

ZONING

170 Attachment 1

City of Dover

Rural Residential (R-40) District [Amended 10-13-2021 by Ord. No. 2021.09.08-006]

Permitted Uses

- Accessory dwelling unit
- Adult day care [5]
- Assembly hall
- Bank [5]
- Beauty shop and barbershop [5]
- Bed-and-breakfast
- Child-care facility
- Child-care home
- Clinic
- Conservation lot
- Conversion of existing dwelling to accommodate not more than 2 units [6]
- Country club [7]
- Dwelling, two-family [8]
- Dwelling, three- to four-family [8]
- Dwelling, single-family
- Educational institution, K-12
- Excavation [7]
- Farm [9]
- Farm animals for family use, for noncommercial purposes, on lots containing a one- or two-family dwelling [10]
- Hospital
- Manufactured housing
- Office [5] [11]
- Personal service establishment [5]
- Public recreation
- Public utility
- Recreational camp
- Retail sale of agricultural or farm products raised on site
- Theater [5]
- Veterinary office, animal hospital or kennel [12]
- Wholesaling of farm products [7]
- Transfer of Development Rights [13]

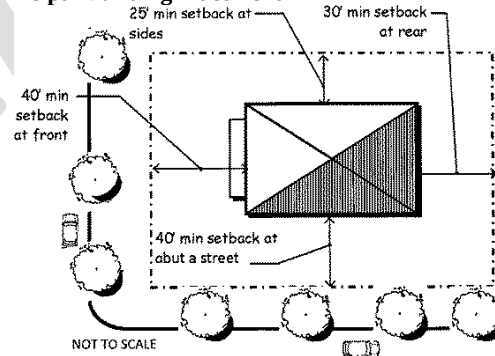
Uses Permitted by Special Exception

- Assisted living facility
- Congregate care facility
- Continuing care community facility
- Educational institution, postsecondary
- Elderly assisted care home
- Helicopter takeoffs and landings
- Junkyard
- Manufactured housing park
- Nursing home

Dimensional Regulations [1] [2]

Lot	
Minimum lot size [3] [4]	40,000 sf
Maximum lot coverage	10%
Minimum frontage	150 ft
Principal Building	
Front setback	40 ft
Abut a street setback	40 ft
Side setback	25 ft
Rear setback	30 ft
Outbuilding/Accessory Use	
Front setback	40 ft
Abut a street setback	40 ft
Side setback	10 ft
Rear setback	10 ft
Height of Building	
Principal building	35 ft max
Outbuilding	35 ft max

Principal Building Placement



Sign Regulations

Size	R-40 District
Total signs permitted	1
Total area permitted	16 sf (customary home occupation sign 2 sf max, development identification sign 20 sf max)
Type	
Freestanding	Permitted (10 ft setback required)

DOVER CODE

Projecting	Permitted
Wall/awning	Not permitted
Temporary	Not permitted

Footnotes

- [1] In the case of an open space subdivision, in accordance with Article IV of Chapter 157 of the Code of Dover, the dimensional requirements shall be as specified in § 157-21 of the Code of the City of Dover.
- [2] Refer to §§ 170-13, 170-14 and 170-27D for exceptions to lot size, frontage and setback requirements.
- [3] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum nonwetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the New Hampshire Code of Administrative Rules Env-Wt 101.113 and the 1987 Federal Manual for Identifying Jurisdictional Wetlands. Wetland buffers shall only be allowed to count for 40% of the minimum lot size required.
- [4] Refer to Chapter 157, Subdivision of Land, Article IV, for the minimum lot size for a major subdivision. In an R-40 District, any major subdivision must follow the procedures for an open space subdivision (OSS).
- [5] Use is allowed as a commercial component to an open space subdivision. (See § 157-21.)
- [6] Any dwelling unit may be converted, not replaced, provided that the lot shall contain at least 4,000 square feet per dwelling unit and a minimum floor area of 500 square feet per dwelling unit. Two-family dwellings shall be designed to look like single-family dwellings (i.e., the two-family dwelling should not look like it was designed to occupy more than 1 family). At a minimum, this shall mean that only 1 entrance shall be visible from a public street, and only 1 driveway shall exist with no on-street parking required for residents.
- [7] Use is not allowed as a commercial component to an open space subdivision. (See § 157-21.)
- [8] Use is allowed when included within an open space subdivision with commercial components. (See § 157-21.)
- [9] Farm animals are permitted, provided that the tract upon which such animals are kept shall support a minimum land area of 100,000 square feet. In no instance shall the shelters used to contain said animals be closer than 100 feet to any property boundary.

- [10] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met. Chickens: no more than 6 chickens and no roosters, with 3 square feet of chicken coop and 20 square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be 20 feet from any property line. Sheep or goats: 1 animal per 10,000 square feet of lot area, with a maximum of 6 animals; 10 square feet of shelter and 30 square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be 30 feet from any property line.
- [11] Permitted only if operated as a customary home occupation (refer to definition in § 170-6B).
- [12] Veterinary office and animal hospital uses are allowed as a commercial component to an open space subdivision. (See § 157-21.) Shelters and runs used to house and/or contain animals shall be no closer than 100 feet to any property line and must support a minimum tract size of 100,000 square feet.
- [13] Use permitted subject to conditions specified below in addition to Planning Board approval.

Special Exception Criteria

Assisted Living Facility:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 7,500 sf of lot area in the R-40 District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

Congregate Care Facility: Congregate care facility is allowed as a special exception in accordance with the density and provisions stated below:

- A. In the R-40 District in areas not serviced by City water and sewer utilities at a density of 1 unit per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities at a density of 1 unit per 7,500 sq. ft. of land.
- B. Provided that parking and service areas are screened from abutting residential uses.

Continuing Care Community Facility:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 7,500 square feet of lot area in the R-40 District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

Elderly Assisted Care Home: Elderly assisted care home is allowed by special exception in accordance with the densities and provisions stated below:

- A. Elderly assisted care homes larger than 6 bedrooms shall meet the following density requirements: In the R-40 District in areas not serviced by City water and sewer utilities, at a density of 1 bedroom

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per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities, at a density of 1 bedroom per 7,500 sq. ft.

- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased, provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in § 170-56 (Conditions for parking and loading spaces). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure.

Helicopter Takeoffs and Landings: Helicopter takeoffs

Junkyard: A junkyard may only be permitted upon the determination that the property values of land adjacent to such use will not be compromised. Conditions may include but not be limited to the provision of adequate and properly maintained screening around land so used.

Manufactured Housing Parks: Manufactured housing parks shall be subject to the following regulations:

- A. The proposed park must conform to Chapter 101, Manufactured Home Parks, of the Code.
- B. All plans for the proposed park must have been granted preliminary approval from the Dover Planning Board.
- C. A determination by the Zoning Board of Adjustment that the proposed manufactured housing will not adversely affect overall land values in the

and landings are allowed as a special exception subject to the following conditions:

- A. There shall be a distance of 1,000 feet between any existing residential structure and any proposed helicopter landing pad.
- B. Except in the case of an emergency, no helicopter takeoffs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.
- C. The facility shall be accessory to the principal use located on the lot.
- D. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- E. The conditions for granting a special exception, contained in § 170-59C(3) must also be satisfied neighborhood.
- D. A determination by the Zoning Board of Adjustment that the proposed manufactured housing will not result in the creation of hazardous traffic conditions.

Nursing Home: Nursing home is allowed as a special exception in accordance with the density and provisions stated below:

- A. In the R-40 District in areas not serviced by City water and sewer utilities, at a density of 1 bedroom per 10,000 sq. ft. of land; in the R-40 District in areas serviced by City water and sewer utilities, at a density of 1 bedroom per 7,500 sq. ft. of land.
- B. Provided that parking and service areas are screened from abutting residential uses.

Transfer of Development Rights: Projects utilizing TDR within this zoning district are subject to the following conditions.

*	Underlying	TDR (Fee Simple)	TDR (Common Area)
Lot Size	40K	20K per unit	20K per unit
Frontage	150	75 per lot	100 for parent parcel, or, 80% of neighboring parcel frontages within 100' radius, whichever is less
Front Setback	40	40	20
2nd/Street Setback	40	40	20
Side Setback	25	25	12' separation between structures
Rear Setback	30	30	30' to abutting parcels
Height	35	35	35
Subject to Planning Board approval, visual screening, whether fencing, vegetation, or a combination thereof, shall be required to provide separation between the TDR development and abutting parcels			
All TDR projects shall provide an amount of Undeveloped Area which is no less than 10 percentage points below of the district's average (R-40 = 95%), or which is no less than 10 percentage points below the average amount of Undeveloped Area on neighboring lots within 200' in both directions from the subject parcel).			
If the site does not have immediate access, water and Sewer infrastructure may be extended, at the applicant's cost, up to a distance not to exceed 75 linear feet from the existing service to the nearest point of lot frontage. Extensions on the applicant's own property and frontage shall not be included in the 75' maximum.			
The architectural style of any proposals shall maintain similar facade and vernacular style as befits buildings of similar or better build quality to adjoining properties both on the same and opposite sides of the street.			

**TDR CUP (170-29K) may be used to adjust standards*

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170 Attachment 2

City of Dover

Low Density Residential (R-20) District [Amended 8-19-2015 by Ord. No. 2015.07.22-017; 10-13-2021 by Ord. No. 2021.09.08-006]

Permitted Uses

- Accessory dwelling unit
- Adult day care [5]
- Assembly hall
- Bank [5]
- Beauty shop and barbershop [5]
- Bed-and-breakfast
- Child-care facility
- Child-care home
- Conservation lot
- Conversion of existing dwelling to accommodate not more than 2 units [6]
- Dwelling, two-family [7]
- Dwelling, three- to four-family [7]
- Dwelling, single-family
- Educational institution, K-12
- Farm [8]
- Farm animals for family use, for noncommercial purposes, on lots containing a one- or two-family dwelling [9]
- Office [10] [5]
- Personal service establishment [5]
- Public recreation
- Public utility [11]
- Retail sale of agricultural or farm products raised on site
- Roadside farm stand [12]
- Theater [5]
- Veterinary office, animal hospital or kennel [13]
- Transfer of Development Rights [14]

Uses Permitted by Special Exception

- Assisted living facility
- Congregate care facility
- Continuing care community facility
- Educational institution, postsecondary
- Elderly assisted care home
- Helicopter takeoffs and landings
- Nursing home

Sign Regulations

Size	R-20 District
Total signs permitted	1
Total area permitted	16 sf (customary home occupation sign 2 sf max, development identification sign 20 sf max)
Type	
Freestanding	Permitted (10 ft setback required)
Projecting	Permitted
Wall/awning	Not permitted
Temporary	Not permitted

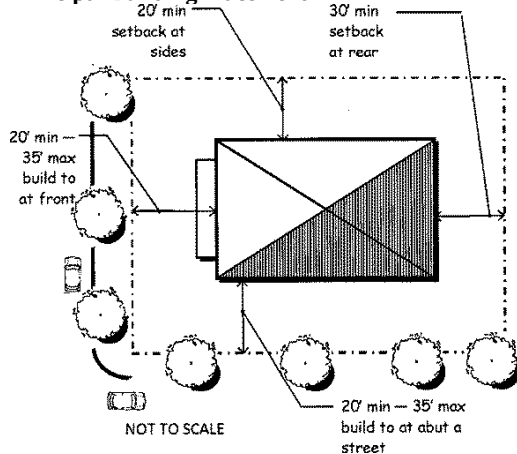
Dimensional Regulations [1][2]

Lot	
Minimum lot size [3]	20,000 sf
Maximum lot coverage	30%
Minimum frontage	125 ft
Principal Building	
Front build-to line	20 ft min, 35 ft max*
Abut a street build-to line	20 ft min, 35 ft max*
Side setback	20 ft
Rear setback	30 ft
Outbuilding/Accessory Use	
Front setback	No closer than the principal building or 35 feet, whichever is less
Abut a street setback	No closer than the principal building or 35 feet, whichever is less
Side setback	10 ft
Rear setback	10 ft
Height of Building	
Principal building	35 ft max
Outbuilding	35 ft max

* Expansions to, or renovations of, existing structures have a twenty-foot setback.

DOVER CODE

Principal Building Placement



Footnotes

- [1] In the case of an open space subdivision, in accordance with Article IV of Chapter 157 of the Code of Dover, the dimensional requirements shall be as specified in § 157-21 of the Code of the City of Dover.
- [2] Refer to §§ 170-13, 170-14 and 170-27D for exceptions to lot size, frontage and setback requirements.
- [3] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum nonwetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the New Hampshire Code of Administrative Rules Env-Wt 101.113 and the 1987 Federal Manual for Identifying Jurisdictional Wetlands. Wetland buffers shall only be allowed to count for 40% of the minimum lot size required.
- [4] Refer to Chapter 157, Subdivision of Land, Article IV, for the minimum lot size for a major subdivision. Any major subdivision in an R-20 District must follow the procedures for an open space subdivision if the original lot meets the minimum lot size required.
- [5] Use is allowed as a commercial component to an open space subdivision. (See § 157-21.)
- [6] Any dwelling unit may be converted, not replaced, provided that the lot shall contain at least 4,000 square feet per dwelling unit and a minimum floor area of 500 square feet per dwelling unit. Two-family dwellings shall be designed to look like single-family dwellings (i.e., the two-family dwelling should not look like it was designed to occupy more than 1 family). At a minimum, this shall mean that only 1 entrance shall be visible from a public street, and only 1 driveway shall exist with no on-street parking required for residents.
- [7] Two-family dwellings are permitted on lots with a density of 15,000 square feet per dwelling unit. The structures shall be designed to look like single-family dwellings (i.e., the two-family dwelling should not look like it was designed to occupy more than 1 family). At a minimum, this shall mean that only 1 entrance shall be visible from a public street, and only 1 driveway shall exist with no on-street parking required for residents. Single-family density shall be used for TDR. If two-family density is used, a two-family unit shall be built.
- [8] Farm animals permitted, provided that the tract upon which such animals are kept shall support a minimum land area of 100,000 square feet. In no instance shall the shelters and pens or runs used to contain said animals be closer than 100 feet to any property boundary.
- [9] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met. Chickens: No more than 6 chickens and no roosters, with 3 square feet of chicken coop and 20 square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be 20 feet from any property line. Sheep or goats: 1 animal per 10,000 square feet of lot area, with a maximum of 6 animals; 10 square feet of shelter and 30 square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be 30 feet from any property line.
- [10] Permitted only if operated as a customary home occupation (refer to definition in § 170-6B).
- [11] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within.
- [12] Roadside farm stands shall be set back a minimum of 20 feet from all abutting vehicular rights-of-way. The area of any building associated with the roadside farm stand shall not be greater than 200 square feet in area, and shall be considered an accessory structure if a residence is also located on the property. The total of the display area and building area shall not exceed 600 square feet. Off-street parking shall be provided in the amount of 1 off-street parking space per 250 sq. ft. of display and building area, and all required parking spaces shall have safe access to and from a public street. A certificate of use issued by the Zoning Administrator and a driveway permit shall be required in all cases.
- [13] Veterinary office and animal hospital uses are allowed as a commercial component to an open space subdivision. (See § 157-21.) Shelters and runs used to house and/or contain animals shall be

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no closer than 100 feet to any property line and must support a minimum tract size of 100,000 square feet.

[14] Use permitted subject to conditions specified below in addition to Planning Board approval.

Special Exception Criteria [see § 170-59C(3) for additional regulations]

Assisted Living Facility:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 5,000 square feet of lot area in the R-20 District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

Congregate Care Facility: Congregate care facility is allowed as a special exception in accordance with the density and provisions stated below:

- A. In the R-20 District at 1 unit per 5,000 sq. ft. of land.
- B. Provided that parking and service areas are screened from abutting residential uses.

Continuing Care Community Facility:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 5,000 square feet of lot area in the R-20 District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.
- E. The facility shall be accessory to the principal use located on the lot.
- F. All facilities shall be located and designed so that the operation thereof will not adversely affect adjacent residential areas, particularly with respect to noise levels.
- G. The conditions for granting a special exception, contained in § 170-59C(3) must also be satisfied.

Nursing Home: Nursing home is allowed as a special exception in accordance with the density and provisions stated below:

- A. In the R-20 District at 1 unit per 5,000 sq. ft. of land.
- B. Provided that parking and service areas are screened from abutting residential uses.

Elderly Assisted Care Home: Elderly assisted care home is allowed by special exception in accordance with the densities and provisions stated below:

- A. Elderly assisted care home larger than 6 bedrooms shall meet the following density requirements: in the R-20 District at a density of 1 bedroom per 5,000 sq. ft.
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in § 170-56 (Off-street parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure.

Helicopter Takeoffs and Landings: Helicopter takeoffs and landings are allowed as a special exception subject to the following conditions:

- A. There shall be a distance of 1,000 feet between any existing residential structure and any proposed helicopter landing pad.
- B. Except in the case of an emergency, no helicopter takeoffs or landings shall occur between the hours of 9:00 p.m. and 7:00 a.m.

Transfer of Development Rights: Projects utilizing TDR within this zoning district are subject to the following conditions.

*	Underlying	TDR (Fee Simple)	TDR (Common Area)
Lot Size	20K	10K per unit	10K per unit
Frontage	125	60 per lot	85 for parent parcel, or, 80% of neighboring parcel frontages within 100' radius, whichever is less
Front Setback	20	20	10
2nd/Street Setback	20	20	10
Side Setback	20	20	12' separation between structures
Rear Setback	30	30	30
Height	35	35	35
Subject to Planning Board approval, visual screening, whether fencing, vegetation, or a combination thereof, shall be required to provide separation between the TDR development and abutting parcels			

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All TDR projects shall provide an amount of Undeveloped Area which is no less than 10 percentage points below of the district's average (R-20 = 90%), or which is no less than 10 percentage points below the average amount of Undeveloped Area on neighboring lots within 200' in both directions from the subject parcel).

If the site does not have immediate access, water and Sewer infrastructure may be extended, at the applicant's cost, up to a distance not to exceed 50 linear feet from the existing service to the nearest point of lot frontage. Extensions on the applicant's own property and frontage shall not be included in the 50' maximum.

The architectural style of any proposals shall maintain similar facade and vernacular style as befits buildings of similar or better build quality to adjoining properties both on the same and opposite sides of the street.

**TDR CUP (170-29K) may be used to adjust standards*

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170 Attachment 3

City of Dover

Medium Density Residential (R-12) District [Amended 8-19-2015 by Ord. No. 2015.07.22-017; 10-13-2021 by Ord. No. 2021.09.08-006]

Permitted Uses

- Accessory dwelling unit
- Assembly hall
- Bed-and-breakfast
- Child-care facility
- Conservation lot
- Child-care home
- Conversion of existing dwelling to accommodate not more than 2 units [6]
- Dwelling, two-family [7]
- Dwelling, single-family
- Educational institution, K-12
- Educational institution, postsecondary
- Farm [8]
- Farm animals for family use, for noncommercial purposes, on lots containing a one- or two-family dwelling [9]
- Office [10]
- Public recreation
- Public utility [11]
- Roadside farm stand [12]
- Transfer of Development Rights [13]

Uses Permitted by Special Exception

- Elderly assisted care home

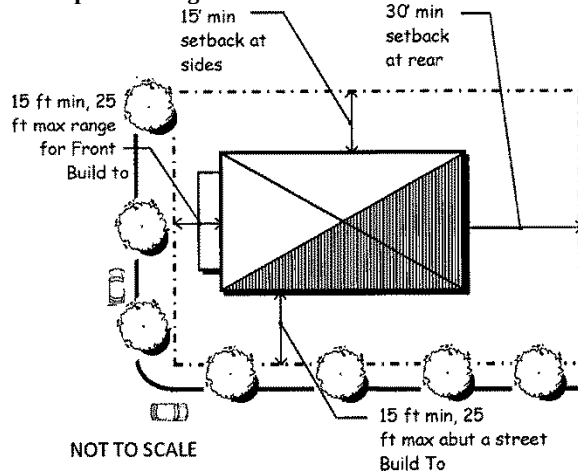
Sign Regulations

Size	R-12 District
Total signs permitted	1
Total area permitted	16 sf (customary home occupation sign max 2 sf, development identification sign 20 sf max)
Type	
Freestanding	Permitted (10 ft setback required)
Projecting	Permitted
Wall/awning	Not permitted
Temporary	Not permitted

Dimensional Regulations [1] [2]

Lot	
Minimum lot size [3] [4]	12,000 sf
Maximum lot coverage	30%
Minimum frontage	100 ft
Principal Building	
Front build-to line	15 ft min, 25 ft max [5]
Abut a street build-to line	15 ft min, 25 ft max [5]
Side setback	15 ft
Rear setback	30 ft
Outbuilding/Accessory Use	
Front setback	No closer than the principal building
Abut a street setback	No closer than the principal building
Side setback	10 ft
Rear setback	10 ft
Height of Building	
Principal building	35 ft max
Outbuilding	35 ft max

Principal Building Placement



DOVER CODE

Footnotes

- [1] In the case of an open space subdivision, in accordance with Article IV of Chapter 157 of the Code of Dover, the dimensional requirements shall be as specified in § 157-21 of the Code of the City of Dover.
- [2] Refer to §§ 170-13, 170-14 and 170-27D for exceptions to lot size, frontage and setback requirements.
- [3] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum nonwetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the New Hampshire Code of Administrative Rules Env-Wt 101.113 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. Wetland buffers shall only be allowed to count for 40% of the minimum lot size required.
- [4] Refer to Chapter 157, Subdivision of Land, Article IV for the minimum lot size for a major subdivision. Any major subdivision in an R-12 district must follow the procedures for an open space subdivision if the original lot meets the minimum lot size required.
- [5] Expansions to, or renovations of, structures on existing lots have a five-foot setback.
- [6] Any dwelling unit may be converted, not replaced, provided that the lot shall contain at least 4,000 square feet per dwelling unit and a minimum floor area of 500 square feet per dwelling unit. Two-family dwellings shall be designed to look like single-family dwellings (i.e., the two-family dwelling should not look like it was designed to occupy more than 1 family). At a minimum, this shall mean that only 1 entrance shall be visible from a public street, and only 1 driveway shall exist with no on-street parking required for residents.
- [7] Two-family dwellings are permitted on lots with a density of 9,000 square feet per dwelling unit. The structures shall be designed to look like single-family dwellings (i.e., the two-family dwelling should not look like it was designed to occupy more than 1 family). At a minimum, this shall mean that only 1 entrance shall be visible from a public street, and only 1 driveway shall exist with no on-street parking required for residents. Single-family density shall be used for TDR. If two-family density is used, a two-family unit shall be built.
- [8] Shall not include the raising and sale of farm animals; the breeding, boarding, and training of equines, and equine riding instruction; the commercial raising, harvesting, and sale of freshwater fish or other aquaculture products; and/or the breeding of poultry or game birds.
- [9] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met. Chickens: No more than 6 chickens and no roosters, with 3 square feet of chicken coop and 20 square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be 20 feet from any property line. Sheep or goats: 1 animal per 10,000 square feet of lot area, with a maximum of 6 animals; 10 square feet of shelter and 30 square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be 30 feet from any property line.
- [10] Permitted only if operated as a customary home occupation (refer to definition in § 170-6B).
- [11] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within.
- [12] Roadside farm stands shall be set back a minimum of 20 feet from all abutting vehicular rights-of-way. The area of any building associated with the roadside farm stand shall not be greater than 200 square feet in area and shall be considered an accessory structure if a residence is also located on the property. The total of the display area, including the building, shall not exceed 400 sq. ft. Off-street parking shall be provided in the amount of 1 off-street parking space per 250 sq. ft. of display and building area, and all required parking spaces shall have safe access to and from a public street. A certificate of use issued by the Zoning Administrator and a driveway permit shall be required in all cases.
- [13] Use permitted subject to conditions specified below in addition to Planning Board approval.

Special Exception Criteria [see § 170-59C(3) for additional regulations]

Elderly Assisted Care Home:

Elderly assisted care home is allowed by special exception in accordance with the densities and provisions stated below:

- A. Elderly assisted care home larger than 6 bedrooms shall meet the following density requirements: in the R-12 District at a density of 1 bedroom per 3,000 sq. ft.
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in § 170-56 (off-street parking). Furthermore, any increase to an existing structure

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must be contained within or contiguous to the original structure.

Transfer of Development Rights: Projects utilizing TDR within this zoning district are subject to the following conditions.

*	Underlying	TDR (Fee Simple)	TDR (Common Area)
Lot Size	12K	6K per unit	6K per unit
Frontage	100	50 per lot	60 for parent parcel, or 80% of neighboring parcel frontages within 100' radius, whichever is less
Front Setback	15	10	10
2nd/Street Setback	15	10	10
Side Setback	15	15	12' separation between structures
Rear Setback	30	30	20
Height	35	35	35
Subject to Planning Board approval, visual screening, whether fencing, vegetation, or a combination thereof, shall be required to provide separation between the TDR development and abutting parcels.			
All TDR projects shall provide an amount of Undeveloped Area which is no less than 10 percentage points below of the district's average (R-12 = 85%), or which is no less than 10 percentage points below the average amount of Undeveloped Area on neighboring lots within 200' in both directions from the subject parcel).			
If the site does not have immediate access, water and Sewer infrastructure may be extended, at the applicant's cost, up to a distance not to exceed 30 linear feet from the existing service to the nearest point of lot frontage. Extensions on the applicant's own property and frontage shall not be included in the 30' maximum.			
The architectural style of any proposals shall maintain similar facade and vernacular style as befits buildings of similar or better build quality to adjoining properties both on the same and opposite sides of the street.			

**TDR CUP (170-29K) may be used to adjust standards*

ZONING

170 Attachment 4

City of Dover

Suburban Density Multi-Residential (RM-SU) District [Amended 6-22-2016 by Ord. No. 2016.06.08-010; 10-13-2021 by Ord. No. 2021.09.08-006]

Permitted Uses

- Accessory dwelling unit
- Adult day care
- Assembly hall
- Child-care facility
- Child-care home
- Conversion of existing dwelling to accommodate 5 or more units [3]
- Conversion of existing dwelling to accommodate not more than 4 units [3]
- Dwelling, two-family
- Dwelling, three- to four-family [3]
- Dwelling, multifamily [3]
- Dwelling, single-family
- Educational institution, K-12
- Farm [5]
- Farm animals for family use, for noncommercial purposes, on lots containing a one- or two-family dwelling [6]
- Office [7]
- Public recreation
- Public utility [8]
- Roadside farm stand [9]
- Transfer of Development Rights [10]

Uses Permitted by Special Exception

- Elderly assisted care home

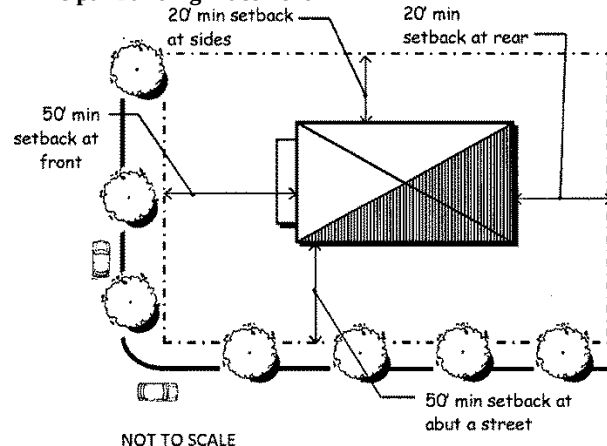
Sign Regulations

Size	RM-SU District
Total signs permitted	1
Total area permitted	16 sf (customary home occupation sign 2 sf max, development identification sign 20 sf max)
Type	
Freestanding	Permitted (10 ft setback required)
Projecting	Permitted
Wall/awning	Not permitted
Temporary	Not permitted

Dimensional Regulations [1] [2]

Lot	
Minimum lot size [3] [4]	20,000 sf
Maximum lot coverage	40%
Minimum frontage	100 ft
Principal Building	
Front setback	50 ft
Abut a street setback	50 ft
Side setback	20 ft
Rear setback	20 ft
Outbuilding/Accessory Use	
Front setback	50 ft
Abut a street setback	50 ft
Side setback	10 ft
Rear setback	10 ft
Height of Building	
Principal building	40 ft max
Outbuilding	40 ft max

Principal Building Placement



DOVER CODE

Footnotes

- [1] Refer to §§ 170-13, 170-14 and 170-27D for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum nonwetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the New Hampshire Code of Administrative Rules Env-Wt 101.113 and the 1987 Federal Manual For Identifying Jurisdictional Wetlands. Wetland buffers shall only be allowed to count for 40% of the minimum lot size required.
- [3] Provided that the lot upon which such multifamily residence is to be constructed shall contain at least 10,000 square feet for each dwelling unit.
- [4] Reserved
- [5] Shall not include the raising and sale of farm animals; the breeding, boarding, and training of equines, and equine riding instruction; the commercial raising, harvesting, and sale of freshwater fish or other aquaculture products; and/or the breeding of poultry or game birds.
- [6] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met. Chickens: No more than 6 chickens and no roosters, with 3 square feet of chicken coop and 20 square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be 20 feet from any property line. Sheep or goats: 1 animal per 10,000 square feet of lot area, with a maximum of 6 animals; 10 square feet of shelter and 30 square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be 30 feet from any property line.

- [7] Permitted only if operated as a customary home occupation. (Refer to definition in § 170-6B.)
- [8] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within.
- [9] Roadside farm stands shall be set back a minimum of 20 feet from all abutting vehicular rights-of-way. The area of any building associated with the roadside farm stand shall not be greater than 400 square feet in area and shall be considered an accessory structure if a residence is also located on the property. The total of the display area and building area shall not exceed 1,000 sq. ft. Off-street parking shall be provided in the amount of 1 off-street parking space per 250 sq. ft. of display and building area, and all required parking spaces shall have safe access to and from a public street. A certificate of use issued by the Zoning Administrator and a driveway permit shall be required in all cases.
- [10] Use permitted subject to conditions specified below in addition to Planning Board approval.

Special Exception Criteria [see § 170-59C(3) for additional regulations]

Elderly Assisted Care Home:

Elderly assisted care home is allowed by special exception in accordance with the densities and provisions stated below:

- A. Elderly assisted care homes larger than 6 bedrooms shall meet the following density requirements: in the RM-SU District at a density of 1 bedroom per 5,000 sq. ft.
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in § 170-56 (off-street parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure.

Transfer of Development Rights: Projects utilizing TDR within this zoning district are subject to the following conditions.

*	Underlying	TDR (Fee Simple)	TDR (Common Area)
Lot Size	12K	6K per unit	6K per unit
Frontage	100	50 per lot	60 for parent parcel, or 80% of neighboring parcel frontages within 100' radius, whichever is less
Front Setback	15	10	10
2nd/Street Setback	15	10	10
Side Setback	15	15	12' separation between structures
Rear Setback	30	30	20
Height	35	35	35

DOVER CODE

Subject to Planning Board approval, visual screening, whether fencing, vegetation, or a combination thereof, shall be required to provide separation between the TDR development and abutting parcels.
All TDR projects shall provide an amount of Undeveloped Area which is no less than 10 percentage points below of the district's average (R-12 = 85%), or which is no less than 10 percentage points below the average amount of Undeveloped Area on neighboring lots within 200' in both directions from the subject parcel).
If the site does not have immediate access, water and Sewer infrastructure may be extended, at the applicant's cost, up to a distance not to exceed 30 linear feet from the existing service to the nearest point of lot frontage. Extensions on the applicant's own property and frontage shall not be included in the 30' maximum.
The architectural style of any proposals shall maintain similar facade and vernacular style as befits buildings of similar or better build quality to adjoining properties both on the same and opposite sides of the street.

**TDR CUP (170-29K) may be used to adjust standards*

ZONING

170 Attachment 5

City of Dover

Urban Density Multi-Residential (RM-U) District [Amended 8-19-2015 by Ord. No. 2015.07.22-017; 10-13-2021 by Ord. No. 2021.09.08-006; 10-8-2025 by Ord. No. 2025.09.24-2]

Permitted Uses

- Accessory dwelling unit
- Adult day care
- Assembly hall
- Child-care facility
- Child-care home
- Conservation lot
- Conversion of existing dwelling to accommodate not more than 2 units [4]
- Dwelling, two-family
- Dwelling, single-family
- Educational institution, K-12
- Farm animals for family use, for noncommercial purposes, on lots containing a one- or two-family dwelling [5]
- Funeral parlor
- Office [6]
- Personal Services
- Public recreation
- Public utility [7]
- Rooming house
- Transfer of Development Rights [8]

Uses Permitted by Special Exception

- Assisted living facility
- Beauty shop and barbershop
- Congregate care facility
- Continuing care community facility
- Conversion of existing dwelling to accommodate not more than 4 units
- Dwelling, three- to four-family
- Elderly assisted care home
- Group home for minors
- Nursing home
- Retail store

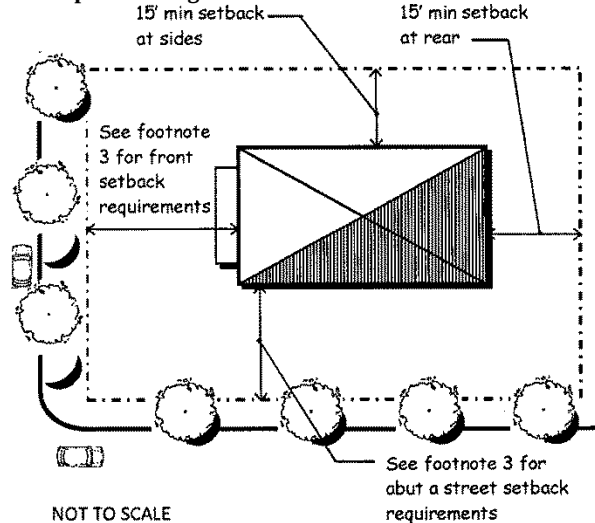
Sign Regulations

Size	RM-U District
Total signs permitted	1
Total area permitted	16 sf (customary home occupation sign 2 sf max, development identification sign 20 sf max)
Type	
Freestanding	Permitted (10 ft setback required)
Projecting	Permitted
Wall/awning	Not permitted
Temporary	Not permitted

Dimensional Regulations [1] [2]

Lot	
Minimum lot size	10,000 sf
Maximum lot coverage	40%
Minimum frontage	80 ft
Principal Building	
Front setback	[3]
Abut a street setback	[3]
Side setback	15 ft
Rear setback	15 ft
Outbuilding/Accessory Use	
Front setback	No closer than the principal
Abut a street setback	No closer than the principal
Side setback	10 ft
Rear setback	10 ft
Height of Building	
Principal building	40 ft max
Outbuilding	40 ft max

Principal Building Placement



DOVER CODE

Footnotes

- [1] Refer to §§ 170-13, 170-14 and 170-27D for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum nonwetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the New Hampshire Code of Administrative Rules Env-Wt 101.113 and the 1987 Federal Manual for Identifying Jurisdictional Wetlands. Wetland buffers shall only be allowed to count for 40% of the minimum lot size required.
- [3] The property owner shall calculate the average front setbacks of all lots within the same zone located on the same side of the street, 250 feet in each direction from the center of the front lot line. This front setback dimension shall be considered to be a build-to line. Structures may be constructed within 5 feet plus or minus of the average. Porches or steps may be located an additional 5 feet beyond the front facade of the structure. Expansions to existing structures shall be subject to a minimum setback equal to the calculated average setback minus 5 feet.
- [4] Provided that the lot contains at least 2,000 square feet for each dwelling unit, plus an additional 500 square feet for every bedroom contained in such multiunit residence. A maximum of 4 units per lot is allowed.
- [5] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met. Chickens: No more than six chickens and no roosters, with 3 square feet of chicken coop and 20 square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be 20 feet from any property line. Sheep or goats: 1 animal per 10,000 square feet of lot area, with a maximum of six animals; 10 square feet of shelter and 30 square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be 30 feet from any property line.
- [6] Permitted only if operated as a customary home occupation (refer to definition in § 170-6B).
- [7] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within.
- [8] Use permitted subject to conditions specified below in addition to Planning Board approval.

Special Exception Criteria [see § 170-59C(3) for additional regulations]

Assisted Living Facility:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 2,500 square feet of lot area in the RM-U District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

Barbershops and Beauty Shops: Barber and beauty shops shall be subject to the following regulations:

- A. No more than 1 operator's chair is permitted.
- B. No assistants are to be employed.
- C. All operators are to be members of the immediate family who reside in the home.
- D. All such uses shall conform to the regulations governing customary home occupations in § 170-18.

Congregate Care Facility: Congregate care facility is allowed as a special exception in accordance with the density and provisions stated below:

- A. In the RM-U District at 1 unit per 2,500 sq. ft. of land.
- B. Provided that parking and service areas are screened from abutting residential uses.

Continuing Care Community Facility:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 5,000 square feet of lot area in the R-20 District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

Conversion to or Creation of Dwelling, Three- to Four-Family: Three- or four-family dwellings and conversions of existing dwellings to 3 or 4 units shall be subject to the following regulations:

- A. The specific site must have an amount of open space, either landscaped or left natural, at least equal to the average amount of open space on all developed lots in the RM-U District that are wholly or partly within 200 feet of the subject parcel. Existing parking areas, either gravel, paved or unpaved, shall not be considered to be open space.
- B. Off-street parking, in accordance with Chapter 153, Site Review Regulations, shall be provided as to avoid vehicles backing into the street. Two parking spaces per unit shall be required.
- C. Parking lots shall be at least 5 feet from a side property line and 10 feet from a front property line.
- D. Parking areas shall be screened from the street and from abutting lots.
- E. Structures shall be at least 20 feet from a front property line, 15 feet from a rear property line and 15 feet from a side property line unless abutting a

ZONING

street, in which case the distance from the side property line shall be 20 feet.

- F. If the units generated are restricted to the HUD Fair Market Rent rates, for Dover, criteria A and E do not apply.

Elderly Assisted Care Home: Elderly assisted care home is allowed by special exception in accordance with the densities and provisions stated below:

- A. Elderly assisted care homes larger than 6 bedrooms shall meet the following density requirements: In the RM-U District at a density of 1 bedroom per 2,500 sq. ft.
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased, provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in § 170-56 (Conditions for parking and loading spaces). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure.

Nursing Home: Nursing home is allowed as a special exception in accordance with the density and provisions stated below:

- A. In the RM-U District at 1 unit per 2,000 sq. ft. of land.
- B. Provided that parking and service areas are screened from abutting residential uses.

- A. Hours of operation shall be limited to 6:00 a.m. to 9:00 p.m., Sunday to Thursday.

Group Home for Minors: Group home for minors shall be subject to the following conditions:

- A. The group home site shall be compatible with abutting uses.
- B. The group home shall be located in areas of transitional land use or mixed land uses.
- C. Parking and service areas shall be screened from abutting residential uses, unless the abutter chooses to not want said screening.
- D. Open space shall be maintained on the property in an amount comparable to the neighborhood.
- E. The planned occupancy of the group home shall be compatible with the permitted density of the surrounding neighborhood.

Retail Store: A retail store shall be subject to the following regulations:

- B. The store shall contribute to a neighborhood feel and be pedestrian-friendly.
- C. The store shall be no larger than 2,000 square feet.
- D. No more than half of the required parking necessary shall be on-site parking, which shall be screened from abutting residential lots.
- E. Any loading or unloading of products shall not disrupt neighborhoods or traffic flow.
- F. The proposed use shall be compatible with the surrounding neighborhood.

Transfer of Development Rights: Projects utilizing TDR within this zoning district are subject to the following conditions.

*	Underlying	TDR (Fee Simple)	TDR (Common Area)
Lot Size	10K	5K per unit	5K per unit
Frontage	80	40 per lot	60 for parent parcel, or 80% of neighboring parcel frontages within 100' radius, whichever is less
Front Setback	[3]	[3]	10
2nd/Street Setback	[3]	[3]	10
Side Setback	10	10	12' separation between structures
Rear Setback	10	10	10
Height	40	40	40
Subject to Planning Board approval, visual screening, whether fencing, vegetation, or a combination thereof, shall be required to provide separation between the TDR development and abutting parcels.			
All TDR projects shall provide an amount of Undeveloped Area which is no less than 10 percentage points below of the district's average (RM-U = 70%), or which is no less than 10 percentage points below the average amount of Undeveloped Area on neighboring lots within 200' in both directions from the subject parcel).			
If the site does not have immediate access, water and Sewer infrastructure may be extended, at the applicant's cost, up to a distance not to exceed 30 linear feet from the existing service to the nearest point of lot frontage. Extensions on the applicant's own property and frontage shall not be included in the 30' maximum.			
The architectural style of any proposals shall maintain similar facade and vernacular style as befits buildings of similar or better build quality to adjoining properties both on the same and opposite sides of the street.			

**TDR CUP (170-29K) may be used to adjust standards*

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170 Attachment 11

City of Dover

Hospital (H) District

[Amended 6-22-2016 by Ord. No. 2016.06.08-010; 10-26-2016 by Ord. No. 2016.10.12-015;
10-13-2021 by Ord. No. 2021.09.08-006]

Permitted Uses

- Accessory dwelling unit
- Adult day care
- Assembly hall
- Assisted living facility [3]
- Bank
- Bed-and-breakfast
- Child-care facility
- Clinic
- Congregate care [4]
- Continuing care community facility [3]
- Dwelling, two-family
- Dwelling, single-family
- Educational institution, postsecondary
- Educational institution, K-12
- Elderly assisted care [5]
- Funeral parlor
- Hospital
- Nursing home [4]
- Office
- Public recreation
- Public utility [6]
- Rooming house
- Transfer of Development Rights [7]

Uses Permitted by Conditional Use Permit

- Eating and drinking establishment
- Retail store
- Group home for minors

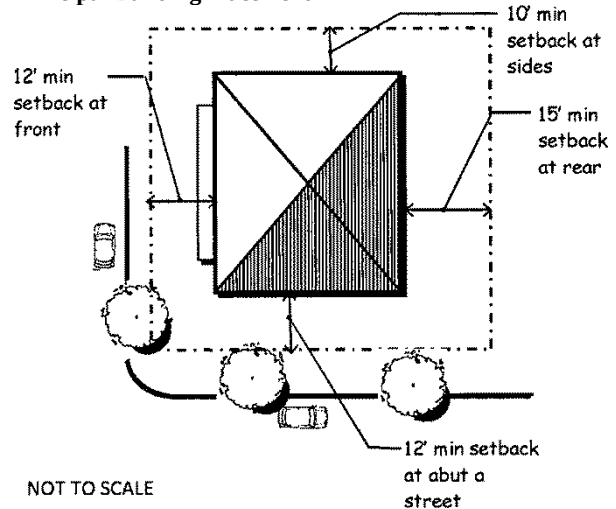
Sign Regulations

Size	H District
Total signs permitted	1 [per tenancy, and is for lot (excluding development identification signs)]
Total area permitted	12 sf
Type	
Freestanding	Permitted, provided that the principal building is set back at least 20 ft (if multiple tenants, max size is 4 sf per tenant; max ht 8 ft)
Projecting	Not permitted
Wall/awning	Permitted (max ht 16 ft above ground elevation, or to bottom of sills of first level of windows above the first floor, whichever is lowest)

Dimensional Regulations [1] [2]

Lot	
Minimum lot size	10,000 sf
Maximum lot coverage	50%
Minimum frontage	100 ft
Principal Building	
Front setback	12 ft
Abut a street setback	12 ft
Side setback	10 ft
Rear setback	15 ft
Outbuilding/Accessory Use	
Front setback	12 ft
Front secondary setback	12 ft
Side setback	10 ft
Rear setback	10 ft
Height of Building	
Principal building	65 ft max
Outbuilding	40 ft max

Principal Building Placement



DOVER CODE

Footnotes

- [1] Refer to §§ 170-13, 170-14 and 170-27D for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum nonwetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the New Hampshire Code of Administrative Rules Env-Wt 101.113 and the 1987 Federal Manual for Identifying Jurisdictional Wetlands. Wetland buffers shall only be allowed to count for 40% of the minimum lot size required.
- [3] An assisted living facility or continuing care community facility shall be serviced by municipal sewer and have a density of 1 unit requirement per 2,000 square feet of lot area. Parking lots and service areas are screened from abutting residential uses, and the facility shall obtain a license from the State of New Hampshire.
- [4] A congregate care facility shall require a minimum lot size of 1,000 sq. ft. per unit, and a nursing home facility shall require a minimum lot size of 1,000 sq. ft. per bedroom.
- [5] An elderly assisted care facility larger than 6 bedrooms shall meet the density of 1 bedroom per 2,500 sq. ft. Provide parking and service areas that are screened from abutting residential uses. Also, the maximum number of bedrooms and residents allowed in a facility may be increased, provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in § 170-56 (off-street parking). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure.
- [6] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be required to provide a visual screen from any structures and storage within.
- [7] Use permitted subject to conditions specified below in addition to Planning Board approval.

Conditional Use Permit Criteria

Eating and Drinking Establishment: An eating and drinking establishment shall be allowed if a conditional use permit is granted by the Planning Board, upon a finding that the following criteria are met:

- A. The eating and drinking establishment shall contribute to a neighborhood feel and be pedestrian-friendly.
- B. The eating and drinking establishment shall be no larger than 2,000 square feet.
- C. The eating and drinking establishment shall not include drive-in service.

- D. The required parking may be reduced by 50% if on-street parking is available in the neighborhood.
- E. All on-site parking shall be screened from abutting residential lots.
- F. Any loading or unloading of products shall not disrupt neighborhoods or traffic flow.
- G. The proposed use shall be compatible with the surrounding neighborhood.
- H. Hours of operation shall be limited to 6:00 a.m. to 10:00 p.m., Sunday through Thursday, and 6:00 a.m. to 11:00 p.m., Friday and Saturday.
- I. If a new building is proposed for the use, it shall be a minimum of 2 stories.
- J. The applicant shall provide proof that he/she has conducted a preliminary code review for an eating and drinking establishment with the Inspection Services Division.

Retail Store: A retail store shall be allowed if a conditional use permit is granted by the Planning Board, upon a finding that the following criteria are met:

- A. The store shall contribute to a neighborhood feel and be pedestrian-friendly.
- B. The store shall be no larger than 2,000 square feet.
- C. The store shall not include drive-in service.
- D. The required parking may be reduced by 50% if on-street parking is available in the neighborhood.
- E. All on-site parking shall be screened from abutting residential lots.
- F. Any loading or unloading of products shall not disrupt neighborhoods or traffic flow.
- G. The proposed use shall be compatible with the surrounding neighborhood.
- H. Hours of operation shall be limited to 6:00 a.m. to 9:00 p.m., Sunday through Thursday, and 6:00 a.m. to 10:00 p.m., Friday and Saturday.
- I. If a new building is proposed for the use, it shall be a minimum of 2 stories.

Group Home for Minors: Group home for minors shall be subject to the following conditions:

- A. The group home site shall be compatible with abutting uses.
- B. The group home shall be located in areas of transitional land use or mixed land uses.
- C. Parking and service areas shall be screened from abutting residential uses, unless the abutter chooses to not want said screening.
- D. Open space shall be maintained on the property in an amount comparable to the neighborhood.
- E. The planned occupancy of the group home shall be compatible with the permitted density of the surrounding neighborhood.

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Transfer of Development Rights: Projects utilizing TDR within this zoning district are subject to the following conditions.

*	Underlying	TDR (Fee Simple)	TDR (Common Area)
Lot Size	10K	5K per unit	5K per unit
Frontage	100	50 per lot	75 for parent parcel, or 80% of neighboring parcel frontages within 100' radius, whichever is less
Front Setback	12	12	12
2nd/Street Setback	12	12	12
Side Setback	10	10	12' separation between structures
Rear Setback	15	15	10
Height	65	65	65
Subject to Planning Board approval, visual screening, whether fencing, vegetation, or a combination thereof, shall be required to provide separation between the TDR development and abutting parcels.			
All TDR projects shall provide an amount of Undeveloped Area which is no less than 10 percentage points below of the district's average (H = 90%), or which is no less than 10 percentage points below the average amount of Undeveloped Area on neighboring lots within 200' in both directions from the subject parcel).			
If the site does not have immediate access, water and Sewer infrastructure may be extended, at the applicant's cost, up to a distance not to exceed 50 linear feet from the existing service to the nearest point of lot frontage. Extensions on the applicant's own property and frontage shall not be included in the 50' maximum.			
The architectural style of any proposals shall maintain similar facade and vernacular style as befits buildings of similar or better build quality to adjoining properties both on the same and opposite sides of the street.			

**TDR CUP (170-29K) may be used to adjust standards*

ZONING

170 Attachment 13

City of Dover

Office (O) District

[Amended 6-22-2016 by Ord. No. 2016.06.08-010; 10-26-2016 by Ord. No. 2016.10.12-015;
10-13-2021 by Ord. No. 2021.09.08-006]

Permitted Uses

- Accessory dwelling unit
- Adult day care
- Assembly hall
- Bank
- Bed-and-breakfast
- Child-care facility
- Clinic
- Congregate care [3]
- Dwelling, two-family
- Dwelling, three- to four-family [4]
- Dwelling, single-family
- Educational institution, postsecondary
- Educational institution, K-12
- Farm animals for family use, for noncommercial purposes, on lots containing a one- or two-family dwelling [5]
- Funeral parlor
- Nursing home [3]
- Office
- Public recreation
- Public utility [6]
- Rooming house
- Transfer of Development Rights [7]

Uses Permitted by Conditional Use Permit

- Eating and drinking establishment
- Retail store

Uses Permitted by Special Exception

- Assisted living facility
- Continuing care community facility
- Elderly assisted care
- Group home for minors

Sign Regulations

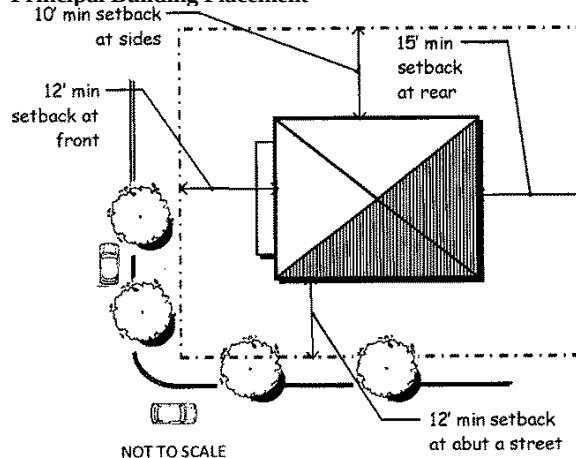
Size	O District
Total signs permitted	1 [per tenancy, and is for lot (excluding development identification signs)]
Total area permitted	12 sf
Type	
Freestanding	Permitted, provided that the principal building is set back at least 20 ft (if multiple tenants, max size 4 sf per tenant; max ht 8 ft)
Projecting	Not permitted
Wall/awning	Permitted (max height 16 ft above ground elevation, or to bottom of sills of first level of windows above first floor, whichever is lowest)
Temporary	Permitted

Dimensional Regulations [1] [2]

Lot	
Minimum lot size	10,000 sf
Maximum lot coverage	50%
Minimum frontage	100 ft
Principal Building	
Front setback	12 ft
Abut a street setback	12 ft
Side setback	10 ft
Rear setback	15 ft
Outbuilding/Accessory Use	
Front setback	12 ft
Abut a street setback	12 ft
Side setback	10 ft
Rear setback	10 ft
Height of Building	
Principal building	45 ft max
Outbuilding	40 ft max

DOVER CODE

Principal Building Placement



Footnotes

- [1] Refer to §§ 170-13, 170-14 and 170-27D for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum nonwetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the New Hampshire Code of Administrative Rules Env-Wt 101.113 and the 1987 Federal Manual for Identifying Jurisdictional Wetlands. Wetland buffers shall only be allowed to count for 40% of the minimum lot size required.
- [3] A congregate care facility shall require a minimum lot size of 1,000 square feet per unit, and a nursing home facility shall require a minimum lot size of 1,000 square feet per bedroom.
- [4] Provided that the lot contains at least 5,000 square feet for each dwelling unit. Dwelling units are allowed only in the second story or higher of a newly constructed structure.
- [5] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met. Chickens: no more than 6 chickens and no roosters, with 3 square feet of chicken coop and 20 square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be 20 feet from any property line. Sheep or goats: 1 animal per 10,000 square feet of lot area, with a maximum of 6 animals; 10 square feet of shelter and 30 square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be 30 feet from any property line.
- [6] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be

required to provide a visual screen from any structures and storage within.

- [7] Use permitted subject to conditions specified below in addition to Planning Board approval.

Conditional Use Permit Criteria

Eating and Drinking Establishment: An eating and drinking establishment shall be allowed if a conditional use permit is granted by the Planning Board, upon a finding that the following criteria are met:

- A. The eating and drinking establishment shall contribute to a neighborhood feel and be pedestrian-friendly.
- B. The eating and drinking establishment shall be no larger than 2,000 square feet.
- C. The eating and drinking establishment shall not include drive-in service.
- D. The required parking may be reduced by 50% if on-street parking is available in the neighborhood.
- E. All on-site parking shall be screened from abutting residential lots.
- F. Any loading or unloading of products shall not disrupt neighborhoods or traffic flow.
- G. The proposed use shall be compatible with the surrounding neighborhood.
- H. Hours of operation shall be limited to 6:00 a.m. to 10:00 p.m., Sunday through Thursday, and 6:00 a.m. to 11:00 p.m., Friday and Saturday.
- I. If a new building is proposed for the use, it shall be a minimum of 2 stories.
- J. The applicant shall provide proof that he/she has conducted a preliminary code review for an eating and drinking establishment with the Inspection Services Division.

Retail Store: A retail store shall be allowed if a conditional use permit is granted by the Planning Board, upon a finding that the following criteria are met:

- A. The store shall contribute to a neighborhood feel and be pedestrian-friendly.
- B. The store shall be no larger than 2,000 square feet.
- C. The store shall not include drive-in service.
- D. The required parking may be reduced by 50% if on-street parking is available in the neighborhood.
- E. All on-site parking shall be screened from abutting residential lots.
- F. Any loading or unloading of products shall not disrupt neighborhoods or traffic flow.
- G. The proposed use shall be compatible with the surrounding neighborhood.
- H. Hours of operation shall be limited to 6:00 a.m. to 9:00 p.m. Sunday through Thursday and 6:00 a.m. to 10:00 p.m. Friday and Saturday.
- I. If a new building is proposed for the use, it shall be a minimum of 2 stories.

Special Exception Criteria [see § 170-59C(3) for additional regulations]

Assisted Living Facility:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 2,000 square feet of lot area in the O District.

ZONING

- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

Continuing Care Community Facility:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 2,000 square feet of lot area in the O District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

Elderly Assisted Care Home: Elderly assisted care home is allowed by special exception in accordance with the densities and provisions stated below:

- A. Elderly assisted care homes larger than 6 bedrooms shall meet the following density requirements: in the O District, at a density of 1 bedroom per 2,500 sq. ft.
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased, provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in § 170-56 (Conditions for parking and loading spaces). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure.

Transfer of Development Rights: Projects utilizing TDR within this zoning district are subject to the following conditions.

*	Underlying	TDR (Fee Simple)	TDR (Common Area)
Lot Size	10K	5K per unit	5K per unit
Frontage	100	50 per lot	70 for parent parcel, or 80% of neighboring parcel frontages within 100' radius, whichever is less
Front Setback	12	12	10
2nd/Street Setback	12	12	10
Side Setback	12	12	12' separation between structures
Rear Setback	15	15	10
Height	40	40	40
Subject to Planning Board approval, visual screening, whether fencing, vegetation, or a combination thereof, shall be required to provide separation between the TDR development and abutting parcels.			
All TDR projects shall provide an amount of Undeveloped Area which is no less than 10 percentage points below of the district's average (O = 82%), or which is no less than 10 percentage points below the average amount of Undeveloped Area on neighboring lots within 200' in both directions from the subject parcel).			
If the site does not have immediate access, water and Sewer infrastructure may be extended, at the applicant's cost, up to a distance not to exceed 30 linear feet from the existing service to the nearest point of lot frontage. Extensions on the applicant's own property and frontage shall not be included in the 30' maximum.			
The architectural style of any proposals shall maintain similar facade and vernacular style as befits buildings of similar or better build quality to adjoining properties both on the same and opposite sides of the street.			

**TDR CUP (170-29K) may be used to adjust standards*