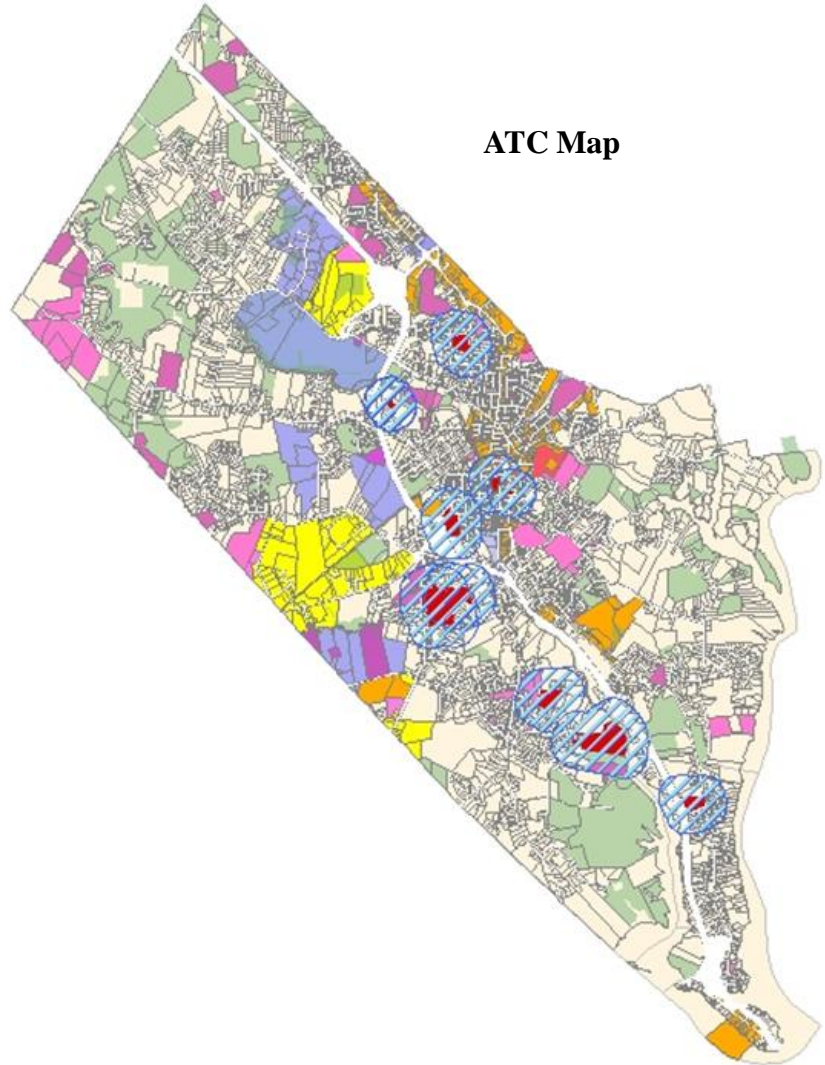


# Proposed Zoning Amendments

Heritage Residential (HR) District



ATC Map



City Council Workshop  
August 5, 2015

# How We Got Here:

- “Gateway Rezoning Study”
  - Resident’s requested that Silver Street area be rezoned with an eye towards character
- Planning Board subcommittee reviewed sign regs in 2014
- Housekeeping changes from Staff
- Getting out ahead of new State regulations allowing “Alternative Treatment Centers”
- Federal Floodplain Regulation Changes to ensure favorable Flood Insurance Rates
- Categories
  - Housekeeping
  - Build To Line Changes
  - Simplification
  - New Allowances
  - New Limitations
  - Federal Requirements
  - Area Rezoning

# Housekeeping Amendments

#	Intent
14	To add a ground water protection zone around the Willand Pond Well, and revise the Smith and Cummings Well
16	To remove the burden of annual applications for extraction operations (still requiring annual reporting)
18	To reduce parking requirement overlap and confusion with Site Review Regulations (Chapter 149)
19	Update citation and violation language to conform with RSAs 31:39-d, 676:14, 676:15, 676:17, 676:17-a, and 676:17-b, to ensure proper enforcement.
20	To ensure proper grammar is used and that areas of confusion are minimized.

# Build To Line Amendments

#	Intent
2	Allows build to line to be adjusted due to environmental constraints
4	To create a sense of context where garages and accessory structures are located no closer to the road than the principle house, in urban areas
5	For R-12 District make the build to line a range, similar to R-20 district, 15-25' range
6	For RM-U district, to make it more uniform and less cumbersome for property owners to calculate
7	To encourage contextual setbacks in the Central Business District – General sub-district

# Simplification Amendments

#	Intent
9	To provide sign advertising options to small business
11	To ensure industrial uses are modern and reflect economic trends
13	Remove architectural requirements restriction which does not appear in other mixed use small scale zones, from the CBD-Mixed Use
17	Sign Regulation Changes: <ul style="list-style-type: none"><li>• Reduce permit requirements and streamline process</li><li>• Limit illumination in downtown gateway zone to no later than 9 pm</li><li>• Clarify/reduce Mill Motif requirements downtown (remove subjectivity)</li><li>• Clarify temporary sign provisions, expanding allowances (add guidelines, remove Mill Motif requirements in CBD)</li><li>• Revise definitions of freestanding sign and sign area</li></ul>

# Additions/Limitations Amendments

#	Intent
	New Uses
9	To provide temporary sign advertising options to small business downtown
12	To create guidelines for the State endorsed Alternative Treatment Centers in the B-4 and I-2 Districts
	Limitations
8	To create a height limit, where none exists, in the Central Business General sub - district, of 5 stories
10	To create a cap on units to no more than 10 and add density limitation in the CBD- Downtown Gateway district

# Federal/Area Rezone Amendments

#	Intent
	Federal Requirement
15	To comply with Federal requirements regarding new floodplain maps and strengthen requirements if building in a floodplain
	Area
3	Create a Heritage Residential Zoning District as requested by abutters

# ATC Statutory Criteria

- Statute includes two specific locational restrictions (RSA 126-X:8.II):
  - Not located in any residential district and
  - Not located within 1,000 feet of any school or drug free zone
  - Growing or dispensing is considered the same operation



# ATC Local Criteria

- Not located within one thousand (1,000) feet of the property line of a public or private elementary or secondary school or designated drug free school zone.
- Located in a permanent BUILDING (Drive-in services are prohibited)
- Hours of operation shall be limited to 9 am to 9 pm, Monday through Friday, and 10 am to 6 pm on Saturday and Sunday.
- Shall provide for the proper disposal of cannabis remnants or byproducts.
- The applicant shall provide a detailed narrative and floor plan, as well as any other relevant documentation, describing how the alternative treatment center shall be secured. The security plan shall be reviewed and approved by the City of Dover Police Department.
- The use of cannabis on the premises is prohibited.
- No emitting of cannabis related fumes, vapors or odors which can be smelled or otherwise perceived from beyond the lot lines of the property where the facility is located.

# Heritage Zoning

The proposal revises the zoning along Silver St and the Woodman Park area, based upon resident requests to create a district which promotes the heritage and character of the existing homes. Lots currently are in the RM-U and R-12 district



Dimensional Requirements	Low Density Residential (R-12)	Residential Multi-Family Urban (RM-U)	Heritage Residential (HR)
Minimum Lot Size	12,000 square feet	10,000 square feet	10,000 sf
Minimum Frontage	100 feet	80 feet	80 feet
Minimum Front Building Setback	Range (5'-25')	Avg within 250 feet +- 5'	Avg within 250 feet +- 5'
Minimum Rear Building Setback	30 feet	15 feet	30 feet
Minimum Side Building Setback	15 feet	15 feet	15 feet
Maximum Coverage of a Lot	30 percent	40 percent	50 percent
Maximum Height	35 feet	40 feet	40 feet
Density	1 unit per 12,000 sf	1 unit per 10,000 sf	1 unit per 10,000 sf

# Heritage Residential Permitted Uses

## In

- ACCESSORY DWELLING UNIT (R-12/RM-U)
- ADULT DAY CARE (RM-U)
- CHILD CARE HOME (R-12/RM-U)
- CONVERSION FROM 1 TO 2 UNITS (R-12/RM-U)\*
- CUSTOMARY HOME OCCUPATION (NEW)
- DWELLING, 2 FAMILY (R-12/RM-U)\*
- DWELLING, SINGLE FAMILY (R-12/RM-U)
- FARM ANIMALS (R-12/RM-U)
- PUBLIC RECREATION (R-12/RM-U)
- PUBLIC UTILITY (R-12/RM-U)
- ROADSIDE FARM STAND (R-12)

## Out

- ASSEMBLY HALL (R-12/RM-U)
- CONSERVATION LOT (R-12/RM-U)
- EDUCATIONAL INSTITUTION (R-12/RM-U)
- FARM (R-12)
- FUNERAL PARLOR (RM-U)
- ROOMING HOUSE (RM-U)
- BED AND BREAKFAST (R-12) (TO CUP)
- CHILD CARE FACILITY (R-12/RM-U) (TO CUP)

**\*New provision requires 2 family new construction or conversions to look like single family dwellings**

# Heritage Residential CUP Uses\*

## In

- BED AND BREAKFAST \*\*
- CHILD CARE FACILITY
- CONVERSION OF EXISTING TO 4 UNITS\*\*\*
- DWELLING, 3 TO 4 FAMILY\*\*\*
- ELDERLY ASSISTED CARE HOME (R-12)
- GROUP HOME FOR MINORS
- OFFICE (NEW)

## Out

- ASSISTED LIVING FACILITY
- BEAUTY AND BARBERSHOP
- CONGREGATE CARE FACILITY
- CONTINUING CARE COMMUNITY FACILITY
- NURSING HOME
- RETAIL STORE

**\* The requirements of 170-20.B(2) and (3) shall apply to all uses permitted by Conditional Use Permit**

**\*\*Silver Street Only**

**\*\*\* New provision requires 3-4 family new construction or conversions to look like single family dwellings**

# Heritage Zoning vs Historic District

## Heritage

- No additional review
- Promote character of homes/neighborhoods
- Guides change, reuse and reinvestment in the neighborhood
- Promotes adaptive reuse of existing structures for residential uses in a manner that also protects their historical and architectural character

## Historic District

- Regulatory Review Board
- Council must set up a design review board
- Board creates a district that is laid out and separate and distinct from other neighborhoods
- Standards are created by Board and enforced by City, through the Board and staff

# Floodplain Changes

## **Additions**

- New purpose statement, linking the ordinance to the National Flood Insurance Program
- Add requirement that structures be built two feet above the base flood level
- Updated standards for RVs in flood zones A & AE
- Updated Standards to determine Base Flood Elevation, in Zone A

## **Replacements**

- NGVD -> Mean Sea Level
- Wetlands Board -> Bureau
- Flood Level -> Elevation
- 100 year -> Base Flood
- Date of FIRM Maps 2005 - > 2015

# Floodplain Changes

## **Definition Changes**

- New definition of Base Flood Elevation, Building, Flood Insurance Study, Floodway, New Construction, Special Flood Hazard Area, Violation
- Update definitions of Area of Special Flood Hazard, Development, Historic Structure, Manufactured Home, Mean Sea Level, New Manufactured Home, Regulatory Floodway, Substantial Development, and water surface elevation
- Remove terms Breakaway Wall, Flood Boundary, Flood Elevation Study

# Changes

## Public Comments

- R-12 front build to too close
- R-20 front setback too far
- CDB height pro/con
- CBD height should be feet
- Disapprove Heritage district
- Extend Heritage district
- Allow retail in Heritage
- Disapprove density in CBD Gateway/Mixed Use

## Planning Board Response

- Revised from 5' to 15'
- Revised to be consistent with principle structure
- None.
- None.
- None
- None
- None
- None



# Changes

## **Ordinance Verification**

### **Comments**

- Show all of sign ordinance
- Remove redundant reference to banners
- Add full Extraction subsection
  
- Change placement of Floodplain ordinance

### **Planning Board Response**

- All included
- Removed
  
- Expanded section
  
  
- Updated articles and section

# Changes

## **Staff Comments**

- Add 2 city lots to Heritage
- Update Floodplain panels
- As per US Supreme Court decision clarify sign ord.

## **Planning Board Response**

- Community Trail lots added
- Added
- Clarified

# For More Information....

- **The full text is available:**
  - **On the City's Web Site:**  
<http://1.usa.gov/1dhEyC0>
  - **In the Planning Department and City Clerk's Office M-Th 8:30 am to 5:30 pm. F 8:30 – 4 pm**
  - **At the Public Library**
- **Please call 516-6008 with further questions.**
  - ◉ Blog: <http://dovernhplanning.tumblr.com/>
  - ◉ Facebook: [www.facebook.com/DoverNHPLanning](http://www.facebook.com/DoverNHPLanning)
  - ◉ Twitter: @DoverNHPlanning