

CITY OF DOVER

CITY OF DOVER - ORDINANCE

Posted: May 22, 2018

Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: Site Review Regulation Amendments
Chapter: 149

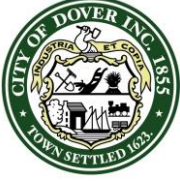
1. Chapter 149 of the Code of the City of Dover, entitled Site Review Regulations, is hereby amended by revising 149-4 “Applicability”, by revising Section A and B as follows:

“A. New DEVELOPMENT or REDEVELOPMENT. Site Review and Planning Board approval will be required for:

- (1) Non-residential USES;
- (2) Multi-family dwellings of five (5) or more units; and;
- (3) Construction of IMPERVIOUS surfaces/parking areas larger than 4,000 contiguous square feet. A single family home, two or three to four family dwelling units shall not be regulated by this provisions of this chapter.
- (4) Construction activities that result in a land disturbance of greater than or equal to one acre or less than one acre if part of a larger common PLAN of development that would disturb one acre or more.

B. Expansions and/or additions. Technical Review Committee review will be required for the following expansion and/or additions to existing development:

- (1) Any increase of NONRESIDENTIAL development resulting in an expansion of gross floor area exceeding twenty-five hundred (2,500) square feet.
- (2) Any addition to a residential structure resulting in the creation of five (5) or more additional units.
- (3) Any accessory structures with floor areas exceeding fifteen hundred (1,500) square feet.
- (4) Any expansion of an IMPERVIOUS surface/parking areas or paving of a gravel parking area larger than one thousand (1,000) square feet. A single family home, two or three to four family dwelling units shall not be regulated by this provisions of this chapter.
- (5) Any construction activities that result in a CONTIGUOUS LAND DISTURBANCE of greater than or equal to twenty thousand (20,000) square feet.



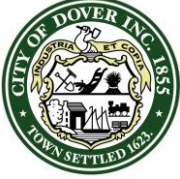
CITY OF DOVER

CITY OF DOVER - ORDINANCE

Posted: May 22, 2018

Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: Site Review Regulation Amendments
Chapter: 149

- (6) Any construction activities that result in a CONTIGUOUS LAND DISTURBANCE of greater than or equal to one thousand (1,000) square feet if the activity is located in or within fifty (50) feet of a wetland or Conservation District.”
2. Chapter 149 of the Code of the City of Dover, entitled Site Review Regulations, is hereby amended by revising 149-11 “Performance Guaranties”, adding a new Section C, to read as follows:
- “C. A separate PERFORMANCE BOND for landscaping shall be submitted to the City Engineer to be used in the event landscaping installed is removed, dies or is otherwise damaged during the three years following succeeding the issuance of the Certificate of Occupancy.”
3. Chapter 149 of the Code of the City of Dover, entitled Site Review Regulations, is hereby amended by revising 149-13 “SITE DEVELOPMENT PLAN”, Section A by revising subsection 18 to read as follows:
- ~~“(18) Any project that creates more than ten (10) residential units shall submit a fiscal impact analysis which details the probable effects of the site plan on the following aspects of concern to the City:~~
- ~~(a) attendance at public schools;~~
 - ~~(b) increase in vehicular traffic;~~
 - ~~(c) changes in the number of legal residents;~~
 - ~~(d) increases in municipal costs;~~
 - ~~(e) load on public utilities or future demand for them;~~
 - ~~(f) public safety;~~
 - ~~(g) changes in tax revenue;~~
 - ~~(h) changes in surface drainage;~~
 - ~~(i) increased consumption of groundwater;~~
 - ~~(j) increased refuse disposal;~~



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Posted: May 22, 2018

Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: Site Review Regulation Amendments
Chapter: 149

- ~~(k) pollution of water or air;~~
- ~~(l) land EROSION or loss of tree cover;~~
- ~~(m) disturbance to other aspects of the natural ecology;~~
- ~~(n) blocking of views;~~
- ~~(o) harmony with the character of surrounding development; and~~
- (p) ~~location of utilities.~~ Reserved

4. Chapter 149 of the Code of the City of Dover, entitled Site Review Regulations, is hereby amended by revising 149-13 “SITE DEVELOPMENT PLAN”, Section A, by adding a new section 21 to read as follows:

“(21) A detailed Landscape Operations and Maintenance plan, developed in accordance with the requirements of Chapter 149-14-G. Site plans shall provide for the proper management of landscaping, ensuring that landscaping is not unintentionally damaged as a result of snow removal or general traffic flow, pedestrian or otherwise.”

AND

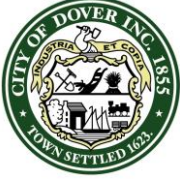
Chapter 149 of the Code of the City of Dover, entitled Site Review Regulations, is hereby amended by revising 149-13 “SITE DEVELOPMENT PLAN”, adding a new Section B(1), to read as follows:

“B. The information required by A 1) through A ~~20~~ 21) of this section must be supplied. The SITE DEVELOPMENT PLAN may be modified to eliminate items outlined under Article II that are not subject to change or are impertinent to the proposed USE, however the Planning Board or its staff may require that the information be supplied. In addition, the Planning Board may require the area and USES outside the building to be upgraded to meet existing standards.

“(1) A pre-application meeting with staff shall be held to determine what elements of Section A, may be modified. All modifications will be noted by staff, in writing.”

5. Chapter 149 of the Code of the City of Dover, entitled Site Review Regulations, is hereby amended by revising 149-14 “Site Development Design Criteria”, Section C to read as follows:

“C. Driveways, ACCESSWAYS and Internal Roads



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Posted: May 22, 2018

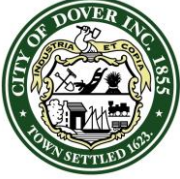
Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: Site Review Regulation Amendments
Chapter: 149

- (1) All driveways, ACCESSWAYS, internal roads, loading and service areas shall be graded, paved and improved with curbs, gutters, sidewalks and stormwater drainage facilities. The curbing along or at intersections with public street rights-of- way shall be granite. Internal walkways shall be constructed of a pervious material, such as pervious asphalt or concrete, open or pervious paving blocks, or similar technologies.
- (2) Private driveways and internal roads shall be designed and constructed pursuant to the following criteria:

	0-4 RESIDENTIAL UNITS	5-24 RESIDENTIAL UNITS	OVER 25 RESIDENTIAL UNITS
<i>RIGHT-OF-WAY</i>	30 Feet	30 Feet	50 Feet
<i>ROAD WIDTH</i>	16 Feet	24 Feet	24-32 Feet *
<i>BASE COURSE</i>	12" bank run gravel	18" bank run gravel	18" bank run gravel
	4" crushed gravel	4" crushed gravel	6" crushed gravel
	2" asphalt tight binder	2" asphalt tight binder	2 1/2" asphalt tight binder
	3' gravel shoulder	3' gravel shoulder	3' gravel shoulder

*The width of the roadway shall be determined by the site's physical characteristics and the layout and density of the proposed development.

- (3) A road PLAN and profile shall be submitted with the site review application. Said plans shall be prepared by a professional engineer licensed to practice in the State of New Hampshire. If a roundabout is proposed for inclusion, a professional engineer with traffic engineering certifications must design the roundabout in conformance with "Roundabouts: An Informational Guide" as adopted and amended by the Federal Highway Administration.
- (4) When a non-residential zoned parcel straddles or abuts a residential zone, non-residential traffic shall be prohibited from exiting or entering through the residential zone, unless there is no other viable option. Infill and redevelopment projects shall include sidewalk improvements via installation of sidewalks back to closest improved sidewalk.



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Posted: May 22, 2018

Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: Site Review Regulation Amendments
Chapter: 149

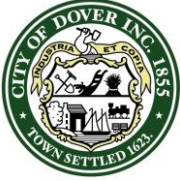
- (5) For access to a proposed non-residential or to a multifamily dwelling containing more than four (4) dwelling units, DRIVEWAY entrances and exits for shall be as follows:
- a. Where one (1) entrance/exit is designed to service a parcel, the width shall not exceed thirty-two (32) feet.
 - b. Where two (2) entrances/exits are designed to service a parcel, the width of each shall not exceed twenty-four (24) feet.”
6. Chapter 149 of the Code of the City of Dover, entitled Site Review Regulations, is hereby amended by revising 149-14 “Site Development Design Criteria”, Section E subsection (1) (e) to read as follows:
- “(e) All outdoor light fixtures shall be designed, oriented or shielded to prevent light or glare onto adjacent property or streets. In the Central Business District General and TOD sub-districts light may overflow onto streets, but not adjacent property.”
7. Chapter 149 of the Code of the City of Dover, entitled Site Review Regulations, is hereby amended by revising 149-14 “Site Development Design Criteria”, Section G to read as follows:

“G. Landscaping

In order to separate parking areas from abutting streets, to provide areas for snow disposal, to break up expanses of vehicles and pavement, to provide summer shade on pavement areas, ~~and~~ to provide general beautification of parking facilities, and to reduce stormwater impacts, the following landscaping standards are required for non-residential development:

(1) General Requirements

- (a) Existing vegetation shall be preserved wherever possible. Existing natural features of special interest, such as those having historic relevance, shall be delineated and located on the landscaping plan. A note should be added to the site plan indicating that identified feature(s) shall be protected during site clearing and construction through the use of construction fencing or other adequate protective barriers. Maximum effort should be made to preserve small stands of trees, rather than individual trees, to minimize the potential for serious damage due to wind, grade changes and soil compaction. No construction materials, equipment, vehicles, or temporary soil deposits shall be located within the dripline of existing trees. Before commencement of work, protective barriers shall be installed and maintained



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Posted: May 22, 2018

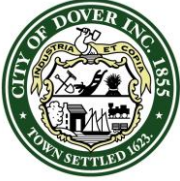
Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: Site Review Regulation Amendments
Chapter: 149

around each plant and/or groups of plants that are to remain on site until completion. Snow fence installed around the dripline of the tree canopy is an example of an acceptable barrier.

- (b) All invasive plant species identified in Chapter Agr 3800, pursuant to RSA 430:55 and all non-native plant species identified in the New Hampshire Restricted Invasive Plants Species/Watch List are prohibited.
- (c) Shrubs and hedges shall be a minimum of twenty four (24) inches in height when measured immediately after planting. Groundcovers and perennials may be less.
- (d) Effective use and preservation of natural berms, existing topography and existing vegetation is encouraged.
- (e) Plants, or a combination of plants and a solid visual barrier such as wooden fencing, or berms, shall be used to screen loading, waste disposal, material storage and other areas that are likely to generate noise, dust, or other potentially disruptive conditions.
- (f) Landscaping shall be used to establish and/or maintain an attractive streetscape adjacent to roadways. A minimum of one tree per thirty five (35) linear feet, not more than six (6) feet apart for individual shrubs, and not more than three (3) feet between individual perennials and groundcovers or portion thereof.
- (g) The type and location of vegetation shall not interfere with utilities or the safe and efficient flow of street traffic. All trees located under utilities wires shall be low-growing species.
- (h) A maintenance plan shall be provided with the site plan application. All landscaped areas shall receive regular maintenance and upkeep. Severely injured, diseased, or dead plant material shall be replaced in kind in perpetuity (avoid replacing landscape materials in the period from November to March.) Best practices to minimize environmental impacts such as the use of low phosphorous fertilizer and slow release nitrogen, shall be included in the management plan. If ownership of a site is conveyed to a new property owner the new owner shall be responsible for maintaining all landscaping in accordance with the approved final landscaping plan.
- (i) Snow storage may be permitted on any grassed or non-living landscape area.

(2) (4) Interior Landscaping

- (a) In addition to the perimeter landscaping required in Section 149-15) C), landscaping requirements for the interior of parking lots is as follows:



CITY OF DOVER

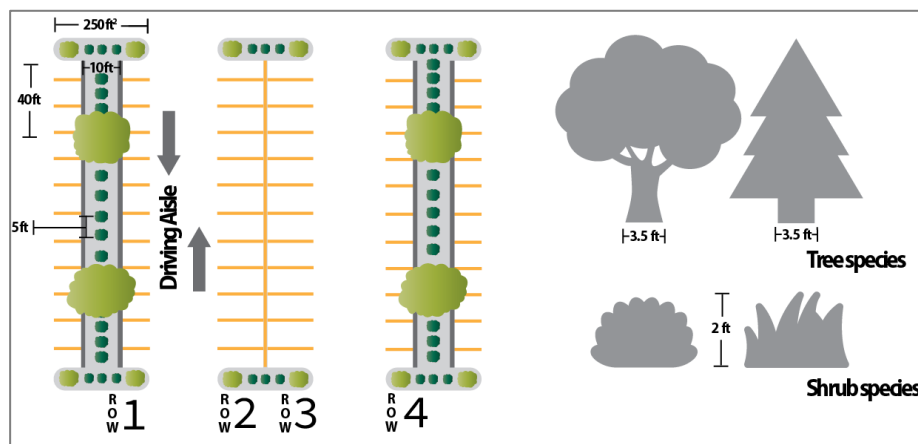
CITY OF DOVER - ORDINANCE

Posted: May 22, 2018

Ordinance Number: **O – yyyy.mm.dd -**
 Ordinance Title: Site Review Regulation Amendments
 Chapter: 149

MINIMUM INTERIOR PARKING LOT LANDSCAPING REQUIREMENTS	
Number of Parking Spaces in Lot	Minimum Percent of Interior Landscaping
0 - 20 or fewer spaces	Not required
21 to 12550 spaces	5 percent (5%)
12651 to 375200 spaces	8 percent (8%)
Greater than 375200 spaces	10 percent (10%)

(b) Parking lots which have more than two (2) aisles, which are approximately parallel, shall be required to have continuous landscaped planting strips separating every four (4) rows of parking. The landscaped planting strips shall be a minimum of ~~six~~ ten (10) feet in width and shall be separated from the parking area by adequate curbing. Within the landscaped planting strips, deciduous and/or evergreen shade trees shall be planted at forty (40) feet on center. Trees shall be species tolerant to the climatic conditions of Dover and shall be a minimum caliper of ~~two~~ three and a half (3.5) inches (measured at four (4) feet above grade level). Within the landscaped planting strips, shrubs shall be planted between the deciduous trees at five (5) feet on center. The shrubs shall be a mix of deciduous and evergreen species, tolerant to the climatic conditions of Dover and shall be a minimum height of two (2) feet at the time of planting. All trees, shrubs and landscaping materials shall be maintained in good condition so as to present a healthy, neat, and orderly appearance.



(c) Islands at the end of a row of parking spaces are encouraged to protect parked vehicles, increase safety in parking lots, and provide space for landscaping. The minimum size for landscaped islands shall be two hundred fifty square (250) square



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Posted: May 22, 2018

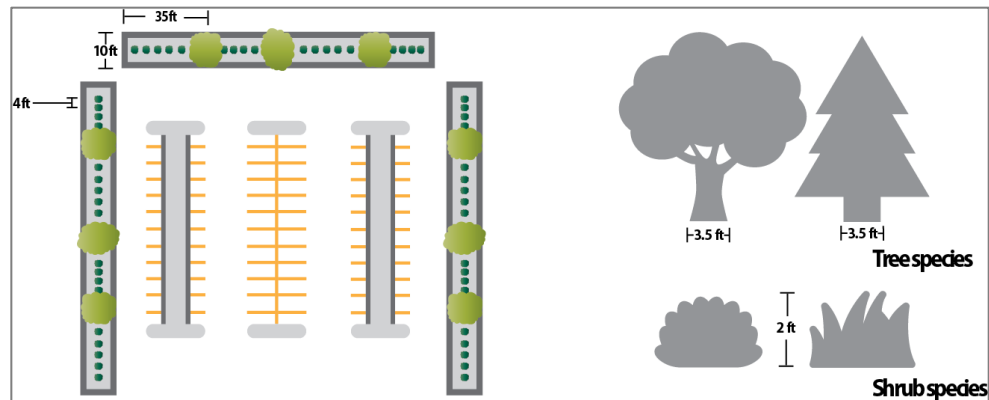
Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: Site Review Regulation Amendments
Chapter: 149

feet in total area, and should include trees with shrubs, perennials, and ground covers planted en masse among the trees.

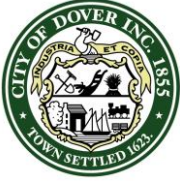
- (d) Bare soil is not acceptable. The introduction of groundcovers and/or perennials planted en masse and the use of mulch as a soil covering is acceptable. However, no more than twenty (20) percent of the minimum landscaped area may be covered with non-living landscaping material such as bark mulch, woodchips, or leaf litter.

(3) ~~(2)~~ Perimeter Landscaping

- (a) Along the perimeter of parking lots with ten (10) or more spaces, deciduous and/or evergreen shade trees shall be planted at ~~forty~~ thirty-five (35) feet on center within the buffer area required by Section 149-15 C). Trees shall be species tolerant to the climatic conditions of Dover and shall be a minimum caliper of ~~two~~ three (3) and a half (3.5) inches (measured at four (4) feet above grade level). Within the perimeter buffer, shrubs shall be planted between the ~~deciduous~~ trees at five (5) feet on center. The shrubs shall be a mix of deciduous and evergreen species, tolerant to the climatic conditions of Dover and shall be a minimum height of two (2) feet at the time of planting. All trees, shrubs and landscaping materials shall be maintained in good condition so as to present a healthy, neat, and orderly appearance.



- (b) Trees shall be salt and drought-tolerant, native or non-invasive species, and have a structure and growth form which prevents them from obstructing sidewalks and walkways. Flood-tolerant plants shall be used in drainage swales.
- (c) To foster biological diversity trees planted along a given street shall use the “10-20-30 Rule” (No more than 10% of the trees shall be of the same species, no more than 20% in the same genus, and no more than 30% in the same family.)



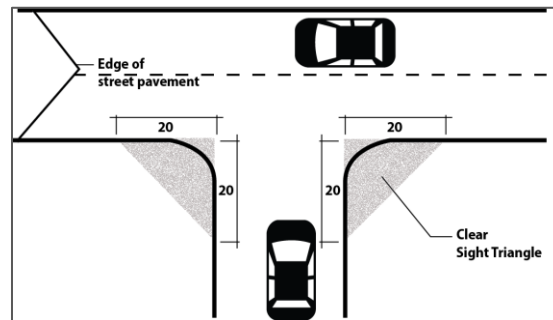
CITY OF DOVER

CITY OF DOVER - ORDINANCE

Posted: May 22, 2018

Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: Site Review Regulation Amendments
Chapter: 149

- (d) ~~At the discretion of the Planning Board, alternative methods of perimeter screening may be permitted if the APPLICANT can demonstrate that an adequate screening of the parking lot is achieved. Additional screening methods that are encouraged include earthen berms planted with grass and shrubs, fencing and low walls.~~ To insure that landscape materials do not constitute a driving hazard, a "clear sight triangle" shall be observed at all street and access drive intersections. Ground cover and trees with at least eight (8) feet of limbless trunk shall be permitted within the sight distance triangle. In the case of a city street intersection, the sight triangle shall consist of the area between points twenty feet (20') along both intersecting streets from their respective edge of pavements.



- (e) A wall, or fence of uniform appearance six (6) feet high of brick, stone or finished concrete (cannot be concrete block) may be used in conjunction with plant materials with a minimum ten (10) foot-buffer between the fence and the street. A minimum of one tree per thirty five (35) linear feet or portion thereof with a combination of shrubs, perennials, vines, and groundcovers planted en masse per thirty five (35) linear feet excluding curb cuts. A combination of both deciduous plants and evergreens are encouraged.

(4) Stormwater Management

- (a) The following provisions are intended to support the site design criteria set forth in Section 149-14A. In the event of any conflict or inconsistency the more stringent provision shall prevail.
- (b) Where possible, interior landscaping islands and perimeter landscaping areas shall provide for stormwater treatment and bioretention as well as act as a visual buffer.
- (c) To promote on-site water retention and filtration, landscaped areas shall be designed in a manner that guides stormwater from on-site impervious streets, parking areas, sidewalks and walkways to vegetated areas or approved retention areas.



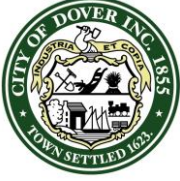
CITY OF DOVER

CITY OF DOVER - ORDINANCE

Posted: May 22, 2018

Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: Site Review Regulation Amendments
Chapter: 149

- (d) When irrigation systems are proposed, a temporary watering plan/ schedule, or low volume (drip) irrigation system shall be required. Permanent irrigation systems are prohibited, except as noted below. Temporary irrigation systems shall be designed and installed for efficient and effective water use to the landscaped area for a limited period of time determined by the plant material and site conditions. For those exceptions when permanent irrigation is considered necessary, such as an athletic field, permanent irrigation shall utilize water saving technologies, including rain sensors, flow meters, and management systems that monitor current weather conditions and/or soil moisture.
- (e) All newly planted trees, shrubs and other vegetation shall have a watering plan during the establishment period (for trees, one-year-per-inch in caliper at planting, shrubs and other vegetation generally establish within one growing season). Mulching trees, shrubs, and plants helps retain soil moisture, moderates temperature fluctuations, provides protection from mechanical damage by mowers and trimmers, and serves as temporary covering of exposed soil until understory plants and ground covers fill in. However, thick applications of mulch (such as “volcano mulching”) will kill trees and other vegetation. Mulch shall be no greater than three (3) inches in depth and shall not be in contact with the bark or stems of plants.
- (5) ~~(3) Other~~ Alternative Landscaping Options
- (a) ~~Whenever possible, existing trees and shrubs shall be preserved and used to satisfy the minimum landscaping requirements of this section. Each existing healthy and native or non-invasive tree, with a caliper of three (3) inches or greater, preserved using proper protection methods within the interior parking lot area may be substituted for one tree required for every ten (10) parking spaces.~~
- (b) ~~Loading docks, dumpsters, generators, ground level mechanical units and other similar devices shall adequately screen so as not to be visible from the public road or adjacent parcels. Where an applicant proposes leaving a significant portion of healthy noninvasive trees and other vegetation within the proposed construction area, the Planning Board will consider alternative landscaping designs.~~
- (c) ~~The use of interior landscaping islands and perimeter landscaping areas for STORM WATER treatment and bioretention is acceptable if the areas still provide a visual buffer. At the discretion of the Planning Board, alternative methods of perimeter screening may be permitted if the APPLICANT can demonstrate that an adequate screening of the parking lot is achieved. Additional screening methods that are encouraged include earthen berms planted with grass and shrubs, fencing, and low walls.~~



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Posted: May 22, 2018

Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: Site Review Regulation Amendments
Chapter: 149

(d) If the area abutting the street is existing woodland, a twenty five (25) foot woodland buffer may be left in lieu of landscaping if approved by the Planning Board.

(4) Invasive Species

~~a. While reviewing site plans, the Planning Board shall reserve the right to prohibit invasive species from being planted. The Planning Department shall maintain an up-to-date listing of invasive species."~~

8. Chapter 149 of the Code of the City of Dover, entitled Site Review Regulations, is hereby amended by revising 149-15 "Physical Arrangements", Section C, to read as follows:

"C. All paving and/or storage shall not be permitted within five (5) feet of any side or rear property line, except for a shared driveway or parking lot that straddles a common property line, and no parking or paving, except for entrances/exits, shall be permitted within ten (10) feet of any front property line. These spaces shall be maintained as landscaped area. This section shall not apply within the Central Business District General and TOD sub-districts."

9. Chapter 149 of the Code of the City of Dover, entitled Site Review Regulations, is hereby amended by revising 149-21 "Definitions" clarifying a defined term as follows:

"IMPERVIOUS means those surfaces that cannot effectively infiltrate rainfall consisting of surfaces such as building rooftops, pavement, sidewalks, driveways, recreational areas and compacted gravel."