008; amended per Planning Board 12-18-2012.]**

- A. The APPLICANT shall submit to the Planning Department an electronic copy, and five (5) copies of the final SITE DEVELOPMENT PLAN for Planning Board Chairman's signature within ninety (90) days of receipt of final site PLAN approval by the Planning Board. The Director of Planning and Community Development may grant one ninety (90) day extension if circumstances arise beyond the control of the APPLICANT. An



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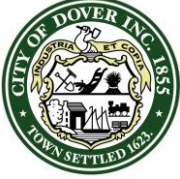
extension denial by the Director of Planning and Community Development can be appealed to the Planning Board. Any additional extensions can only be granted by the Planning Board.

- B. The final SITE DEVELOPMENT PLAN shall be clearly and legibly reproduced via black or blue print lines.
  - C. Where an APPLICANT is required by the Planning Board as a condition of its' approval, to file a PERFORMANCE BOND or ESCROW AGREEMENT, it shall be posted prior to the start of construction of any improvement or the issuance of a building permit. Such bond or ESCROW AGREEMENT shall be executed on forms provided by the Planning Board office and shall be certified as to its sufficiency by the City Attorney.
  - D. Any application which is not signed by the Planning Board Chair as complete, in accordance with this section, is deemed expired, and null and void."
3. Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising Section 14, Subsection D "Parking" to read as follows:
- In the Parking Regulation Table, new footnote 11 shall be added for Retail/Service:  
"11 For Vehicle Refueling and Recharging Stations, "gas" pumps count as a parking space"
4. Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising Section 14, Subsection K "Location of Parking Lots" to read as follows:

### K. Location of Parking Lots

(1) Buildings should be sited closer to the street and parking areas should be located on the side or rear of lots in an effort to reduce the visual dominance of parking areas, improve pedestrian safety in parking lots, and increase the visibility of businesses to drivers. The following standards are required:

- (a) For parcels in the B-4 and CM Districts with frontage and driveway access on an arterial or collector road, a minimum percentage of the parking spaces required by these regulations or of the number of parking spaces proposed (whichever is greater) the parking spaces shall be located to the side or rear of the building (i.e.; no closer to the front lot line than the building) according to the following:



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<u>Number of spaces</u>	<u>Percent of spaces to side or rear</u>
<del>50 to 75</del> <u>25-50</u>	50%
<del>76 to 100</del> <u>51-75</u>	60%
<del>More than 100</del> <u>75</u>	70%

~~(b) For parcels in all other non-residential districts (other than B-4) and for parcels in the B-4 District where the parking requirements are less than fifty (50) spaces, the requirements for parking lot location in Section K) 1) a) are optional. However, if an APPLICANT voluntarily complies with the standards of Section K) 1) a), the APPLICANT shall be entitled to a twenty-five (25%) percent reduction in the amount of landscaping for the interior of the parking lot required in Section 149-14 G) 1) a) or a fifty percent (50%) reduction in the paved area application fee.~~

~~(e)~~ (b) In recognition of the unique circumstances of some parcels of land, the Planning Board shall be permitted to vary the standards set forth in subsection K) 1) a) above. The Planning Board may approve projects that do not conform strictly to the parking lot location standards above, provided that a finding is made by the Planning Board that the unique circumstances of the parcel make compliance unreasonable.

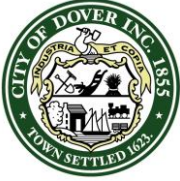
5. Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising Section 13, Subsection L, subsection 5 “Various Sections of the City” to read as follows:

“5) Various Sections Of The City

Various sections of the City differ from one another in character and in appropriate treatment. The following sections are listed in order, generally, from the most sensitive to the least sensitive sections.

(a) CBD. This zone encompasses the downtown areas and is highly sensitive because of the importance and challenge of maintaining a pleasing pedestrian environment. This is the Central Business District, which includes the areas along Washington Street from Chestnut Street to Main Street, all of Main Street, and a section of Central Avenue from Sixth Street to Silver Street. As one travels closer to the core areas traditionally the buildings are taller, closer to the sidewalk, built of more substantial materials, and more elaborate in design and detailing. Proposed buildings must adhere to the “Architectural and Urban Design Guidelines” adopted by the City.

(b) CWD. These areas are not as sensitive as existing neighborhoods in which existing residents could be vulnerable to new development over which they have little control. New commercial structures, are not being built in



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TRADITIONAL neighborhoods, however this zone is adjacent to the existing downtown core, and should feel as if it is an extension of the CBD district. The architecture of the waterfront areas should encourage the development of marine, history or tourism related land USES and activities, which take advantage of the peculiar characteristics of the waterfront as well as its central location in Dover and its proximity to the historic area. Proposed buildings must adhere to the “Cochecho Waterfront Development Design Guidelines” adopted by the City.

- (c) B-1, O. These areas are sensitive because some older neighborhoods that are zoned for mixed USE have been harmed by incompatible multifamily and NONRESIDENTIAL development. These are transitional zones, and as such the new non-residential components should respect the character and nature of the existing residential USES. New development should blend in with the TRADITIONAL character of these neighborhoods in order not to diminish property values and the small SCALE pedestrian nature of these areas.
- (d) B-3, B-4, B-5, CM. It is important to enhance the quality of commercial development along these corridors (such as Routes 9, 108, 4, and 157). All serve as gateways to the city, carry high levels of traffic, and are the most prominent areas of the city. On the other hand, an intensive automobile oriented and big BOX/small BOX character is already established in many areas. Thus, while we seek to enhance the visual experience along these corridors, there are generally fewer sensitive resources vulnerable to this type of development.
- (e) I-1, ~~I-2~~, I-4. We seek to enhance the quality of our business and industrial parks (such as Venture Drive ~~and Industrial Park Road~~). While However, because these are located on dead end streets with almost no incidental traffic and with few vulnerable existing visual resources they are less sensitive, a sense of pride and professionalism should be present. Adherence to the 153-15 is required.

6. Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising Section 14, Subsection D, subsection 3 “Electric Vehicle Charging Station” to read as follows:

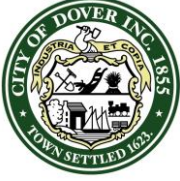
(3) Electric vehicle ~~charging stations~~ supply equipment (EVSE) and dedicated charging spaces.

(a) Projects must provide Electric Vehicle Charging Readiness based upon the following standards:

[1] Multi-family residential projects: 5% of the total number of new parking spaces.

[2] Non-residential projects: 2% of the total number of new parking spaces.

[3] The number would be rounded up in all cases with a minimum of one space of electric vehicle charging readiness per project requiring Site Plan Review.



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~~(a)(b)~~ If ~~the percentage of 2% or more of the number of~~ parking spaces provided ~~contain~~EVSE ~~an electric vehicle charging station~~ is greater than that of section (a), the applicant shall be eligible for a fifty-percent reduction in the paved area application fee.

~~(b)(c)~~ For parking spaces containing ~~an electric vehicle charging station~~EVSE, the following minimum criteria shall apply:

[1] ~~Electric vehicle charging station equipment~~EVSE shall be maintained by the property owner. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.

[2] The placement of ~~electric vehicle charging station equipment~~EVSE shall not interfere with adjacent pedestrian circulation areas, such as sidewalks or accessible routes to the building entrance.

[3] Directional signs shall be installed at the parking lot entrance and at other appropriate points to effectively guide motorists to the electric vehicle charging stations.

[4] Each electric vehicle charging station is required to include the following:

[a] ~~An EV charging unit~~Electric vehicle supply equipment that meets ~~recognized~~ the most current infrastructure codes and standards, referenced by the U.S. Department of Energy, used for electric vehicle and infrastructure projects.

[b] Signage ~~indicating the that includes, but is not limited to, the following information:~~

- Indicating the space is only for electric vehicle charging purposes.
- Days and hours of operations ~~shall be included~~ if time limits or tow-away provisions are to be enforced.
- Voltage and amperage levels and any time of use, fees, and important safety instructions.

[c] Adequate site lighting, unless charging is for daytime purposes only.

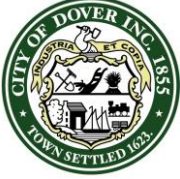
~~[5] Information identifying voltage and amperage levels and any time of use, fees, or safety information.~~

~~[6]~~[5] Shelters for outdoor charging stations are encouraged to provide added convenience for users.

7. Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising Section 14, Subsection D, subsection 5 “Conditional use permit for increase in number of parking spaces.” to read as follows:

(6) Conditional use permit for increase in number of parking spaces.

(a) A conditional use permit may be granted by the Planning Board (RSA 674:21, II) after proper public notice and public hearing for the purpose of altering any provisions of § 153-14D,



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Parking Regulation Table, provided that the proposed project complies with the following standards:

- [1] The applicant shall submit an analysis justifying a request for increased parking requirements.
- [2] The conditional use permit application shall describe why increased parking is essential to each use.
- [3] The applicant must show that the use(s) cannot be adequately served by a combination of on- and off-street parking.
- [4] The applicant shall design and construct the additional vehicle storage areas, for additional parking requested, using pervious materials. The design of the area shall meet or exceed standards developed and outlined in the New Hampshire Stormwater Manual. The applicant shall also be required to retain the design engineer as an inspector for the duration of construction of the parking area.
- [5] The applicant shall contribute to improving electric vehicle infrastructure by using one of the following methods:
  - [a] For uses that typically result in at least two (2) hours or longer of parking which may include but is not limited to gathering places (restaurants and bars), retail/service, lodging, office, educational, medical, and outdoor recreation, the applicant shall provide one Level II commercial electric vehicle charging station for every 10 parking spaces requested over the required cap parking maximum. Electric vehicle charging station spaces shall comply with § 153-14D(3) unless determined otherwise by the Planning Board.
  - [b] For uses that do not typically result in at least two (2) hours or longer of activity, the applicant shall provide two (2) additional parking spaces that meet electric vehicle readiness requirements for every 10 parking spaces requested over the parking maximum.
- [6] Additional Level I commercial electric vehicle charging stations designated for employees, and not for public use, are encouraged.

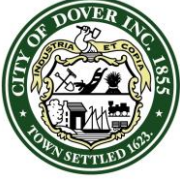
8. Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising Section 23 entitled “Definitions” to read as follows:

### **Direct Current Fast Charging (DCFC)**

DCFC enables rapid charging and utilize 208V or 480V input to deliver a maximum output 350kW. DCFC are equipped with either a CHAdeMO or SAE plug connector, or both, and are designed to fill an EV battery to 80 percent in 20 to 40 minutes.

### **Electric Vehicle Charging Space**

A parking space served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle electric vehicle supply equipment and reserved for actively charging electric vehicles. An electric vehicle charging station is permitted outright as an accessory use to any principal use.



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### **Electric Vehicle Readiness**

A parking space meets electric vehicle readiness requirements if the following requirements are met:

1. The project has provided one or more dedicated circuits on the electrical panel(s) such that the panel(s) has the service capacity to accommodate the required number of Level 2 EVSE; and
2. Conduit has been installed to allow the addition of all necessary wiring to electrify installed EVSE at the parking space(s) without having to excavate to do so.

### **Electric Vehicle Supply Equipment (EVSE)**

An electric component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles by permitting the transfer of electric energy to a battery or other storage device in an electric vehicle.

### **Level I Commercial**

Level 1 EVSE provide charging through a 120-volt alternating current (AC) circuit. Level 1 EVSE are equipped with a SAE J1772 standard connector that plugs into the vehicle and require a dedicated branch circuit. Level 1 chargers can deliver 1.4kW to 1.9kW of power and provide 4-6 miles of range per hour.

### **Level II Commercial**

Alternating current Level 2 EVSE provide charging through a 240V (typical for residential) or 208V (typical for commercial) electrical service. Level 2 chargers are equipped with a SAE J1772 standard connector that plugs into the vehicle providing between 10 and 20 miles of range per hour of charging.

9. Chapter 153 of the Code of the City of Dover, entitled Site Plan Review, is hereby amended by revising Section 6 entitled “Application Requirements, Technical Review Committee” subsection B, subsection 6, to read as follows:

A list of owners, applicants, and professionals involved in the application. Additionally a fee for the City to create a list of abutting property owners that lie within 200 feet of the subject parcel. Information shall include name, mailing address, and Dover Tax Map and lot numbers for the applicant to review. The City will prepare verified mailings. -In addition to the abutters list, three duplicate sets of adhesive mailing labels for all abutters shall be submitted for use by staff in preparing verified mailings.