



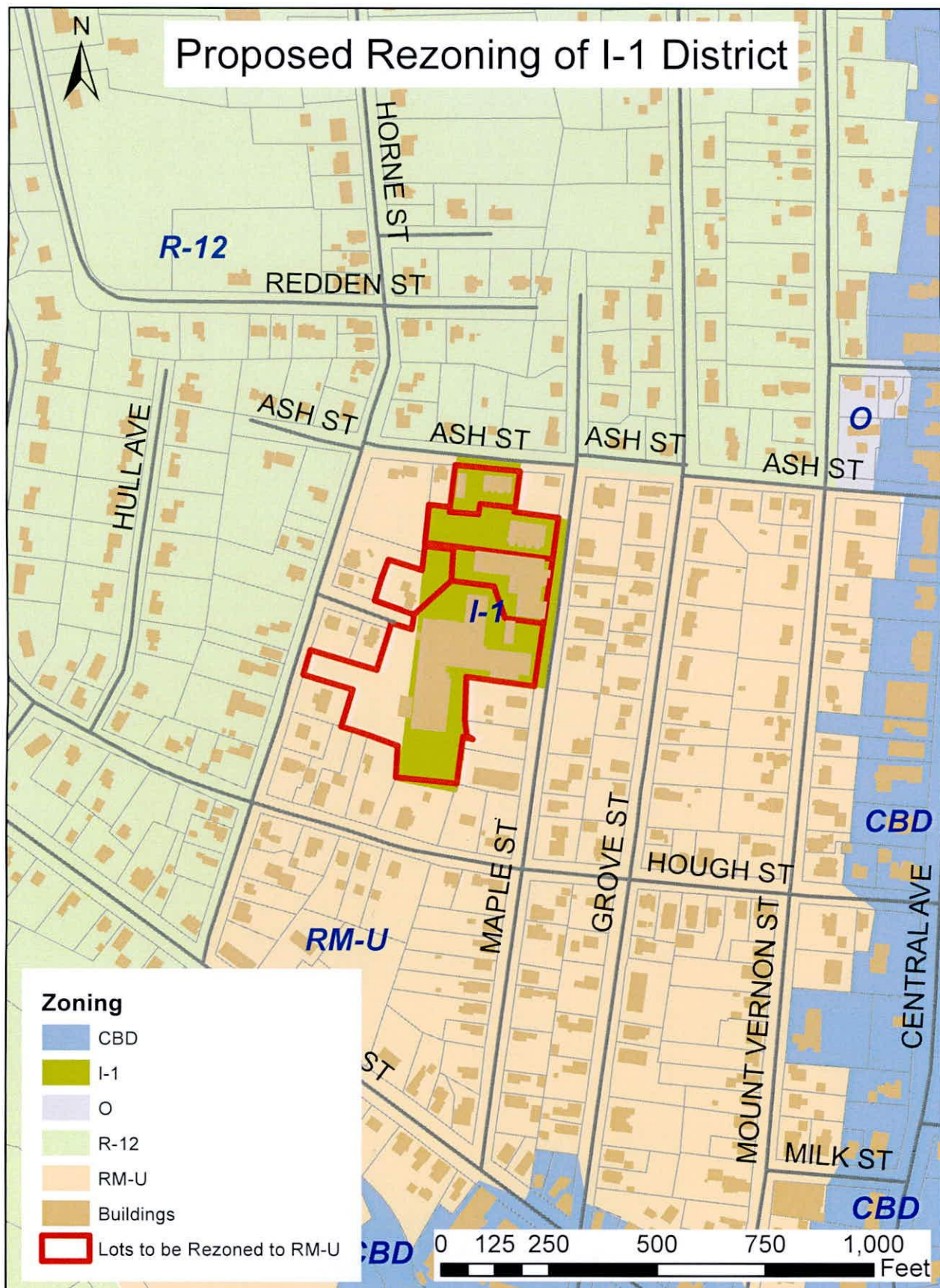
CITY OF DOVER

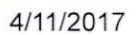
DOVER PLANNING BOARD – AGENDA

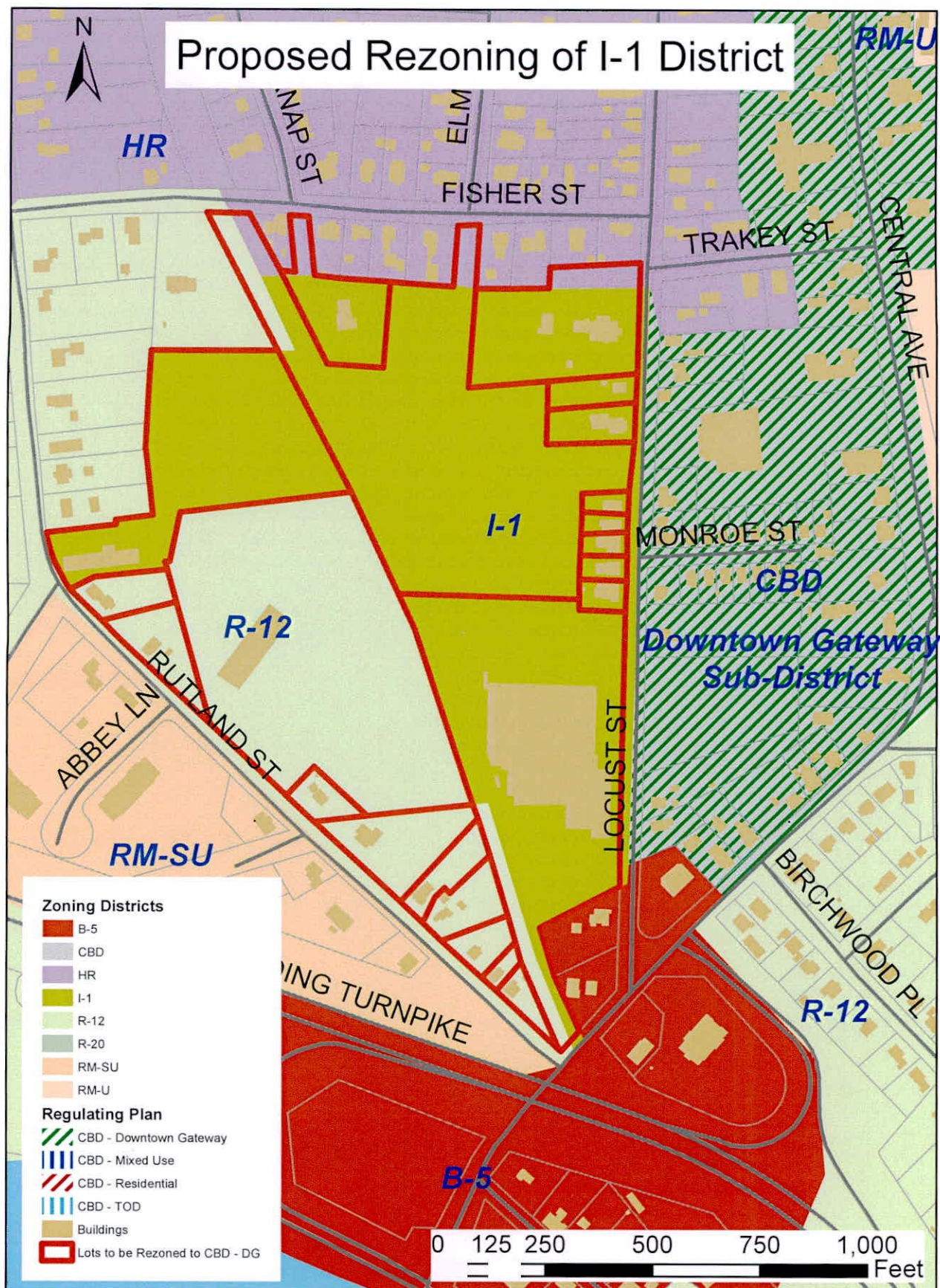
Meeting Type: Workshop
Meeting Location: Council Chambers, Dover City Hall 288 Central Ave, Dover
Meeting Date: **Tuesday, April 18, 2017**
Meeting Time: **7:00 pm**

1. **CALL TO ORDER**
2. **RESTRICTED INDUSTRIAL DISTRICT REGULATIONS DISCUSSION (I-1)**
3. **RURAL RESTRICTED INDUSTRIAL DISTRICT REGULATIONS DISCUSSION (I-2)**
4. **OPEN SPACE SUBDIVISION REGULATIONS DISCUSSION**
5. **ADJOURNMENT**

Since this is only a partial description of the proposal and may change, persons with questions or wishing to see the plans are invited to visit the Planning Office, Monday through Thursday from 8:30 am to 5:30 pm and Friday 8:30 am to 4:00 pm or email Dover-Planning@dover.nh.gov. You may also view materials at www.dover.nh.gov. Follow us on Twitter [@DoverNHPlanning](https://twitter.com/DoverNHPlanning) and find us on Facebook at <https://www.facebook.com/DoverNHPlanning>.

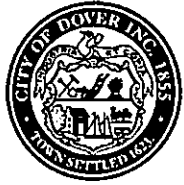






	I-1	Flexible I-1	CBD-DG	RM-U
Minimum Lot Size	40,000		NA	10,000
Min/Max Lot Coverage	50% max		50% min	40% max
Frontage Build Out	NA		60% min	NA
Minimum Frontage	150		NA	80
Front Setback	50	Neighborhood average	5-20 build to	Neighborhood average
Side Setback	15	Neighborhood average	5	15
Rear Setback	25	Neighborhood average	0	15
Principal Building Height	50-75	Neighborhood average/45	2-4 stories	40 max
Permitted Uses	CHILD CARE FACILITY ☐ COMMERCIAL PARKING FACILITY High tech manufacturing... ☐ FARM ☐ Fuel, Oil, or Gas Storage ☐ Helicopter Take Offs & Landings [6] ☐ HOTEL/MOTEL ☐ LIGHT INDUSTRY ☐ Liquor Store ☐ New Car Sales ☐ OFFICE ☐ Open Storage [5] ☐ PERSONAL SERVICE ESTABLISHMENT ☐ PUBLIC RECREATION ☐ Public Utility ☐ PUBLISHING FACILITY Retail Sale of Ag/Farm Products Raised on Site ☐ Trucking Terminal ☐ Veterinary Office, Animal Hospital or KENNEL ☐ WAREHOUSING ☐ WHOLESALING	Two-family dwelling Three-to-four family dwelling Multi-family dwelling IF mixed use Public and private utilities Barber or beauty shop Bank Eating and Drinking (no drive thrus) Bed and Breakfast Office (excluding medical, dental, veterinary)* Personal Service Establishment Retail Store Theater	Residential, 5,000 sf/unit up to 10 Lodging Professional Services & Offices Eating and Drinking Retail/Personal Services Civic	ACCESSORY DWELLING UNIT ADULT DAY CARE ASSEMBLY HALL CHILD CARE FACILITY CHILD CARE HOME CONSERVATION LOT Two-family conversion [4] Two-family dwelling SINGLE FAMILY DWELLING EDUCATIONAL INSTITUTION, K-12 FARM ANIMALS FOR FAMILY USE [5] Funeral Parlor OFFICE [6] PUBLIC RECREATION Public Utility [7] ROOMING HOUSE
Uses Permitted By Special Exception/CUP	AUTO SERVICE ☐ VEHICLE REFUELING AND RECHARGING STATION	Medical, dental, and veterinary offices* Commercial recreation (with footnotes) Funeral homes Greenhouses Existing industrial uses	Industrial on Broadway only Other	ASSISTED LIVING FACILITY Beauty and Barbershop CONGREGATE CARE FACILITY CONTINUING CARE COMMUNITY FACILITY 3-4 family conversion 3-4 family dwelling ELDERLY ASSISTED CARE HOME GROUP HOME FOR MINORS NURSING HOME Retail Store

*Conflicts with veterinary offices permitted by right



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Forwarded to City Council XXX 2017

Ordinance Number: O – yyyy.mm.dd -
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to repeal Section 170-19 of Chapter 170 of the Code of the City of Dover, entitled Zoning, and rezone the affected areas. This includes rezoning five parcels in the area of Maple and Ash Streets from the Restricted Industrial (I-1) zone to Urban Density Multi-Residential (RM-U), rezoning two parcels in the area of Broadway and Oak Street from the Restricted Industrial (I-1) zone to the Central Business District (CBD) – Downtown Gateway Sub-District, and rezoning 22 parcels in the area of Locust and Rutland Streets from the Restricted Industrial (I-1) zone to the Central Business District (CBD) – Downtown Gateway Sub-District

2. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-7 “Establishment of Districts” as follows:

170-7. Establishment of Districts. [Amended on 3-30-83 by Ord. No. 5-83; Amended on 4-27-83 by Ord. No. 12-83; Amended on 10-26-88 by Ord. No. 18-88; Amended on 04-03-91 by Ord. No. 01-91; Amended on 09-16-92 by Ord. No. 23-92; Amended on 11-22-95 by Ord. No. 19-95; Amended on 10-18-2006 by Ord. 03-2006; Amended on 12-09-2009 by Ord. No. 2009.09.09-15; Amended on 12-08-2010 by Ord. No. 10-10.27-13; Amended on 11-28-2012 by Ord. No. 2012.11.14-24.]

A. Districts:

The City of Dover is hereby divided into the following districts:

Residential

HR Heritage Residential District
R-40 Rural Residential District
R-20 Low-Density Residential District
R-12 Medium-Density Residential District
RM-SU Suburban Density Multi-residential District
RM-U Urban Density Multi-residential District

Nonresidential

B-1 NEIGHBORHOOD Business District



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B-3	Thoroughfare Business District
B-4	HOTEL/Retail District
B-5	Gateway District
I-1	Restricted Industrial District
I-2	Rural Restricted Industrial District
I-4	Assembly and OFFICE
ETP	Executive and Technology Park
Mixed -Use	
H	Hospital
LBW	Little Bay Waterfront District
O	OFFICE District
CBD	Central Business District
CWD	Cochecho Waterfront District
Overriding	
CD	Conservation District
URD	Urban Renewal District
RRD	Riverfront Residential Overlay District
GWP	Groundwater Protection District
HWD	Hazardous Waste Landfill District
RCM	Residential-Commercial Mixed Use
SRD	Scenic Road Overlay District
TDR	TRANSFER OF DEVELOPMENT RIGHTS



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TEL TELECOMMUNICATIONS FACILITIES

WPD Wetland Protection District

B. District Purpose Statements:

A.

(1) RESIDENTIAL DISTRICTS

B.

C. The residential districts are intended to provide a wide range of residential units to provide the citizens of Dover with a balance of housing choices, with varying housing types, densities and costs. The goal is to preserve and create City NEIGHBORHOODs that are safe and promote harmonious development.

D.

(a) Rural Residential District (R-40)

E. The purpose of this residential district is to provide for conventional single-family NEIGHBORHOODs in the more rural areas of the city. These areas have larger LOT sizes (1+ acres) and the homes are most likely served by on-site septic systems and wells, but there are some portions of the district that have municipal sewer and water. New subdivisions are designed as OPEN SPACE developments with reduced LOT sizes allowed in return for the permanent preservation of OPEN SPACE. AGRICULTURE and farming are promoted in this district. Some non-residential uses that are compatible with single-family homes are permitted, including churches, hospitals, elementary schools, high schools and CHILD CARE FACILITIES.

(b) Low-Density Residential District (R-20)

F. The purpose of this residential district is to provide for conventional single-family NEIGHBORHOODs on LOTs not less than twenty thousand (20,000) square feet. The homes in this district are likely served by municipal sewer and water, but there are some areas that still have on-site septic systems and wells. These districts are located near major roadways. The development of parcels with at least fifteen (15) acres can be done as OPEN SPACE subdivisions. AGRICULTURE and farming are promoted in this district. Some non-residential uses that are compatible with single-family homes are permitted, including churches, elementary schools, high schools and CHILD CARE FACILITIES.



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(c) Medium-Density Residential District (R-12)

G. The purpose of this residential district is to provide for conventional single-family NEIGHBORHOODs on LOTs not less than twelve thousand (12,000) square feet. The homes in this district are almost all served by municipal sewer and water. Many of the NEIGHBORHOODs surrounding the elementary schools are in this district and have a SIDEWALK system that is conducive to children walking to school. The development of parcels with at least five acres can be done as OPEN SPACE subdivisions. Some non-residential uses that are compatible with single-family homes are permitted, including churches, elementary schools, high schools, colleges and CHILD CARE FACILITIES.

(d) Suburban Density Multi-residential District (RM-SU)

H. The purpose of this residential district is to provide an environment suitable for a variety of moderate density housing types, including SINGLE-FAMILY, two family, 3-4 family and MULTI-FAMILY DWELLINGs. These districts are suburban NEIGHBORHOODs located along major roadways outside of the center of the city. The homes in this district are almost all served by municipal sewer and water. Some non-residential uses that are compatible with residences are permitted, including churches, elementary schools, high schools, and CHILD CARE FACILITIES.

(e) Urban Density Multi-residential District (RM-U)

I. The purpose of this residential district is to provide an environment suitable for a variety of moderate/high density housing types, including SINGLE-FAMILY, two family, and 3-4 family dwellings. These districts are urban NEIGHBORHOODs located close to the downtown area and contain many historic homes that are built close to the SIDEWALKs and STREETs. The homes in this district are all served by municipal sewer and water. Some non-residential uses that are compatible with residences are permitted, including churches, funeral parlors, elementary schools, high schools, and CHILD CARE FACILITIES.

(f) Heritage Residential District (HR)

These primarily residential NEIGHBORHOODs surrounding the Silver Street area exhibit a rare collection of interesting architecture. While primarily Victorian



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and characterized by wide porches, bay windows, steep roofs, and intricate and involved woodwork, there are noteworthy Colonial BUILDINGS as well. In both instances their original occupants were likely community leaders, whether early tavern keepers, or later senior managers and foremen from the mill facilities that lined the Cochecho River, as well as other community professionals.

The common theme through all of these designs is both the massing and the placement of these STRUCTURES in a manner that is compatible with what had gone before. It is the intent that in this district new construction, replacement construction, and new additions should continue that tradition of compatibility with the existing NEIGHBORHOOD.

(2) NONRESIDENTIAL DISTRICTS

The nonresidential districts are intended to provide suitable areas for commercial, service, retail, OFFICE and industrial developments, to provide employment opportunities for citizens of Dover and the region, to enhance property values, and expand the tax base. Development that uses land efficiently and has high quality design is encouraged.

(a) NEIGHBORHOOD Business District (B-1)

J. The purpose of this business district is to provide small sites for commercial use in or near dense residential NEIGHBORHOODS without having significant impact upon residential uses. The district encourages traditional small scale retail and service uses that are convenient for the nearby residents. Development is intended to be pedestrian-oriented and compatible with the scale of the residential uses.

(b) Thoroughfare Business District (B-3)

K. The purpose of this business district is to provide an environment that encourages efficient and attractive automobile oriented commercial development along major highways outside of the downtown. The twenty thousand (20,000) square foot minimum LOT size encourages moderately sized commercial uses. The district provides economic development opportunities for a mix of land uses, including retail sales, personal services, restaurants, automobile sales, HOTELS, OFFICES, banks, and theaters. Other commercial uses and MULTI-FAMILY DWELLINGS are allowed by special exception.

(c) HOTEL/Retail District (B-4)



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L. The purpose of this business district is to provide an environment that encourages efficient and attractive commercial development on a larger scale along major highways outside of the downtown. The minimum LOT size of five acres encourages larger commercial development. The district provides economic development opportunities for a mix of land uses, including retail sales, personal services, restaurants, HOTELS, OFFICES, banks, and theaters.

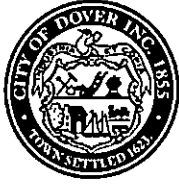
(d) Gateway District (B-5)

M. The purpose of this business district is to provide an environment that encourages efficient and attractive commercial development along major highways that are gateways to the city. The minimum LOT size of twenty thousand (20,000) square feet encourages a mix of various sized commercial uses. The district provides economic development opportunities for a mix of land uses, including retail sales, personal services, restaurants, VEHICLE REFUELING/RECHARGING STATION, automobile sales, HOTELS, OFFICES, banks, and theaters.

(e) Restricted Industrial District (I-1)

~~N. The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, storage, WAREHOUSING, WHOLESALING and shipping activities that expand the economic base of the city and provide employment opportunities. These areas tend to be smaller sites closer to the downtown area containing older BUILDINGS that have historically been used for industrial and business uses. The smaller minimum LOT size of forty thousand (40,000) square feet also encourages business uses such as PUBLISHING, HOTELS, VEHICLE REFUELING/RECHARGING STATION, car sales, OFFICES, and personal services. The close proximity of these areas to older residential NEIGHBORHOODS requires careful consideration of impacts on adjacent uses in other districts.~~

~~O. In 2009 the zoning for this district was amended to allow for the redevelopment of this industrial property in a more flexible and context sensitive method. The district encourages mixed residential and commercial uses that complement one another and create a sense of community between the mixed uses.~~ Reserved.



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(f) Rural Restricted Industrial District (I-2)

P. The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, storage, WAREHOUSING, WHOLESALING and shipping activities that expand the economic base of the city and provide employment opportunities. This area is the location of one of the first industrial parks in the city, located off Littleworth Road and Knox Marsh Road in a more rural area. The smaller minimum LOT size of twenty thousand (20,000) square feet also encourages business uses such as PUBLISHING, HOTELS, VEHICLE REFUELING/RECHARGING STATION, restaurants, car sales, OFFICES, and personal services.

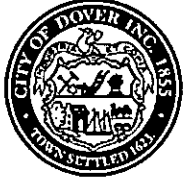
(g) Assembly and OFFICE (I-4)

Q. The purpose of this industrial district is to provide appropriate locations for manufacturing, assembly, fabrication, packaging, distribution, laboratory, testing facility, WAREHOUSING, WHOLESALING, PUBLISHING and shipping activities that expand the economic base of the city and provide employment opportunities. These areas are located along major collector roads away from the downtown area. The newest industrial park developed by the city is located in this district. The minimum LOT size in this district is five acres, which encourages larger industrial users.

(h) Executive and Technology Park (ETP)

R. The purpose of this executive and technology district is to provide appropriate locations for large-scale high technology, research, professional OFFICE, and clean manufacturing uses that need large sites and high aesthetic standards. The general character of the district is intended to be a campus or park-like setting that encourages creative design and innovation in site planning and development, while protecting the natural resources. In this district the minimum LOT size is three acres and there is no FRONTAGE requirement, which encourages larger users in campus settings. Some of the city's largest employers are located in this district. This district includes special design standards for BUILDINGS, parking LOTs and landscaping.

(3) MIXED –USE DISTRICTS



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The mixed use districts are intended to provide suitable areas for a mixture of urban NEIGHBORHOODs containing residential, commercial, service, retail, and OFFICE uses. The mixed use development is intended to create a sense of community between the mixed uses and facilitate the economical and efficient use of land. The districts are intended to provide housing and employment opportunities for citizens of Dover and the region, to enhance property values, and expand the tax base. Development that uses land efficiently and has high quality design is encouraged.

(a) OFFICE District (O)

S. The purpose of this OFFICE district is to provide appropriate locations for a mixture of residential and OFFICES uses along higher volume STREETS. The remaining large historic homes are no longer suitable for single family residential due to the high traffic. This district is a transition area between the more commercial areas and the urban residential areas on the side STREETS. Residential uses up to four DWELLING UNITS per STRUCTURE are permitted, along with commercial uses such as offices, banks, funeral parlors, churches, schools, hospitals, NURSING HOMES and CONGREGATE CARE FACILITIES. The density for residential uses is about eight units per acre and in new BUILDINGS residential is only allowed on the second floor or higher.

(b) Central Business District (CBD)

T. The purpose of this district is to provide the appropriate locations for context sensitive zoning. The form-based code in this district is intended to foster a vital main STREET both for itself and for its adjacent NEIGHBORHOODs through a lively mix of uses—with shop fronts, SIDEWALK cafes, and other commercial uses at STREET level, overlooked by canopy shade trees, upper story residences and OFFICES. The district has an increased emphasis on the form and placement of STRUCTURES and a decreased emphasis on the function(s) contained within them.

(c) Cochecho Waterfront District (CWD)

U. The purpose of this mixed use district is to provide appropriate locations for a mixture of residential and commercial uses on the waterfront parcels along the downtown portion of the Cochecho River. This district has very flexible dimensional requirements, with no minimum LOT size, FRONTAGE or SETBACK requirements and a density of forty three (43) DWELLING UNITS



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per acre. Several water related land uses are permitted in the district, including MARINAS, WATERBORNE PASSENGER TRANSPORTATION FACILITIES and WATER RELATED EDUCATION AND RESOURCE CENTERS. 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 unique characteristics of the waterfront as well as its central location and proximity to historic areas.

(d) Hospital (H)

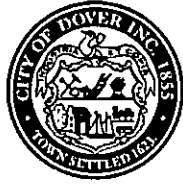
V. The purpose of the hospital district is to provide appropriate locations for hospitals and medical OFFICES associated with a hospital. This district also encourages other health care services and various housing facilities providing levels of service for older persons. Single and two family residential uses are permitted along with commercial uses such as OFFICES, banks, funeral parlors, ASSEMBLY HALLs, and schools.

(e) Little Bay Waterfront (LBW)

W. The purpose of this mixed use district is to provide locations for a mixture of residential and commercial uses on the waterfront parcels along a portion of the shores of the Little Bay. The small minimum LOT size encourages a mix of various sized commercial uses, with water related uses, such as MARINAS, specifically permitted. Single and two family homes are allowed in recognition of the historically residential use of the area. Three or four family dwellings are allowed only as part of a mixed use BUILDING. Businesses that take advantage of the unique location along Little Bay are encouraged.

(4) OVERRIDING DISTRICTS

The purpose of the overriding districts is to provide an additional layer of land use regulation or protection is certain sensitive areas of the city. The requirements of these overlay districts are in addition to the underlying zoning districts. Most of the districts are intended to protect environmentally sensitive areas. For specific purpose statements review the text of each overriding district.



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3. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising the official Zoning Map of the City of Dover, referred to in Section 170-8 of said Chapter as follows:

“The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Restricted Industrial (I-1) District to Urban Density – Multi-residential (RM-U) District an area of approximately 3.9 acres located in the area of Maple Street and Ash Street, consisting of lots 30-18*, 30-4*, 30-19B-2, 30-19A, and 30-19.”

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Restricted Industrial (I-1) District to Central Business District (CBD) – Downtown Gateway Sub-District an area of approximately 12 acres located in the area of Broadway and Oak Street, consisting of lots 24-2A* and 26-3-1.”

AND

“The official Zoning Map of the City of Dover, New Hampshire, dated December 9, 2009, is amended by changing from Restricted Industrial (I-1) District and Medium Density Residential (R-12) District to Central Business District (CBD) – Downtown Gateway Sub-District an area of approximately 39 acres located in the area of Locust Street and Rutland Street, consisting of lots 15-62, 15-51*, 15-42, 15-41, 15-39, 15-38, 15-35, 15-36, 15-37, 15-43*, 15-40A*, 15-21-22, 15-18, 15-66A, 15-16, 15-65, 15-15, 15-15-1, 15-14, 15-66, 15-17, and 15-63.”

* = only that portion of the lot within the I-1 or R-12 District will be affected.

4. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District,” by revising the permitted uses table in the Central Business District (CBD) – Downtown Gateway Sub-District, which reads as follows:



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<i>Uses</i>	<i>General</i>	<i>Mixed Use</i>	<i>Residential</i>	<i>Downtown Gateway</i>	<i>TOD</i>
Residential	Permitted, but not on GROUND FLOOR, except in an existing use	Permitted, but not on GROUND FLOOR except in existing STRUCTURES Density allowed at 5,000-sf per unit, 10 units max.	Permitted	Permitted. Density allowed at 5,000 sf per unit, 10 units max.	Permitted but not on GROUND FLOOR, except as an existing use.
Lodging	Permitted	Permitted, up to 12 rooms w/stays up to 14 days	Permitted, up to 12 rooms w/stays up to 14 days	Permitted, up to 12 rooms, 13+ rooms if Arch Standards followed.	Permitted
Professional Services & Offices	Permitted	Permitted	Via CUP	Permitted	Permitted
Eating and Drinking Establishments	Permitted	Not Permitted	Not Permitted	Permitted	Permitted
Retail/ Personal Services	Permitted	Permitted	Via CUP	Permitted	Permitted
Industrial LIGHT INDUSTRY	Not Permitted	Not Permitted	Not Permitted	Permitted in existing structures on Broadway, Oak Street, Locust Street, or Rutland Street via CUP	Not Permitted
Civic	Permitted	Permitted	Permitted	Permitted	Permitted
Other	Via CUP	Via CUP	Via CUP	Via CUP	Via CUP



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5. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District,” by revising the permitted uses table for the Rural Restricted Industrial (I-2) and Assembly and Office (I-4) Zoning Districts, both of which read as follows:

[4] The maximum building heights may be increased to seventy- five (75') feet in the Industrial Districts provided the following conditions are met:

- A. The additional building height above fifty (50') feet is necessary to meet an industrial function.
- B. The building is located a minimum of 150 feet from a Residential District.
- C. The Planning Board has granted preliminary approval to the development proposal containing the taller building.
- D. The building is for a use permitted in the I-1, I-2 or I-4 Zones. [Amended 09-16-92 by Ord. No. 23-92]

6. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District,” by deleting the table for the Restricted Industrial (I-1) Zoning District.

7. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by repealing and reserving Section 170-19 as follows:

~~170-19. Flexible Uses in the I-1 District. [Amended on 12-09-2009 by Ord. No. 2009.09.09-15.]~~

~~A. Purpose and Intent~~

~~The Restricted Industrial District was created in 1949 as a zone around property that had industrial uses on it prior to the inception of Zoning in Dover. These areas of the City are surrounded by residential uses and are located in the urban core of the City. The properties have continued to be utilized in an industrial capacity, however this use may not be compliant with the surrounding uses, and a more context sensitive reuse may be more appropriate.~~

~~The purpose of this section is to allow property owners to redevelop their industrial property in a more flexible and context sensitive method. Additionally, these non-~~



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~~residential nodes are located in areas that could accept commercial uses that are on a NEIGHBORHOOD scale and the property could offer surrounding residents opportunities that do not exist today.~~

~~The district includes options which enable and encourage greater flexibility in the design of residential housing with commercial projects that adaptively reuse the industrial property in a more context sensitive mode. The district encourages mixed residential and commercial uses are intended to be complementary of one another and to create a sense of community between the mixed uses.~~

B. Permitted Uses

The following uses are permitted:

(1) Principal Uses

- ~~(a) Two family dwelling~~
- ~~(b) Three to Four family dwelling~~
- ~~(c) MULTI FAMILY DWELLING (if part of a STRUCTURE that includes non-residential uses, must be on the second floor or above)~~
- ~~(d) Public and private utilities~~
- ~~(e) Non Residential uses as allowed as follows:~~
 - ~~(i) Barber or Beauty Shop~~
 - ~~(ii) Bank~~
 - ~~(iii) Eating/Drinking Establishments (no Drive thru Service)~~
 - ~~(iv) BED AND BREAKFAST~~
 - ~~(v) OFFICE (excluding medical, dental or veterinary)~~
 - ~~(vi) PERSONAL SERVICE ESTABLISHMENT~~
 - ~~(vii) Retail store~~
 - ~~(viii) Theater~~

(2) ACCESSORY USES



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Ordinance Number: O – yyyy.mm.dd -
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

~~(a) ACCESSORY USES typically associated with the above principal uses shall be allowed with the approval of the PLANNING BOARD at the time of site plan review.~~

~~(3) Conditional Uses~~

~~The uses listed in this section shall be considered conditional uses, subject to approval by the PLANNING BOARD per the provisions of RSA 674:21, "Innovative Land Use Controls." In order for the conditional uses to be permitted, the PLANNING BOARD must determine that the proposed use complies with the statement of purpose of this section and meets all of the provisions of the district.~~

~~(a) Medical, dental and veterinary OFFICES.~~

~~(b) COMMERCIAL RECREATION, including but not limited to health club, fitness center and recreation facilities, limited to no more than three (3) coin-operated amusement devices.~~

~~(c) Funeral homes~~

~~(d) Greenhouses~~

~~(e) Existing industrial uses allowed at the time the ordinance is approved.~~

~~C. Procedural Concepts~~

~~The developer shall prepare a Development Plan, which locates the proposed types of non-residential and residential development, utilities, access roads, and public ways. The parcels comprising the development may be under separate ownership, but shall be treated as one development and shall be bound by the approval granted for the entire Development Plan. If approval is granted, individual LOTS must be developed as part of the larger Development Plan and phasing outlined below, and not separately. The Development Plan must identify the percentage of the non-residential uses, residential uses and OPEN SPACE. Non-residential uses must exceed forty nine percent (49%) of the original tract(s). Existing uses may contribute to the overall percentages.~~

~~Residential uses require that the calculation of permitted density shall be completed through the submission of a yield plan (as defined in Chapter 155-60) applied to the Development LOT and not individually to the Internal Dwelling LOTS.~~

~~For residential development of two (2) family, three to four (3 to 4) family and MULTI-FAMILY DWELLINGS, that are to be constructed in new STRUCTURES, density shall be based upon calculating the average density of all residential LOTS located in the City of Dover within 600 feet of the external LOT LINE of the property. For MULTI-FAMILY DWELLINGS that are to be constructed within or added onto existing~~



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~~STRUCTURES~~ the density shall be based upon calculating one unit per four thousand (4,000) square feet of existing BUILDING space.

~~The Development Plan may be phased for a term of five (5) years. The phasing plan shall contain provisions which promote the mixed use of the site consistent with Section 170-19 A. For the purposes of this section, development shall include:~~

- ~~(1) construction of STRUCTURES;~~
- ~~(2) environmental remediation;~~
- ~~(3) site preparation or demolition;~~
- ~~(4) roadway utility or recreation and common area design and construction; and bonding or other security for site development.~~

~~The phasing plan shall provide that no more than fifty percent (50%) of the residential development may be occupied prior to completion of between twenty-five percent (25%) and fifty percent (50%) of the non-residential STRUCTURES as negotiated between the PLANNING BOARD and the Developer.~~

~~Provided that the developer is making reasonable efforts to develop the site, the PLANNING BOARD may extend the initial five (5) year phasing period provided a request for extension is submitted before the expiration of the initial five (5) year phasing term.~~

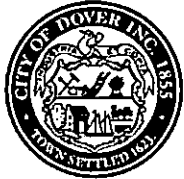
~~(1) Residential Development Plan Guidelines~~

~~The developer shall be permitted to allocate permitted density among Internal Dwelling LOTS in a flexible and creative manner. Dwellings shall be sited with a variety of SETBACKS to prevent the row house effect. The sum total of the permitted density shall not exceed the permitted density of the Development LOT or Legal LOT. Layouts may include individual LOTS or a cluster of units without LOT LINES. Dwelling layouts shall be so designed that parking is screened from external roadways by garages, BUILDING locations, grading or screening. Major topographical changes or removal of existing trees shall be avoided wherever possible, and water, wetlands, and other scenic views from the external STREETS shall be preserved as much as possible.~~

~~Residential layout shall reflect surrounding NEIGHBORHOOD design and should embrace traditional NEIGHBORHOOD features and philosophies. These include, but are not limited to tree-lined STREETS, architectural details that encourage the feeling that the development is an extension of existing NEIGHBORHOODS and not built separately. In addition to tree-lined STREETS, developments shall incorporate natural materials in the BUILDING construction such as brick, wood and a composite material, such as fiber cement siding, as approved by the PLANNING BOARD.~~

~~All residential development must adhere to architectural design guidelines.~~

~~Development shall embrace the aesthetics of the existing NEIGHBORHOOD, within~~



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five hundred (500) feet of the external boundary line of the property. Embraced elements should include roof style, non-decorative porches, front STOOP, and other architectural details. Chapter 149-14.L, Site Review Regulations, may offer guidance in developing designs.

(2) Nonresidential Development Plan Guidelines

The general character of the nonresidential STRUCTURES within the Development LOT is intended to be a pedestrian friendly setting, with emphasis on the natural characteristics of the site. The site design should create a sense of character and cohesiveness through landscaping, façade treatment, and SIGNAGE. Materials used for new construction should be natural materials such as brick, wood and a composite material, such as fiber cement siding, as approved by the PLANNING BOARD. Care should be taken to allow for transitional uses between the existing neighboring uses and any proposed uses. All commercial and other enterprises shall be limited to the following hours of operation: 6:00 a.m. – 12:00 a.m. The PLANNING BOARD may further restrict the hours of operation of individual businesses, based upon anticipated usage, at the time of site plan approval.

Non-residential uses proposed to be contained within new STRUCTURES shall be two or more stories and shall have residential units on the second floor or above to create a mixed use environment.

There may be only one (1) retail establishment selling general merchandise with a gross FLOOR AREA of up to ten thousand (10,000) square feet. All other establishments shall have no more than five thousand (5,000) square feet of gross FLOOR AREA, unless existing at the time of enacting of the ordinance.

The guidelines for this development are included in Chapter 149-14.2, Site Review Regulations.

D. Standards and Regulations

(1) Internal Roads

As part of the approval of the site plan review, the PLANNING BOARD shall determine whether internal roads shall be public or private. If a road is determined to be private, no municipal services shall be provided other than public safety, utilities maintenance, and regulatory services. Unless noted below roadways shall conform to the STREET design criteria laid out in the City of Dover Code:

(a) Minimum Internal R.O.W.

(i) Maximum residential: _____ 35 feet

(ii) Maximum Mixed use: _____ 50 feet



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(b) Minimum Pavement Width

- (i) Minimum residential: 20 feet
- (ii) Minimum non residential: 28 feet
- (iii) Minimum SIDEWALK pavement width: 5 feet
- (iv) Minimum bike/Segway/golfcart path width: 5 feet
- (e) Minimum Tangent Length at Intersections: 75 feet
- (d) Maximum STREET angle at Intersections: 60 degrees
- (e) Minimum centerline radius: 100 feet
- (f) Minimum Tangent Length between reverse curves: 50 feet

(2) Dimensional Requirements

(a) SETBACKS

- (i) Minimum SETBACKS from the edge of pavement and between STRUCTURES shall be calculated by determining the average SETBACK front, REAR and side SETBACKS of those STRUCTURES within five hundred (500) feet of the external property boundary.

(b) BUILDING HEIGHT

- (i) To determine the residential BUILDING HEIGHT, the APPLICANT shall calculate the modal HEIGHT of all residential STRUCTURES, on the STREET side, within five hundred (500) feet of the external property boundary.
- (ii) The highest modal HEIGHT shall be the maximum HEIGHT and the lowest modal HEIGHT shall be the minimum HEIGHT.
- (iii) For mixed use BUILDINGS, the HEIGHT shall be a maximum of forty-five (45) feet.

(3) Parking

- (a) All DWELLING UNITS shall require two (2) independently accessible PARKING SPACES per unit, except where multimodal transportation resources



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~~are provided. Non residential uses shall comply with parking requirements defined by the zoning ordinance.~~

~~(b) Visitor parking shall be provided for each residential unit. The total residential spaces shall be calculated and an additional five percent (5%) of spaces shall be provided for visitors.~~

~~(c) Where mixed uses will be contained within a STRUCTURE, parking shall be shared between the residential and non residential uses.~~

8. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-32 "SIGN Review and Regulations" as follows:

170-32. SIGN Review and Regulations. [Amended on 8-14-84 by Ord. No. 7-84; Amended on 6-10-87 by Ord. No. 13-87; Amended on 10-26-88 by Ord. No. 18-88; Amended on 08-01-90 by Ord. No. 8-90; Amended on 04-21-93 by Ord. NO. 04-93; Amended on 11-22-95 by Ord. No. 19-95; Amended on 01-22-2003 by Ord. No. 35-02; Amended on 03-21-2007 by Ord. No. 01-07; Amended on 12-09-2009 by Ord. No. 2009.09.09-15; Amended on 12-08-2010 by Ord. No. 2010.10.27-13; Amended on 02-22-2012 by Ord. No. 2012.01.25; on 08-19-2015 by Ord. No. 2015.07.22-017; Amended on 12-26-2016 by Ord. No. 2016.10.12-015.]

A. SIGNS permitted in I-1, I-2, and I-4 districts (See table for overview of permitted SIGNS.)

(1) FREESTANDING SIGNS

- (a) Where a PRINCIPAL BUILDING fronts on more than one (1) STREET, one (1) FREESTANDING SIGN may be erected upon each FRONTAGE, provided that the BUILDING complies with applicable SIGNAGE SETBACKS.
- (b) Two (2) FREESTANDING DEVELOPMENT IDENTIFICATION SIGNS shall be permitted per approved industrial park, provided that the combined square footage of such SIGNS does not exceed five hundred (500) square feet in area, and that, if on a CORNER LOT, such SIGNS shall be set so as to not materially impede vision.

9. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Section 170-33 "Establishment of Districts" as follows:



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170-33. FENCE Review and Regulations. [Amended on 02-17-99 by Ord. No. 25-98;
Amended on 12-09-2009 by Ord. No. 2009.09.09-15; Amended on 12-08-2010 by Ord. No. 2010.10.27-13;
Amended on 11-28-2012 by Ord. No. 2012.11.14-24.]

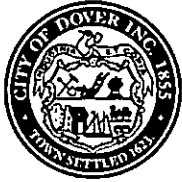
A. FENCE HEIGHTs. No person, or other entity shall erect or cause to be erected a FENCE exceeding four (4) feet in HEIGHT between the RIGHT OF WAY and a parallel line with the front of the house closest to the RIGHT OF WAY. FENCES may be up to eight (8) feet in HEIGHT from said parallel line with the front of the house, around both sides and around the REAR. YARD HEIGHT is measured from ground level.

B. FENCE design.

(1) The finished side of a FENCE shall face outward from the property on which the FENCE is located. The side of a FENCE containing the posts or poles and other bracing appurtenances shall face inward to the property being FENCED in or on which the FENCE is located. When erected on a property or LOT boundary line, all of the FENCE and any of its supporting STRUCTURES or appurtenances shall be contained within the LOT or property of the person erecting said FENCE.

(2) On a CORNER LOT, no FENCE or vegetal elements shall be erected or placed in such a manner(s) as to materially impede vision between that area bounded by the STREET lines of such CORNER LOT and a straight line joining points along said STREET lines thirty (30) feet from the point to the intersection. For CORNER LOTS that are located on the inside curve of STREETS and at intersections that are not perpendicular, adequate and safe sight distances in both directions, as determined by the Zoning Administrator, shall be provided. Property owners shall maintain vegetation such that it does not grow to limit site distance.

C. Exceptions. The provisions described in Subsection A shall not apply in Industrial (I-2), Restricted Industrial (I-1), Thoroughfare Business (B-3), Central Business (CBD), OFFICE (O), and Cochecho Waterfront (CWD) Zoning Districts, or whenever the ZONING BOARD OF ADJUSTMENT, as a condition attached to the granting of a variance or special exception to this Chapter, requires for screening purposes a FENCE exceeding six (6) feet.



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TAKES EFFECT

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

AUTHORIZATION

Approved as to Daniel R. Lynch
Funding: Finance Director

Sponsored Mayor Weston, by Request
by:

Approved as to Legal Anthony Blenkinsop
Form
and Compliance: City Attorney

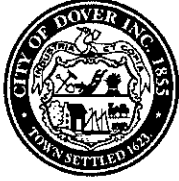
Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor, Karen Weston		
Deputy Mayor, Robert Carrier		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Marcia Gasses, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		



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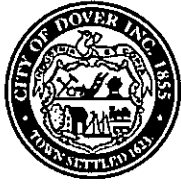
Ordinance Number: O – yyyy.mm.dd -
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

Total Votes:

Resolution does | does not pass.

ORDINANCE BACKGROUND MATERIAL:

DRAFT



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CITY OF DOVER – ORDINANCE

Forwarded to City Council XXX 2017

Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: **Updating the Dover Zoning Ordinance**
Chapter: **170**

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 170 of the Code of the City of Dover, entitled Zoning, by revising the uses allowed in the Rural Restricted Industrial (I-2) zone to remove archaic uses, and to create additional setbacks along Columbus Avenue.

2. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the permitted uses table and the Uses Permitted By Special Exception and set of criteria in the Rural Restricted Industrial (I-2) District Table that reads as follows:

- CHILD CARE FACILITY
- Clinic
- COMMERCIAL PARKING FACILITY
- COMMERCIAL RECREATION
- Eating and Drinking Establishment [5]
- EDUCATIONAL INSTITUTION, POST-SECONDARY
- Establishments for the manufacture assembly, services and repair of the products listed below and other uses of a similar nature:
 - ◊ Drugs
 - ◊ Office, computing and accounting machines
 - ◊ Radio and television receiving equipment
 - ◊ Communication equipment
 - ◊ Electronic components and Engineering, laboratory, scientific and research instruments and associated equipment
 - ◊ Measuring and controlling instruments
 - ◊ Optical instruments and lenses
 - ◊ Surgical, medical and dental instruments and supplies
 - ◊ Photographic equipment and supplies
 - ◊ Electrotherapeutic, electro-medical and X-ray apparatus
- FARM [6]
- Fuel, Oil, or Gas Storage



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- Helicopter Take-Offs & Landings [7]
- HOTEL/MOTEL
- Industry
- LIGHT INDUSTRY
- Liquor Store
- New Car Sales
- OFFICE
- Open Storage [8]
- PERSONAL SERVICE ESTABLISHMENT
- Public Utility
- PUBLISHING FACILITY
- Retail Sale of Agricultural or Farm Products Raised on Site
- Trucking Terminal
- WAREHOUSING
- WHOLESALE

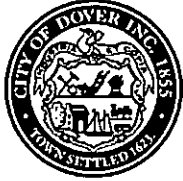
Uses Permitted by Special Exception

- AUTO SERVICE
- Fuel, Oil or Gas Storage
- VEHICLE REFUELING AND RECHARGING STATION

AND

“VEHICLE REFUELING AND RECHARGING, Fuel Oil, and Gas Storage, and AUTO SERVICE STATIONS:

- A. The use of land for a ~~VEHICLE REFUELING AND RECHARGING~~ and ~~AUTO SERVICE STATION~~ may only be permitted upon the determination that the property values of adjacent land will not be compromised. ~~Any VEHICLE REFUELING AND~~



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~~RECHARGING and AUTO SERVICE STATION~~ Said use which discontinues operations for a period in excess of ninety (90) days shall be required to file a new application for a special exception with the Zoning Board of Adjustment. ~~Such conditions may include but need not be limited to the provision of adequate and properly maintained screening around land so used.~~

- B. The minimum lot size shall be sixty thousand (60,000) square feet, the minimum lot width shall be one hundred fifty (150) feet. Twenty-five percent (25%) of the subject parcel shall be open/green space. The total permitted sign area shall not exceed one hundred (100) square feet.

3. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 “Applicability of Tables of Use and Dimensional Regulations By District”, by revising the setbacks table in the Rural Restricted Industrial (I-2) District Table that reads as follows:

LOT	
Minimum LOT Size	20,000 sf
Maximum LOT COVERAGE	50%
Minimum FRONTAGE	100 ft
PRINCIPAL BUILDING	
Front SETBACK (3)	35 ft
Abut a Street SETBACK	35 ft
Side SETBACK	10 30 ft
Rear SETBACK	10 30 ft
OUTBUILDING/ACCESSORY USE	
Front SETBACK	35 ft



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Abut a Street SETBACK	35 ft
Side SETBACK	40 30 ft
Rear SETBACK	40 30 ft
BUILDING HEIGHT	
PRINCIPAL BUILDING [4]	50 ft max
OUTBUILDING/ACCESSORY USE	40 ft max

AND

[3] ~~Except where~~ For parcels fronting on Littleworth and Knox Marsh Roads, the front setback shall be 50 feet. For parcels fronting on Columbus Avenue, the front setback shall be 75 feet.”

TAKES EFFECT

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

AUTHORIZATION

Approved as to
Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Dennis Ciotti
City Council Planning Board
Representative

Approved as to Legal
Form
and Compliance: Anthony Blenkinsop
City Attorney

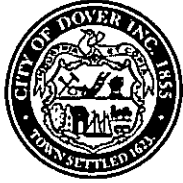
Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
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Document Created by: Planning Department
Document Posted on:

Zoning Ordinance I2
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Approved Date:

Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor, Karen Weston		
Deputy Mayor, Robert Carrier		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		
Councilor Joseph Nicolella, Jr, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

ORDINANCE BACKGROUND MATERIAL:

Attached is the application provided by the Property Owners and Applicant.



CITY OF DOVER

CITY OF DOVER – ORDINANCE

Forwarded to City Council XXX 2017

Ordinance Number: O – yyyy.mm.dd -
Ordinance Title: Updating the Dover Zoning Ordinance
Chapter: 170

The City of Dover Ordains:

1. PURPOSE

The purpose of this ordinance is to amend Chapter 170 of the Code of the City of Dover, entitled Zoning, by creating a universal buffer between industrial and existing residential uses throughout the community.

2. AMENDMENT

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-15 "OPEN SPACE Requirements", by adding new subsection D and E and revising the current D to F as follows:

"170-15. OPEN SPACE Requirements. [Amended on 08-01-90 by Ord. No. 8-90, Amended on 12-09-2009 by Ord. No. 2009.09.09-15.]

- A. For each bedroom of a multifamily [greater than four (4) DWELLING UNITS] residential STRUCTURE, there shall be provided at least one hundred (100) square feet of usable OPEN SPACE. Half of this required OPEN SPACE shall be provided in such a manner so as to afford active recreational opportunities for children, to include such facilities as swings, sandboxes, slides, play areas, etc. The remainder of the required OPEN SPACE shall be provided in such a manner so as to afford passive recreational opportunities for adults, such as sitting areas, outdoor cooking facilities, walkways, etc. The active and passive recreational facilities may be combined or separated as appropriate to the site and to the anticipated occupancy needs of the development. Efficiency apartments shall be counted on the basis of fifty (50) square feet per unit. Projects which are designed not to contain children (i.e., housing for the elderly) may eliminate the active recreational component of this requirement.
- B. The minimum distance between any main BUILDING and any accessory BUILDING not structurally attached to such main BUILDING shall be not less than the HEIGHT of the REAR wall of the accessory BUILDING.
- C. No part of a yard or other OPEN SPACE required about any BUILDING for the purpose of complying with the provisions of this Chapter shall be included as part of a yard or other OPEN SPACE similarly required for another BUILDING.



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- D. ~~All OPEN SPACE requirements pursuant to this section shall not be binding in the CBD, and CWD Zoning Districts.~~ Non-Residential uses requiring site plan review shall be at least one hundred fifty (150) feet from all residential structures, located within residential zones.
- E. A continuous and year round visual buffer of either vegetation or fencing shall separate STRUCTURES and parking areas from existing residential STRUCTURES located to the rear and side of any proposal.
- F. All OPEN SPACE requirements pursuant to this section shall not be binding in the ETP or any Mixed Use Zoning District.

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 "Applicability of Tables of Use and Dimensional Regulations By District", by revising the Dimensional Regulations table in the B-4 District revising footnote 4 as follows:

~~"[4] Buildings shall be at least one hundred fifty (150) feet from all residential structures that exist on the date of enactment of the B-4 Zoning District. A continuous visual buffer of either vegetation or fencing shall separate buildings from these existing residential structures. [Added 10-26-88 by Ord. No. 18-88] See Section 170-15"~~

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 "Applicability of Tables of Use and Dimensional Regulations By District", by revising the Dimensional Regulations table in the B-5 District revising footnote 4 as follows:

~~"[4] A continuous visual buffer of either vegetation or fencing shall separate buildings and parking areas from existing residential structures located to the rear and side of any proposal. See Section 170-15"~~

AND

Chapter 170 of the Code of the City of Dover, entitled Zoning, is hereby amended by revising Chapter 170-12 "Applicability of Tables of Use and Dimensional Regulations By District", by revising the Dimensional Regulations table in the I-4 District revising footnote 4 as follows:

~~"[4] Buildings shall be at least one hundred fifty (150) feet from all residential structures that exist on the date of enactment of the I-4 Zoning District. A continuous visual buffer of~~



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~~either vegetation or fencing shall separate buildings from these existing residential structures. [Added 10-26-88 by Ord. No. 18-88] See Section 170-15"~~

TAKES EFFECT

This ordinance shall take effect upon passage and publication of notice as required by RSA 47:18.

AUTHORIZATION

Approved as to
Funding: Daniel R. Lynch
Finance Director

Sponsored by: Councilor Dennis Ciotti
City Council Planning Board
Representative

Approved as to Legal
Form
and Compliance: Anthony Blenkinsop
City Attorney

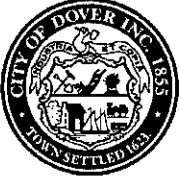
Recorded by: Karen Lavertu
City Clerk

DOCUMENT HISTORY:

First Reading Date:	Public Hearing Date:
Approved Date:	Effective Date:

DOCUMENT ACTIONS:

VOTING RECORD		
Date of Vote:	YES	NO
Mayor, Karen Weston		
Deputy Mayor, Robert Carrier		
Councilor John O'Connor, Ward 1		
Councilor Dennis Ciotti, Ward 2		
Councilor Deborah Thibodeaux, Ward 3		



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Councilor Joseph Nicolella, Jr, Ward 4		
Councilor Dennis Shanahan, Ward 5		
Councilor Jason Gagnon, Ward 6		
Councilor Sarah Greenshields, At Large		
Total Votes:		
Resolution does does not pass.		

ORDINANCE BACKGROUND MATERIAL:

Attached is the application provided by the Property Owners and Applicant.

DRAFT