## Amendment Type

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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

<table>
<thead>
<tr>
<th>Area</th>
<th>Traditional</th>
<th>Form Based</th>
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</thead>
<tbody>
<tr>
<td>Use</td>
<td>High priority</td>
<td>Low priority</td>
</tr>
<tr>
<td>Placement of structure</td>
<td>Medium priority</td>
<td>High priority</td>
</tr>
<tr>
<td>Array of other elements</td>
<td>Low priority</td>
<td>Medium priority</td>
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</table>
Form Based Zoning

- More concerned with how new development relates to neighbors
- Philosophical Changes:
  - "Build To" Lines vs. Setbacks
  - Graphic component to make ordinance easier to use
  - More flexibility on use
  - Public realm responsibility: trees, benches, etc.

### Permitted Uses

<table>
<thead>
<tr>
<th>Uses</th>
<th>Commercial General</th>
<th>Mixed Use</th>
<th>Residential</th>
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</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Permitted, but not on ground floor,</td>
<td>Permitted, but not on ground floor</td>
<td>Permitted</td>
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</tbody>
</table>

### LOT OCCUPATION

- Lot Coverage: 75% min

### BUILD TO LINES - PRINCIPAL BUILDING

- Front (Principal): 0 ft min (10 max)
- Front (Secondary): 0 ft min (10 max)
- Side: 0 ft min 24 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
- Shopfront & Awning: permitted
- Gallery: permitted

### BUILDING HEIGHT

- Principal Building: 2 story min
- Outbuilding: not permitted

* CUP may be used to adjust above standards

### 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.

### 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.
Interdependence of Public and Private Investments and Spaces
Multi-story buildings

Location at back of sidewalks
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
Process

• Designate Area
• Interviews
• Measuring
• Charrettes
• Drafting
• Review(s)
• Ready for Adoption 2009
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.
First Street, Looking east from Chestnut

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