

**PLANNING BOARD  
PORTSMOUTH, NEW HAMPSHIRE**

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS  
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

**6:00 PM Public Hearings begin**

**February 29, 2024**

**AGENDA**

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**REGULAR MEETING 6:00pm** *(Reconvened from February 15, 2024)*

**I. PUBLIC HEARINGS – NEW BUSINESS**

*The Board's action in these matters has been deemed to be quasi-judicial in nature.*

*If any person believes any member of the Board has a conflict of interest,  
that issue should be raised at this point or it will be deemed waived.*

- A.** Amend the Zoning Map to change the zoning designation to Gateway Neighborhood Business (G1) as follows: from Office Research (OR): Map 267 Lot 4, Map 267 Lot 5, Map 267 Lot 6, Map 267 Lot 7, Map 267 Lot 8, Map 252 Lot 1, Map 252 Lot 1-7, Map 233 Lot 145, Map 234 Lot 3, Map 234 Lot 7-7, Map 234 Lot 2; from Garden Apartment/Mobile Home Park (GA/MH): Map 291 Lot 1-1 and Map 285 Lot 1; from General Business (GB): Map 234 Lot 7-6, Map 234 Lot 5, Map 234 Lot 6, Map 234 Lot 51, Map 174 Lot 12, Map 174 Lot 13, Map 175 Lot 11, Map 175 Lot 4, Map 175 Lot 5, Map 236 Lot 35, Map 236 Lot 34, Map 236 Lot 33 (portion of), Map 236 Lot 36, Map 236 Lot 39, Map 237 Lot 56 (portion of) and Map 237 Lot 57; from Single Residence B (SRB): Map 243 Lot 66, Map 229 Lot 6, Map 229 Lot 6A, and Map 268 Lot 97; from Mixed Residential Business (MRB): Map 217 Lot 1 (portion of) and Map 217 Lot 2A (portion of); from General Residence A (GRA): Map 174 Lot 14; from Industrial (I): Map 273 Lot 5; from Industrial (I) and General Residence A (GRA): Map 173 Lot 9.

Amend the Zoning Map to change the zoning designation to Gateway Neighborhood Mixed Use Center (G2) as follows: from Single Residence B (SRB): Map 246 Lot 1.

Amend the Zoning Map to change the zoning designation to Garden Apartment/Mobile Home Park (GA/MH) as follows: from Gateway Neighborhood Business (G1) and Office Research (OR): Map 215 Lot 9.

The above Zoning Map changes are proposed pursuant to Chapter 10, Article 4, Zoning and District Use Regulations, Section 10.421, District Location and Boundaries, Section 10.421.10 of the Zoning Ordinance.

**II. CITY COUNCIL REFERRALS**

- A. Request for Salter Street to be rezoned from Waterfront Business to General Residence B
- B. Electric Vehicle Amendments

**III. OTHER BUSINESS**

- A. Chairman updates

**IV. ADJOURNMENT**

*\*Members of the public also have the option to join this meeting over Zoom, a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser:*

[https://us06web.zoom.us/webinar/register/WN\\_2wvmCh86SE--OvyPBtqT\\_A](https://us06web.zoom.us/webinar/register/WN_2wvmCh86SE--OvyPBtqT_A)



City of Portsmouth  
Planning Department  
1 Junkins Ave, 3<sup>rd</sup> Floor  
Portsmouth, NH  
(603)610-7216

Memorandum

To: Planning Board

From: Peter Stith, Planning Manager

Date: February 29, 2024

Re: Recommendations for the February 29, 2024 Planning Board Meeting

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**I. PUBLIC HEARINGS – NEW BUSINESS – CONTINUED FROM FEBRUARY 15<sup>th</sup> MEETING**

*The Board's action in these matters has been deemed to be quasi-judicial in nature.  
If any person believes any member of the Board has a conflict of interest,  
that issue should be raised at this point or it will be deemed waived.*

- A.** Amend the Zoning Map to change the zoning designation to Gateway Neighborhood Business (G1) as follows: from Office Research (OR): Map 267 Lot 4, Map 267 Lot 5, Map 267 Lot 6, Map 267 Lot 7, Map 267 Lot 8, Map 252 Lot 1, Map 252 Lot 1-7, Map 233 Lot 145, Map 234 Lot 3, Map 234 Lot 7-7, Map 234 Lot 2; from Garden Apartment/Mobile Home Park (GA/MH): Map 291 Lot 1-1 and Map 285 Lot 1; from General Business (GB): Map 234 Lot 7-6, Map 234 Lot 5, Map 234 Lot 6, Map 234 Lot 51, Map 174 Lot 12, Map 174 Lot 13, Map 175 Lot 11, Map 175 Lot 4, Map 175 Lot 5, Map 236 Lot 35, Map 236 Lot 34, Map 236 Lot 33 (portion of), Map 236 Lot 36, Map 236 Lot 39, Map 237 Lot 56 (portion of) and Map 237 Lot 57; from Single Residence B (SRB): Map 243 Lot 66, Map 229 Lot 6, Map 229 Lot 6A, and Map 268 Lot 97; from Mixed Residential Business (MRB): Map 217 Lot 1 (portion of) and Map 217 Lot 2A (portion of); from General Residence A (GRA): Map 174 Lot 14; from Industrial (I): Map 273 Lot 5; from Industrial (I) and General Residence A (GRA): Map 173 Lot 9.

Amend the Zoning Map to change the zoning designation to Gateway Neighborhood Mixed Use Center (G2) as follows: from Single Residence B (SRB): Map 246 Lot 1.

Amend the Zoning Map to change the zoning designation to Garden Apartment/Mobile Home Park (GA/MH) as follows: from Gateway Neighborhood Business (G1) and Office Research (OR): Map 215 Lot 9.

**Background**

The Land Use Committee (LUC) was created to look at diversifying Land Use Regulations within the City. It was established by the prior Council on February 7, 2022 to look at diversifying land use regulations within the City. The LUC was tasked with reviewing current zoning and policies surrounding housing and development to encourage sustainable, diverse, and affordable development including expanded multi-modal transportation. The Committee was charged with reporting back to the City Council on recommended alterations to the zoning and existing policies along with any new zoning or policies to be considered important to furthering the City’s Goals.

Over the past 2 years, amendments were made to building height standards, Accessory Dwelling unit regulations and workforce housing incentives in the Character Districts as initially recommended by the Committee. In the late summer and fall of 2023 the Committee looked at potential parcels to rezone to Gateway to create more opportunities for housing development.

The LUC reviewed the current Gateway zoning and identified parcels adjacent to existing Gateway parcels that could extend or connect the district. There was a broader discussion about eliminating some of the outdated districts such as OR and GB. The LUC identified close to 60 parcels for consideration and split the list into short-term and long-term, with the short-term list consisting of parcels the LUC came to a consensus on rezoning. The list of consensus parcels was presented to City Council on January 16, 2024 and referred to Planning Board for a recommendation back per the action below:

31. **Gateway Rezoning – Voted** to request that an ordinance amendment be drafted to change the zoning of the “consensus properties” as described in the memorandum and that the drafted ordinance amendment be sent to the Planning Board for its consideration and recommendation in February with the intention to bring back an ordinance amendment for first reading at the City Council meeting in March.

**Additional Background**

This section will provide additional background and supporting information from the Master Plan and the Land Use Committee.

Below are some excerpts from the results of the public outreach process for the current Master Plan that are relevant to the map amendment discussion:

Page 24 states the following:

*“The Study Circles described the need for diversity in the form of mixed-use neighborhood zoning, housing that meets the needs of all ages and incomes, and less reliance on tourism as an economic driver. Specific priorities included:*

- Equity throughout the community, with as much focus on the neighborhoods as downtown.*

- *A diverse supply of housing for all economic levels and types from young to old; single or families; abled or disabled;*
- *A diverse built environment, not just replicating the past, but authentic to Portsmouth, new and old;*
- *Diverse modes of transportation that is affordable, intermodal and regional; and*
- *A balanced local economy that includes opportunities for small businesses and entrepreneurship as well as tourism.*

Page 26 states the following:

*Participants responded to three potential strategies to increase the availability of housing in Portsmouth and marked on maps where each strategy should be used:*

***Redevelopment*** of gateway commercial areas;

***Densification*** with second units or parcel splits;

***Greenfield*** development on unbuilt parcels.

*Residents overwhelmingly supported redevelopment of existing commercial areas over greenfield development or increasing density in existing neighborhoods. Some residents spoke in favor of in-law or accessory dwelling units as a strategy for both providing affordable housing and increasing income for residents with larger homes and fixed incomes.*

*During the corridor development meeting, participants consistently gave higher ratings to more activated streetscapes, with multistory buildings close to the streets, landscaping, and bicycle and pedestrian amenities (Page 27).*

*Every group chose to include a mix of residential and commercial uses on their site, and most designs were at least two stories tall and placed buildings closer to the street than existing development (Page 28).*

The Master Plan contains a section on Corridors on pages 121 – 133 which speaks to promoting more mixed-use development along the corridors. See link below to the Master Plan to review this section.

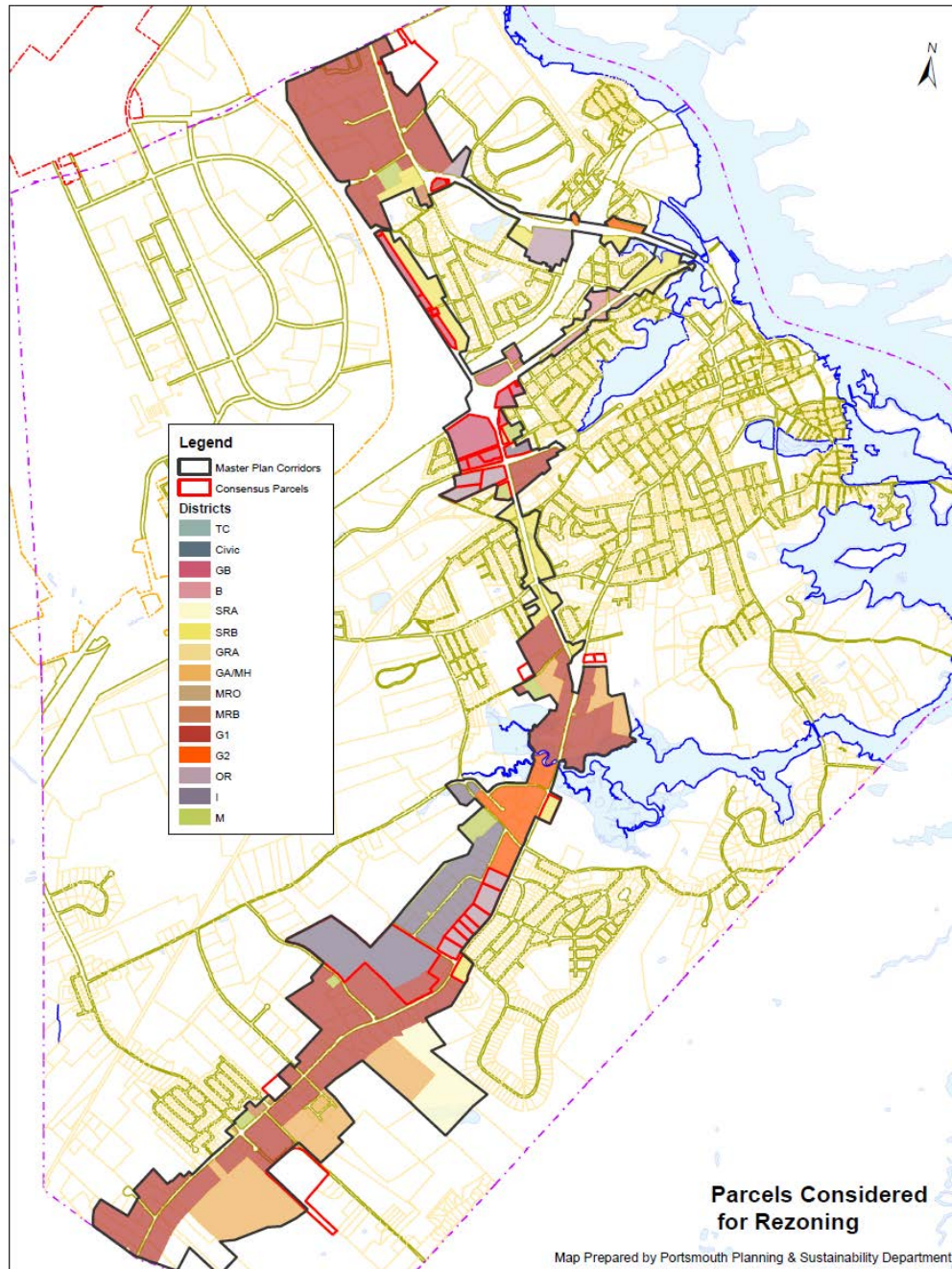
<https://view.publitas.com/city-of-portsmouth/portsmouth-master-plan-adopted-2-16-2017/page/1>

Among the goals in the Corridor section, Goal 1.2 below supports mixed-use development along the commercial corridors.

- *Goal 1.2 – Encourage walkable Mixed-use development along existing commercial corridors.*
  - *1.2.1 Encourage mixed-use development in existing commercial areas by adopting new and enhancing existing flexible zoning techniques such as Gateway Planned Development option.*

- 1.2.2 Promote redevelopment along the Route 1 Bypass north of the traffic circle that is compatible with adjoining neighborhoods.

The map below shows the subject parcels in relation to the corridors outlined in the Master Plan. The corridor boundary in the Master Plan is broad and not parcel specific. Most of the parcels fall entirely within the corridor areas, and several are located adjacent to the corridor areas. These proposed amendments are a continuation of the rezoning efforts the Board and Council have been engaged in the past few years which implement recommendations of the 2025 Master Plan, which also include corrections to the zoning map.





The table below includes the subject parcels with the current zoning, current use and address and approximate acreage. Those parcels that have split zoning just represent the acreage that is proposed to be rezoned. Attached to the memo is a comparison of permitted uses in each district.

MAPLOT	Curr_Zone	Prop_Zone	Comments	Phy_Address	Acres
0173-0009-0000	I/GRA	G1	Car dealership	500 Route 1 Bypass	3.56
0174-0012-0000	GB	G1	Vacant/Storage	153 Boyd Rd	1.26
0174-0013-0000	GB	G1	Billboard parcel	No Address	0.07
0174-0014-0000	GRA	G1	Dental Office	185 Cottage Rd	0.91
0175-0004-0000	GB	G1	Hotel	300 Woodbury Ave	1.81
0175-0005-0000	GB	G1	Hotel parcel	304 Woodbury Ave	0.13
0175-0011-0000	GB	G1	Hotel/Restaurant	580 Route 1 Bypass	3.68
0215-0009-0000	G1/OR	GA/MH	Oriental Gardens	Oriental Gardens	20.61
0217-0001-0000	G1/MRB	G1	Rite Aide	1303 Woodbury Ave	1.51
0217-002A-0000	G1/MRB	G1	Rite Aide out parcel	Rite Aide parcel	0.14
0229-0006-0000	SRB	G1	Dental office	545 Lafayette Rd	0.97
0229-006A-0000	SRB	G1	Greek Church vacant lot	Off Ledgewood	1.00
0233-0145-0000	M	M	Municipal	Off Rt 1 Bypass	2.73
0234-0002-0000	OR	G1	Public Service Co	Off Borthwick Ave	4.77
0234-0003-0000	OR	G1	Public Service Co	Off Borthwick Ave & Rt. 1 Bypass	5.13
0234-0005-0000	GB	G1	Hotel	505 Rt 1 Bypass	2.58
0234-0006-0000	GB	G1	Granite Group	100 Coakley Rd	1.23
0234-0007-0006	GB	G1	Hotel	650 Borthwick Ave	2.97
0234-0007-0007	OR	G1	Public Service Co	Off Borthwick Ave	4.29
0234-0051-0000	GB	G1	Car dealership	549 Rt 1 Bypass	18.07
0236-0033-0000	GB	G1	Car dealership	120 Spaulding Tpke	2.90
0236-0034-0000	GB	G1	office w apartment	155-157 Farm Ln	0.42
0236-0035-0000	GB	G1	Commercial	150 Spaulding Tpke	0.22
0236-0036-0000	GB	G1	Strip of land	Off Spaulding Tpke	0.12
0236-0039-0000	GB	G1	Car dealership	180 Spaulding Tpke	1.25
0237-0056-0000	GB	G1	NE Marine	200 Spaulding Tpke	5.90
0237-0057-0000	GB	G1	4 Unit Apt.	201 Spaulding Tpke	0.35
0243-0066-0000	SRB	G1	Crossroads	200 Greenleaf Ave	1.94
0246-0001-0000	SRB	G2	Church	1035 Lafayette Rd	4.15
0252-0001-0000	OR	G1	Eversource	1700 Lafayette Rd	4.23
0252-0001-0007	OR	G1	US Army	Lafayette Rd	6.32
0267-0004-0000	OR	G1	Service Credit Union Bank	2032 Lafayette Rd	3.83
0267-0005-0000	OR	G1	Service Credit Union	2010 Lafayette Rd	2.91
0267-0006-0000	OR	G1	Employment Security	2000 Lafayette Rd	2.27
0267-0007-0000	OR	G1	Two office condos	1950 Lafayette Rd	2.14
0267-0008-0000	OR	G1	Medical Buildings	1900 Lafayette Rd	3.98
0268-0097-0000	SRB	G1	Westerly	2075 Lafayette Rd	4.15
0273-0005-0000	I/G1	G1	Water Country	2300 Lafayette Rd	74.27
0285-0001-0000	GA/MH	G1	Patriots Park front section	Freedom Circle	4.40
0291-0001-0001	GA/MH	G1	Service Credit rear lot	Off Lang Rd	26.69

The recommendation below removes a parcel that is owned by the City and was shown as being zoned OR, however per Section 10.421.20 below, the property has been changed to the Municipal district and is recommended to remain and not be changed to Gateway.

**10.421.20** Any property owned or leased by the City of Portsmouth and not shown on the Zoning Map as being in the Municipal or Natural Resource Protection district shall be deemed to be in the Municipal district, and when so identified shall be placed in that district.

Four small parcels that were originally considered by the LUC were not included in the January list the Council referred to the Planning Board. These parcels were included in the notice and are called out in the recommendation below.

Three map and lot numbers from the January referral were corrected for the notice and are called out in the recommendation below.

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**Planning Department Recommendation**

- 1) *Vote to recommend to City Council the map amendments as follows:*
    - 1.1) *Remove Map 233 Lot 145 because it is municipally owned.*
    - 1.2) *Include the following lots that were considered by the Land Use Committee but not included in the referral from City Council: Map 175 Lot 5, Map 236 Lot 36, Map 174 Lot 13 and Map 217-2A.*
    - 1.3) *Correct the following map and lot numbers for three parcels: Map 273 Lot 5, Map 252 Lot 7-1 and Map 268 Lot 97.*
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**V. CITY COUNCIL REFERRALS**

- A. Request to rezone Salter Street from Waterfront Business to General Residence B.**

**Background**

Included in the packet is a letter from Marcia MacCormack, who resides at 53 Salter Street, requesting all of Salter Street be removed from the Waterfront Business district. Also included is the City Manager’s memo regarding this request that was brought before the Council in January with input from the legal department. The Council referred the request to the Planning Board at their February 5, 2024 meeting per the action below:

**17. Report Back on Request to Remove Salter Street from Waterfront Business District – Voted to refer Marcia MacCormack’s January 7, 2024 letter requesting Salter Street be rezoned from Waterfront Business to General Residence B to the Planning Board for its recommendation in a report back to City Council.**

There are 45 parcels in the City that are designated as Waterfront Business, with 51% of those being used as residential, which is not permitted in the district. The request before the Board is for the 5 properties along Salter Street to remove the Waterfront Business designation. All of the 5 properties are residential. A request such as this may be better addressed through the Master Plan process to evaluate the waterfront designations in the City.



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**Planning Department Recommendation**

- 1) *Vote to recommend to City Council to leave the existing zoning for Salter Street as Waterfront Business and to evaluate the waterfront designations through the Master Plan process.*
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**B. Electric Vehicle Amendments**

Background

At their May 2, 2022 meeting, The City Council referred draft zoning ordinance amendments for Electric Vehicle Charging Stations to the Planning Board for a referral back for first reading. Attached is the draft sent by Council to the Planning Board. Staff reviewed the proposed amendments and provided a redlined version for consideration and discussion.

Following the January 25, 2024 meeting where the Board last discussed these amendments, the Chair and staff have been working on the draft amendments included in the packet.

Currently, an Electric Vehicle Charging station as a principal use is allowed by special exception in the GB, G1, B, CD4-W and I zones as a motor vehicle service station. As an accessory use, EV charging station are currently allowed as an accessory use to any permitted principal use.

The proposed edits add several definitions related to electric vehicles, setbacks for support equipment, and adding electric vehicle charging as an accessory use to both residential and commercial uses.

With the speed of change in the industry, having broad definitions that will not become obsolete is the best approach. For example, when the Board began discussion of this topic there were Level 1, 2 and 3 chargers. Now there are level 4 chargers, fully automated battery exchange stations and soon there may be wireless charging. The proposed amendments capture EV charging and infrastructure that should be relevant with the future technology in electric vehicles.

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**Planning Department Recommendation**

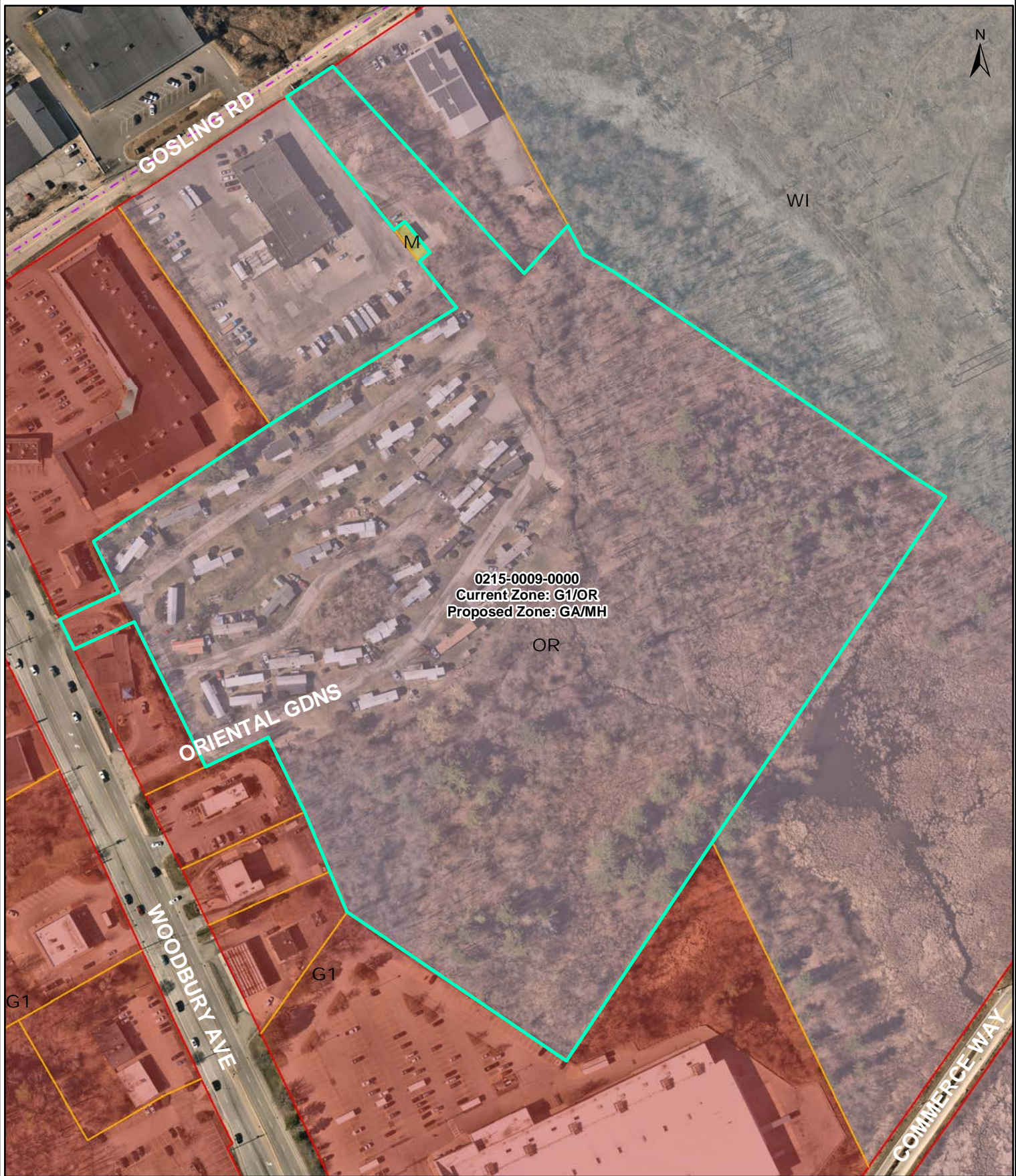
- 1) Vote to refer to legal and schedule a public hearing at the March regular meeting.*

**VI OTHER BUSINESS**

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**VII. ADJOURNMENT**





0215-0009-0000  
 Current Zone: G1/OR  
 Proposed Zone: GA/MH

### Parcels Considered for Rezoning

**Legend**

Consensus Parcels

**Zoning**

TC  
 Civic  
 CD4-L1  
 CD4-L2

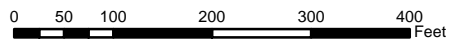
CD4-W  
 CD5  
 CD4  
 AIR  
 AI  
 PI

ABC  
 GB  
 B  
 WB  
 R  
 SRA

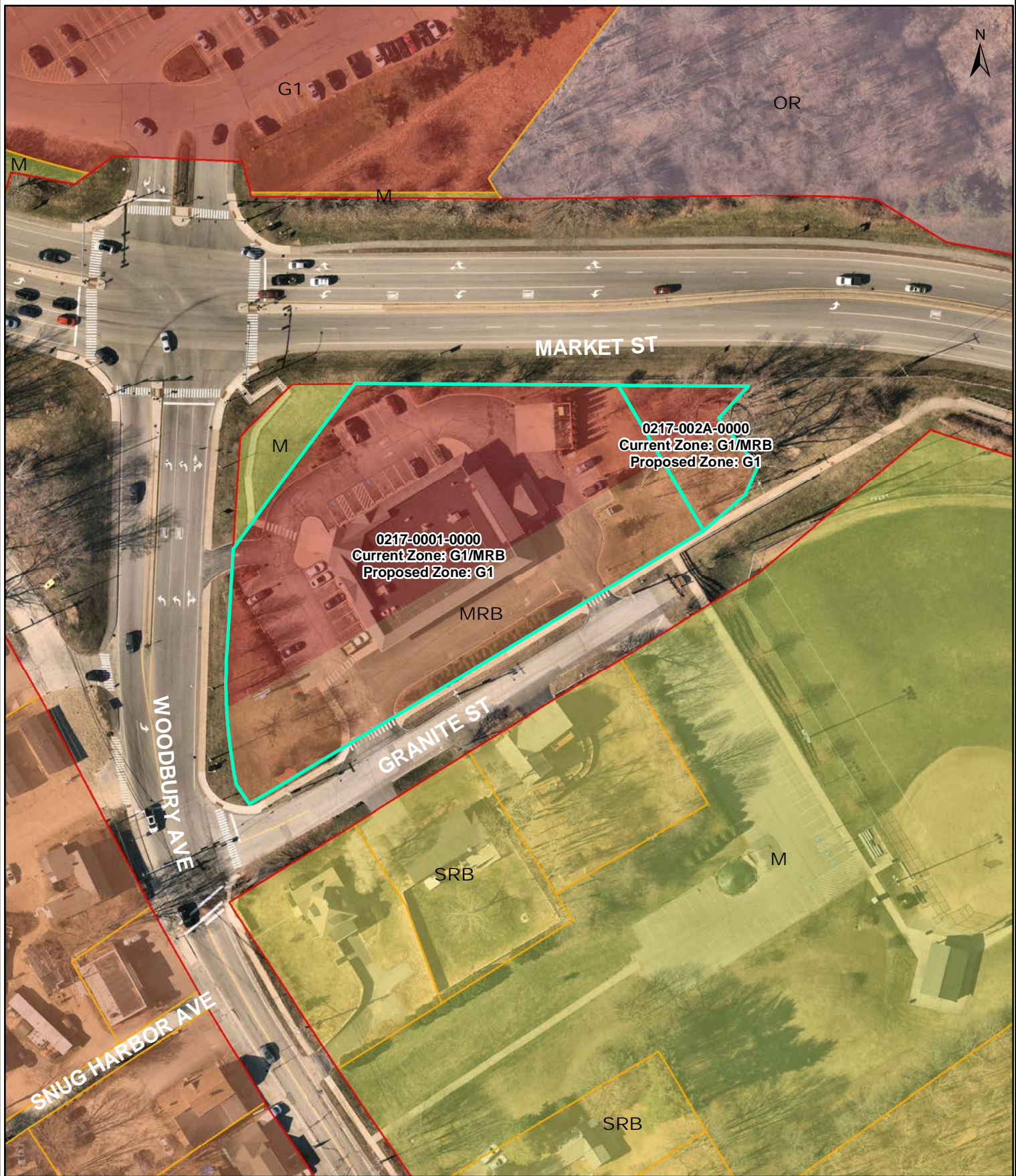
SRB  
 GRA  
 GRB  
 GRC  
 GA/MH  
 MRO

MRB  
 G1  
 G2  
 OR  
 I  
 WI

M  
 NRP







## Parcels Considered for Rezoning

### Legend

Consensus Parcels

### Zoning

- TC
- Civic
- CD4-L1
- CD4-L2

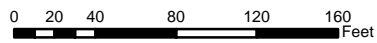
- CD4-W
- CD5
- CD4
- AIR
- AI
- PI

- ABC
- GB
- B
- WB
- R
- SRA

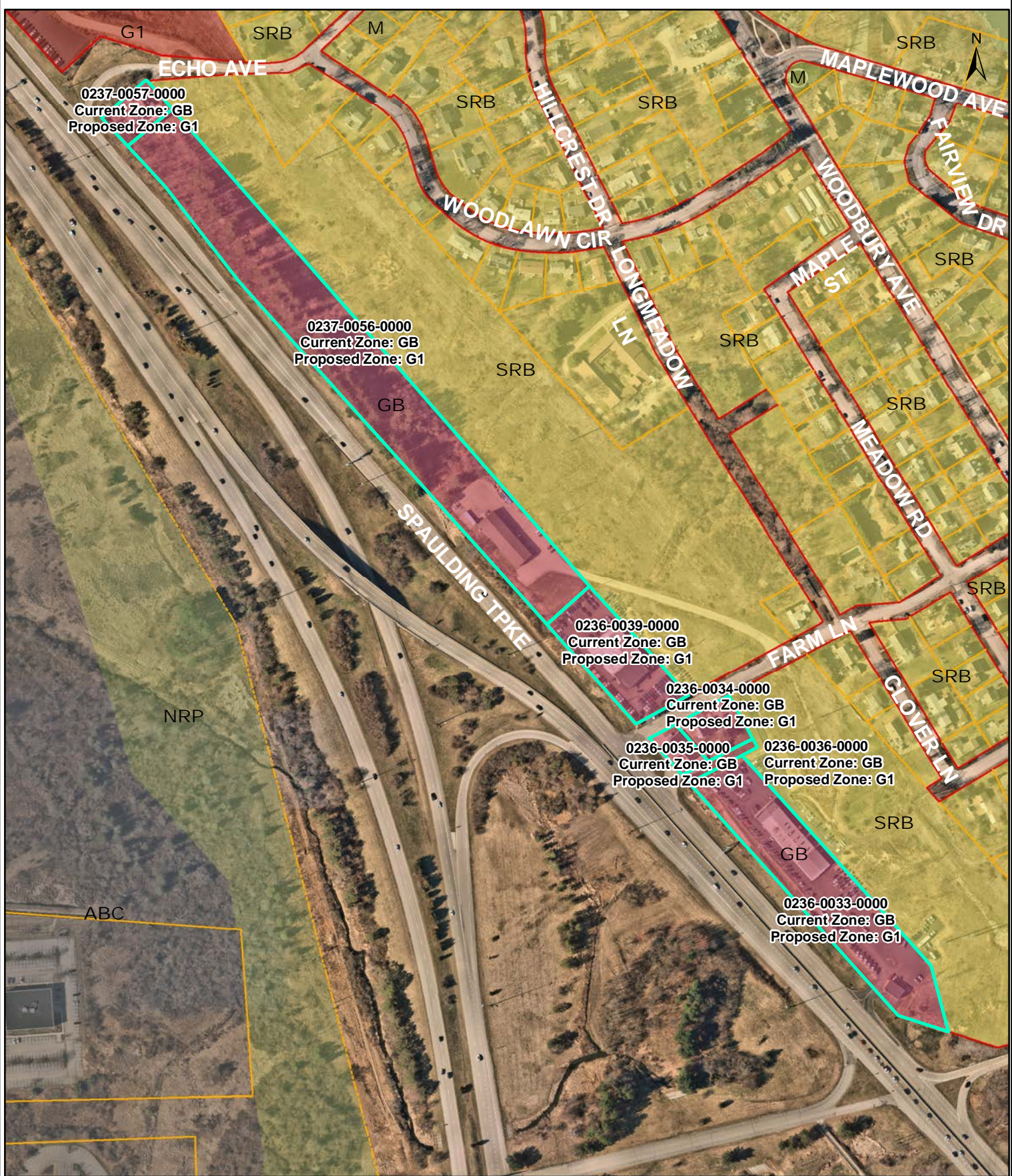
- SRB
- GRA
- GRB
- GRC
- GA/MH
- MRO

- MRB
- G1
- G2
- OR
- I
- WI

- M
- NRP







0237-0057-0000  
Current Zone: GB  
Proposed Zone: G1

0237-0056-0000  
Current Zone: GB  
Proposed Zone: G1

0236-0039-0000  
Current Zone: GB  
Proposed Zone: G1

0236-0034-0000  
Current Zone: GB  
Proposed Zone: G1

0236-0035-0000  
Current Zone: GB  
Proposed Zone: G1

0236-0036-0000  
Current Zone: GB  
Proposed Zone: G1

0236-0033-0000  
Current Zone: GB  
Proposed Zone: G1

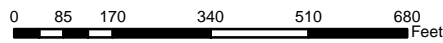
## Parcels Considered for Rezoning

### Legend

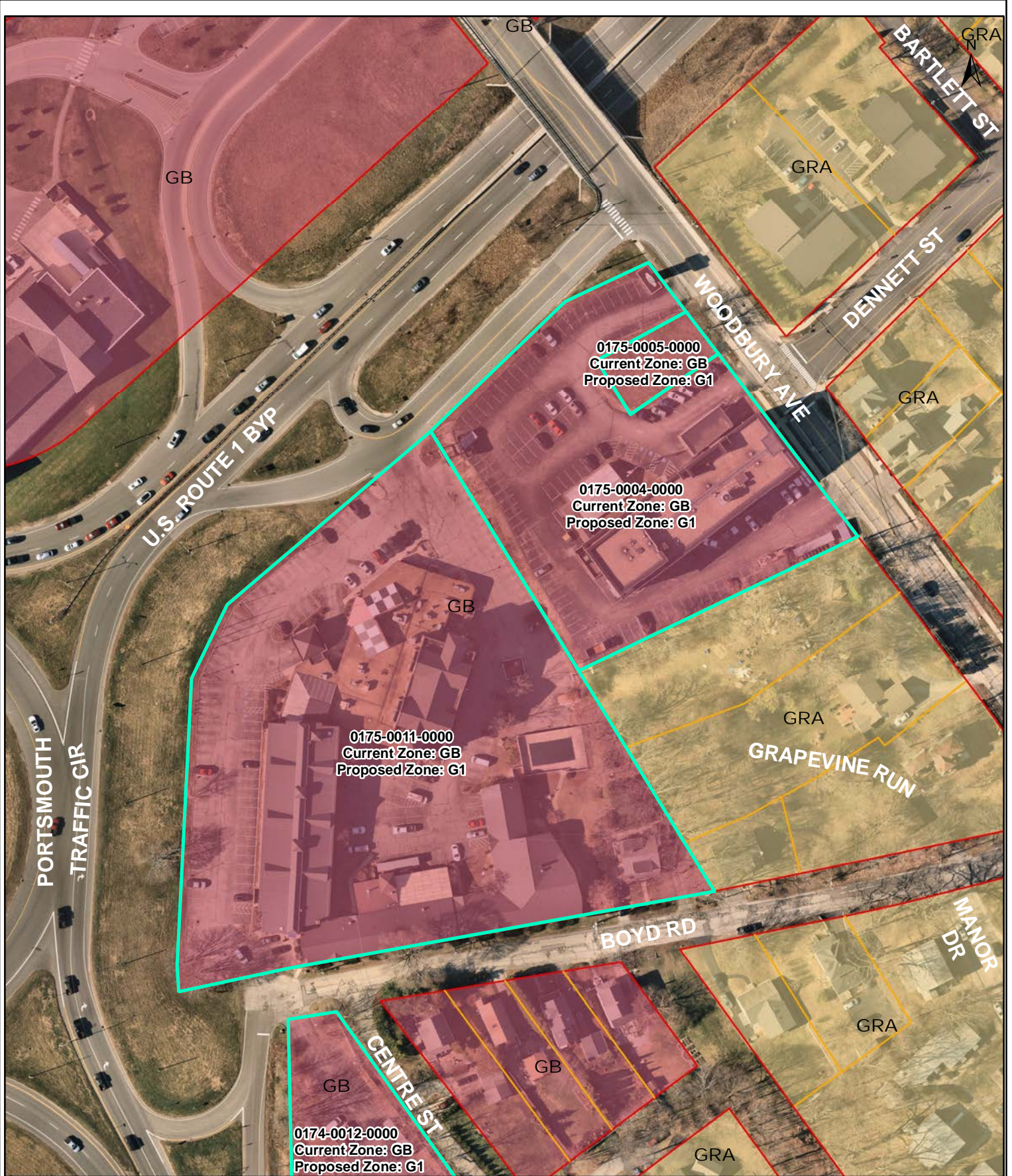
Consensus Parcels

### Zoning

CD4-W	ABC	SRB	MRB	M
CD5	GB	GRA	G1	NRP
TC	CD4	GRB	G2	
Civic	AIR	GRC	OR	
CD4-L1	AI	GA/MH	I	
CD4-L2	PI	SRA	WI	
		MRO		







## Parcels Considered for Rezoning

### Legend

Consensus Parcels

### Zoning

TC  
Civic  
CD4-L1  
CD4-L2

CD4-W  
CD5  
CD4  
AIR  
AI  
PI

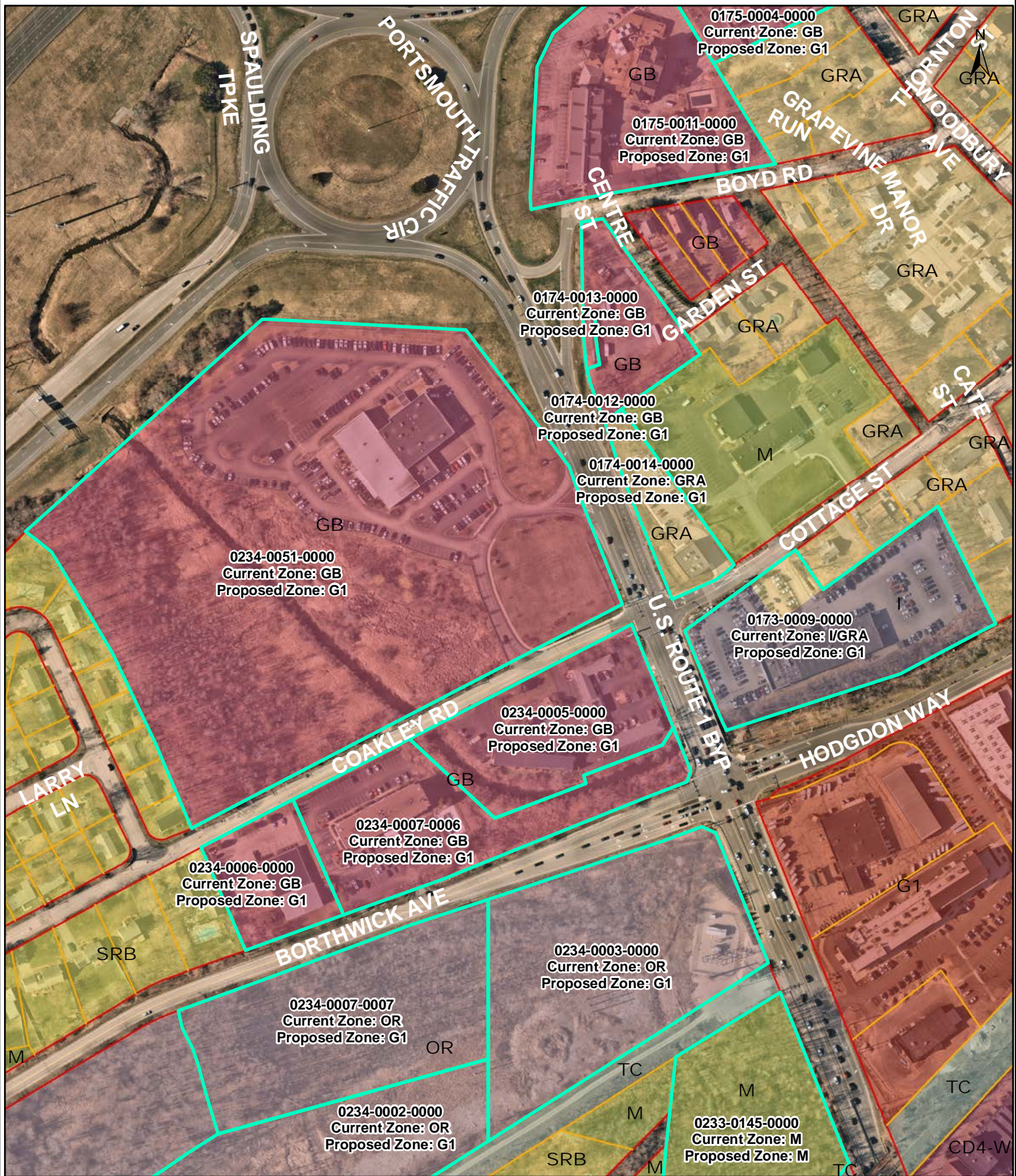
ABC  
GB  
B  
WB  
R  
SRA

SRB  
GRA  
GRB  
GRC  
GA/MH  
MRO

MRB  
G1  
G2  
OR  
I  
WI

M  
NRP





## Parcels Considered for Rezoning

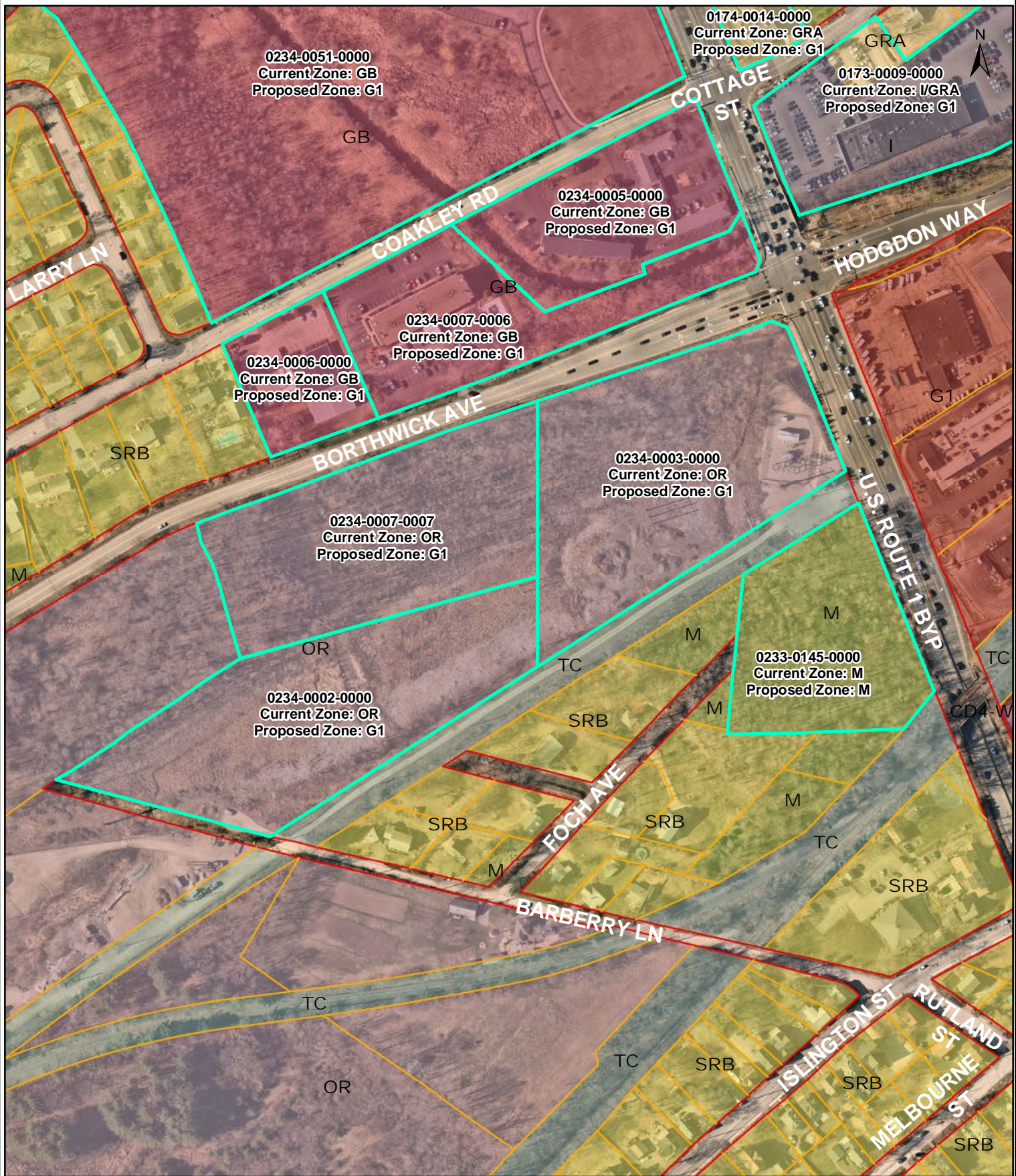
### Legend

Consensus Parcels

### Zoning

<span style="display: inline-block; width: 15px; height: 10px; background-color: #8B4513;"></span> CD4-W	<span style="display: inline-block; width: 15px; height: 10px; background-color: #654321;"></span> ABC	<span style="display: inline-block; width: 15px; height: 10px; background-color: #9ACD32;"></span> SRB	<span style="display: inline-block; width: 15px; height: 10px; background-color: #D2691E;"></span> MRB	<span style="display: inline-block; width: 15px; height: 10px; background-color: #90EE90;"></span> M
<span style="display: inline-block; width: 15px; height: 10px; background-color: #8B4513;"></span> CD5	<span style="display: inline-block; width: 15px; height: 10px; background-color: #C71585;"></span> GB	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FFD700;"></span> GRA	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FF4500;"></span> G1	<span style="display: inline-block; width: 15px; height: 10px; background-color: #90EE90;"></span> NRP
<span style="display: inline-block; width: 15px; height: 10px; background-color: #8B4513;"></span> CD4	<span style="display: inline-block; width: 15px; height: 10px; background-color: #F08080;"></span> B	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FFD700;"></span> GRB	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FF4500;"></span> G2	
<span style="display: inline-block; width: 15px; height: 10px; background-color: #8B4513;"></span> Civic	<span style="display: inline-block; width: 15px; height: 10px; background-color: #ADD8E6;"></span> WB	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FFD700;"></span> GRC	<span style="display: inline-block; width: 15px; height: 10px; background-color: #808080;"></span> OR	
<span style="display: inline-block; width: 15px; height: 10px; background-color: #8B4513;"></span> CD4-L1	<span style="display: inline-block; width: 15px; height: 10px; background-color: #90EE90;"></span> R	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FFD700;"></span> GA/MH	<span style="display: inline-block; width: 15px; height: 10px; background-color: #808080;"></span> I	
<span style="display: inline-block; width: 15px; height: 10px; background-color: #8B4513;"></span> CD4-L2	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FFFF00;"></span> SRA	<span style="display: inline-block; width: 15px; height: 10px; background-color: #8B4513;"></span> MRO	<span style="display: inline-block; width: 15px; height: 10px; background-color: #808080;"></span> WI	





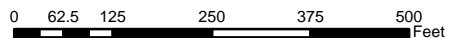
### Parcels Considered for Rezoning

**Legend**

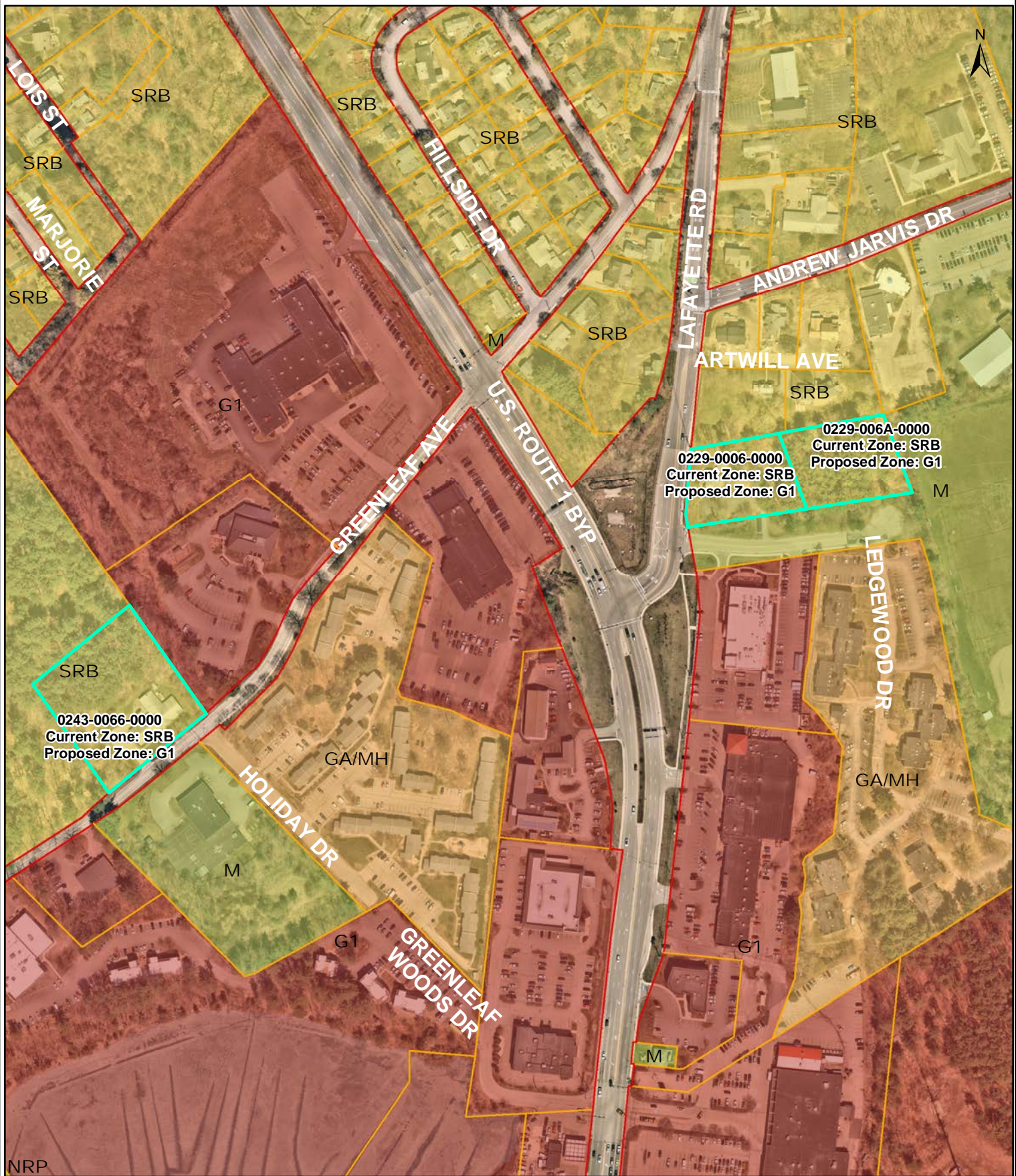
Consensus Parcels

**Zoning**

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<span style="display: inline-block; width: 15px; height: 10px; background-color: #800000;"></span> CD5	<span style="display: inline-block; width: 15px; height: 10px; background-color: #800000;"></span> GB	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FFD700;"></span> GRA	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FF4500;"></span> G1	<span style="display: inline-block; width: 15px; height: 10px; background-color: #800000;"></span> NRP
<span style="display: inline-block; width: 15px; height: 10px; background-color: #404040;"></span> TC	<span style="display: inline-block; width: 15px; height: 10px; background-color: #800000;"></span> CD4	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FFD700;"></span> GRB	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FF4500;"></span> G2	
<span style="display: inline-block; width: 15px; height: 10px; background-color: #404040;"></span> Civic	<span style="display: inline-block; width: 15px; height: 10px; background-color: #800000;"></span> AIR	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FFD700;"></span> GRC	<span style="display: inline-block; width: 15px; height: 10px; background-color: #800000;"></span> OR	
<span style="display: inline-block; width: 15px; height: 10px; background-color: #800000;"></span> CD4-L1	<span style="display: inline-block; width: 15px; height: 10px; background-color: #800000;"></span> AI	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FFD700;"></span> GA/MH	<span style="display: inline-block; width: 15px; height: 10px; background-color: #800000;"></span> I	
<span style="display: inline-block; width: 15px; height: 10px; background-color: #800000;"></span> CD4-L2	<span style="display: inline-block; width: 15px; height: 10px; background-color: #800000;"></span> PI	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FFD700;"></span> SRA	<span style="display: inline-block; width: 15px; height: 10px; background-color: #800000;"></span> WI	
		<span style="display: inline-block; width: 15px; height: 10px; background-color: #800000;"></span> MRO		







## Parcels Considered for Rezoning

### Legend

Consensus Parcels

### Zoning

- TC
- Civic
- CD4-L1
- CD4-L2

### Districts

- AIR
- AI
- PI

### Zoning

- CD4-W
- CD5
- CD4
- ABC
- GB
- B
- WB
- R
- SRA

### Zoning

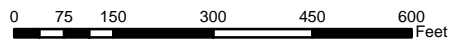
- SRB
- GRA
- GRB
- GRC
- GA/MH
- MRO

### Zoning

- MRB
- G1
- G2
- OR
- I
- WI

### Zoning

- M
- NRP







0246-0001-0000  
 Current Zone: SRB  
 Proposed Zone: G2

LAFAYETTE RD

SRB

NRP

G2

## Parcels Considered for Rezoning

### Legend

Consensus Parcels

### Zoning

TC  
 Civic  
 CD4-L1  
 CD4-L2

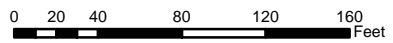
CD4-W  
 CD5  
 CD4  
 AIR  
 AI  
 PI

ABC  
 GB  
 B  
 WB  
 R  
 SRA

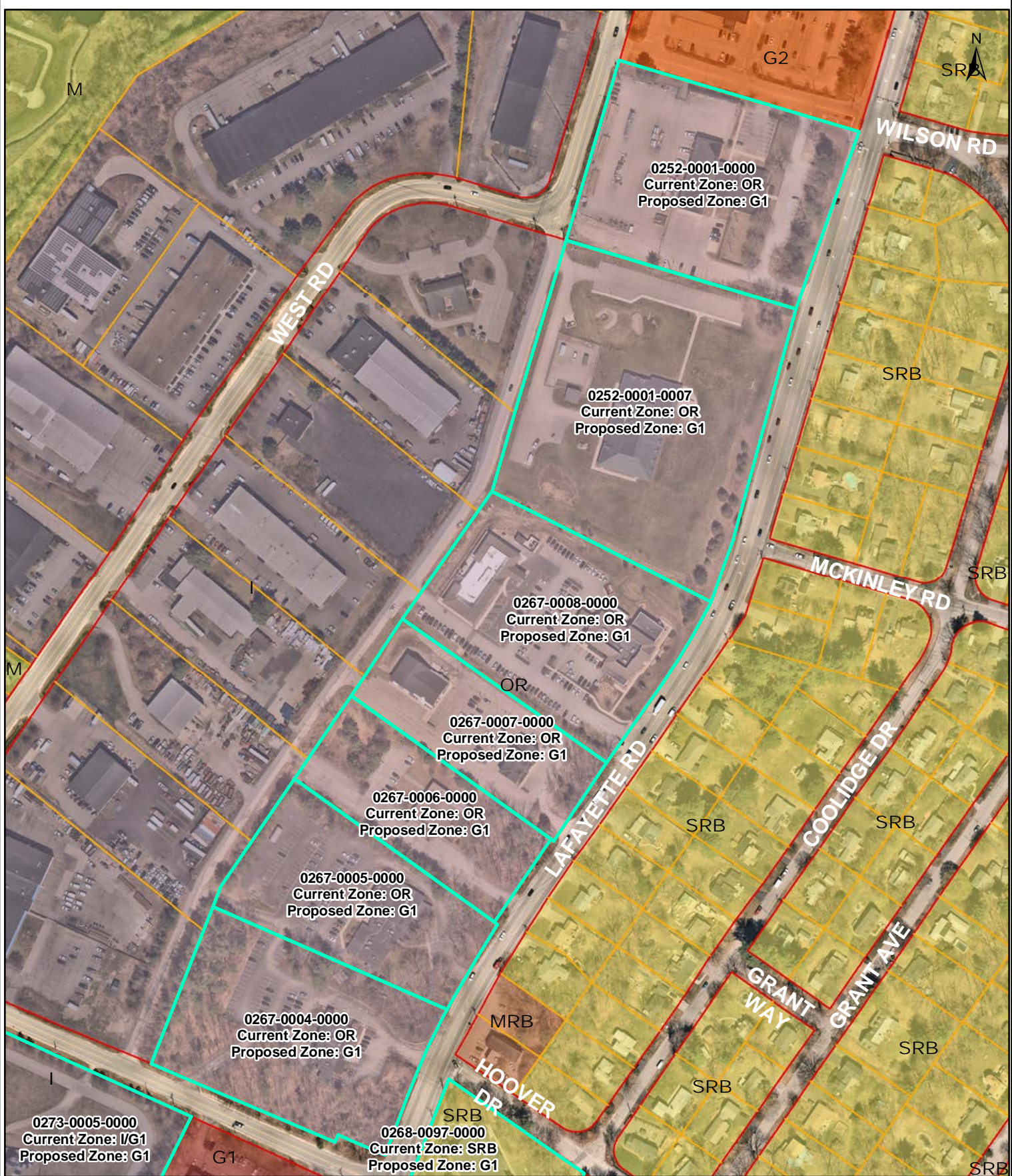
SRB  
 GRA  
 GRB  
 GRC  
 GA/MH  
 MRO

MRB  
 G1  
 G2  
 OR  
 I  
 WI

M  
 NRP







## Parcels Considered for Rezoning

### Legend

Consensus Parcels

### Zoning

TC  
Civic  
CD4-L1  
CD4-L2

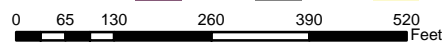
CD4-W  
CD5  
CD4  
AIR  
AI  
PI

ABC  
GB  
B  
WB  
R  
SRA

SRB  
GRA  
GRB  
GRC  
GA/MH  
MRO

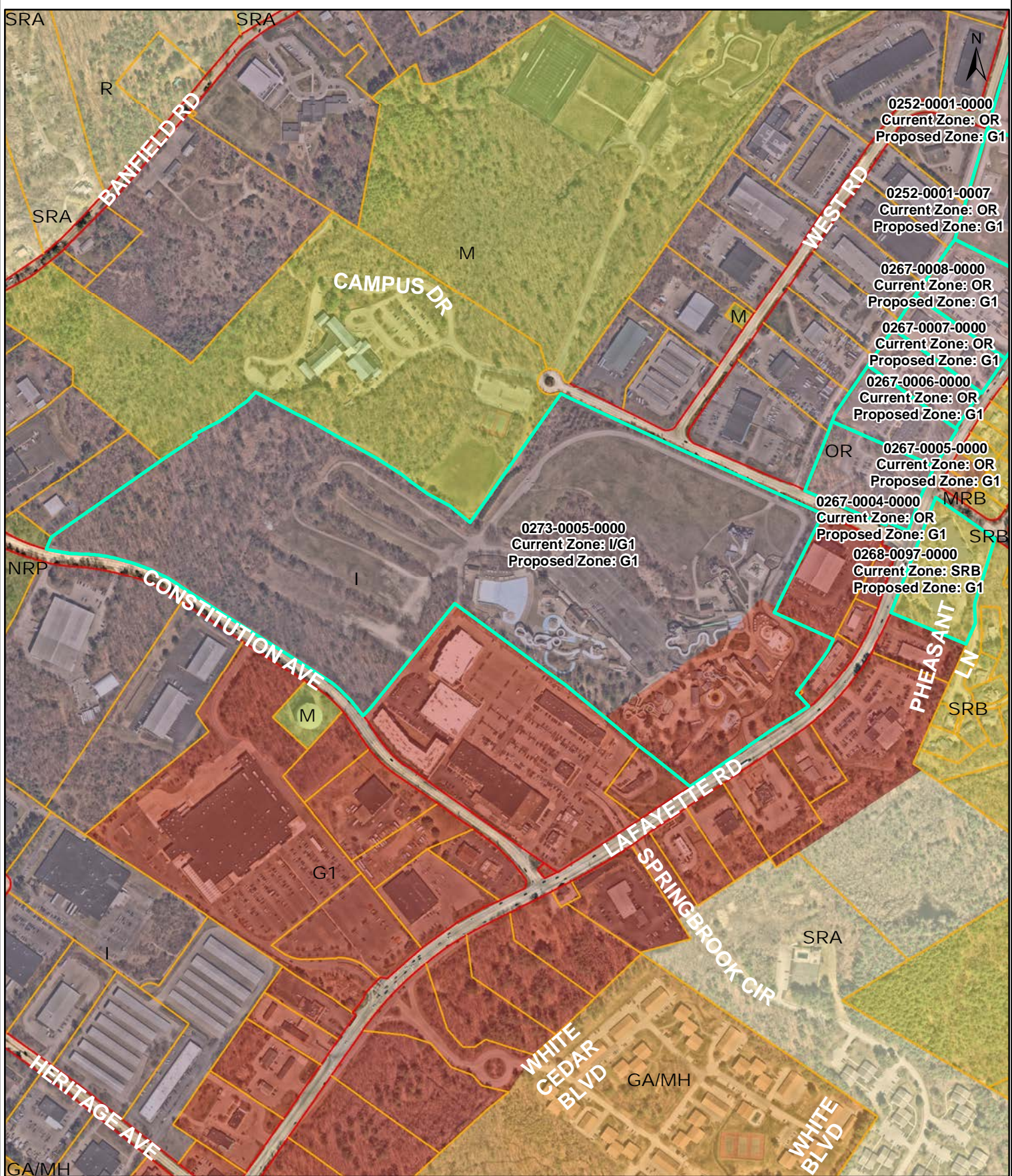
MRB  
G1  
G2  
OR  
I  
WI

M  
NRP



1 inch = 256 feet





## Parcels Considered for Rezoning

### Legend

Consensus Parcels

### Zoning

- CD4-W
- CD5
- CD4
- AIR
- AI
- PI

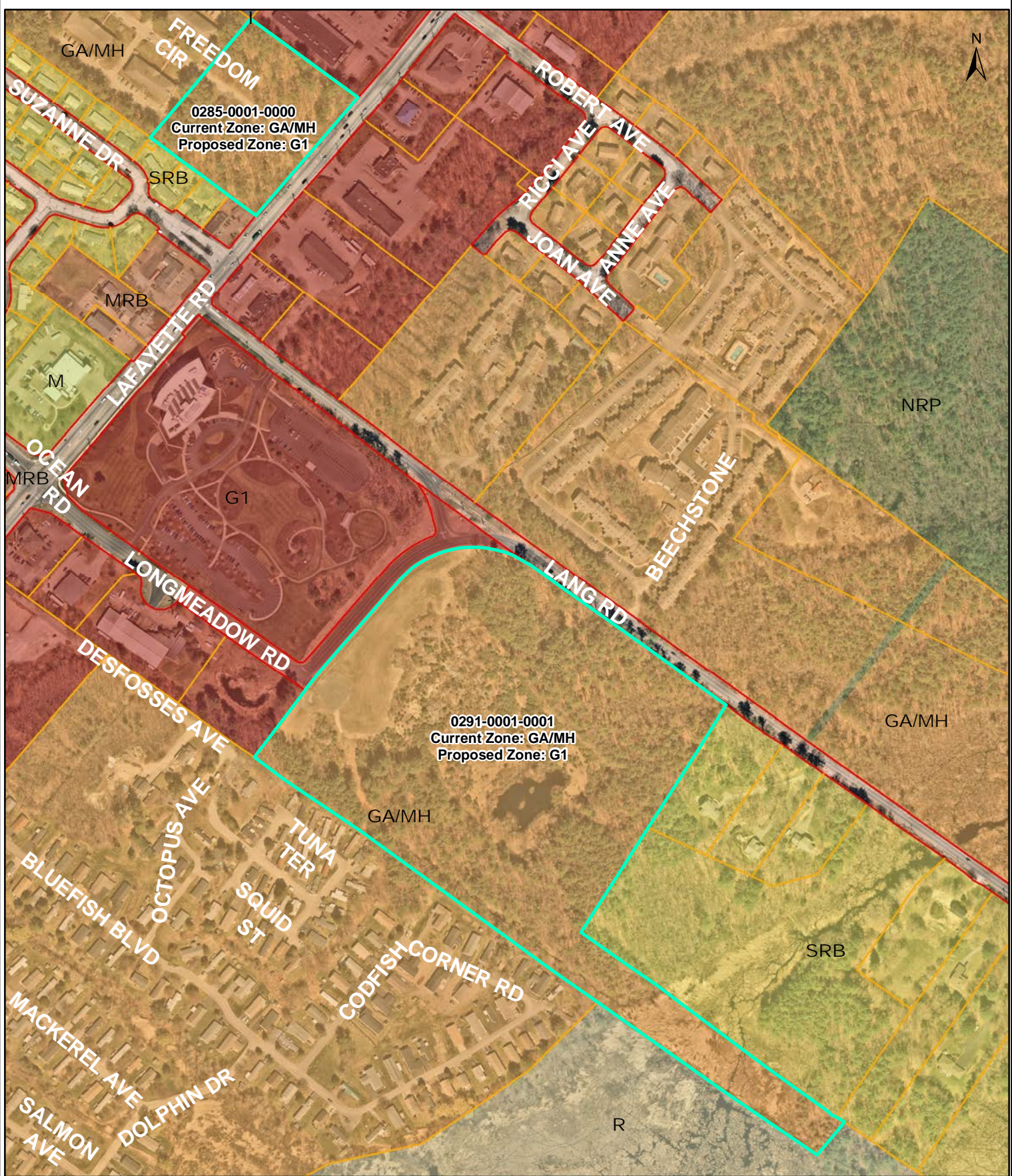
- ABC
- GB
- B
- WB
- R
- SRA

- SRB
- GRA
- GRB
- GRC
- GA/MH
- MRO

- MRB
- G1
- G2
- OR
- I
- WI

- M
- NRP





### Parcels Considered for Rezoning

**Legend**

Consensus Parcels

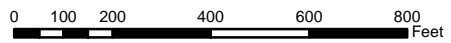
**Zoning**

- CD4-W
- CD5
- CD4
- AIR
- AI
- PI
- CD4-L1
- CD4-L2

- ABC
- GB
- B
- WB
- R
- SRA

- SRB
- GRA
- GRB
- GRC
- GA/MH
- MRO

- MRB
- G1
- G2
- OR
- I
- WI
- M
- NRP





<b>Industrial</b>	<b>Office Research</b>	<b>General Business</b>	<b>Mixed Residential Business</b>	<b>Garden Apt/ Mobile Home</b>
To accommodate industrial, wholesale and storage uses whose operation and physical characteristics do not have detrimental impacts on surrounding areas.	To provide for campus-style development of offices buildings, research and development facilities, and complementary uses.	To provide for a wide range of retail and commercial uses in areas with excellent regional highway access.	To provide areas where a limited range of business establishments, including live/work units, can be located near or adjacent to residential development, providing a transition between residential neighborhoods and commercial districts.	To provide areas for garden apartment development at moderate densities (up to 4 dwelling units per acre), and to accommodate existing developed mobile home parks.
<p><b>Permitted uses:</b></p> <ol style="list-style-type: none"> <li>1. Post secondary school</li> <li>2. Municipally operated park and related activities</li> <li>3. Professional Office</li> <li>4. Business Office</li> <li>5. Financial Services Office-No retail bank</li> <li>6. Social Service Campus nonresidential (25 acres)</li> <li>7. Media Studio excluding any transmitting antenna tower</li> <li>8. Publishing facility or similar electronic production operation</li> <li>9. Trade, craft and general service establishments such as shop for plumbers, electricians, painters, paper hangers, upholsterers, sign painters and printers</li> <li>10. Dry cleaning establishment with on-site cleaning facilities.</li> <li>11. Manufacture of goods sold at retail on the premises, such as crafts, coffee roasting and bakery goods</li> <li>12. Wholesale use</li> <li>13. Wholesale lumber yards, lumber and contractor sales</li> <li>14. Light industry</li> <li>15. Research and development</li> <li>16. Food processing not including seafood processing</li> <li>17. Electronics manufacturing</li> <li>18. General manufacturing</li> </ol>	<p><b>Permitted uses:</b></p> <ol style="list-style-type: none"> <li>1. Post secondary School</li> <li>2. Historic preservation building</li> <li>3. Museum</li> <li>4. Municipally operated park and related activities</li> <li>5. Profession office</li> <li>6. Business office including real estate office</li> <li>7. Financial services office</li> <li>8. Publishing facility or similar electronic production operation</li> <li>9. Hospital</li> <li>10. Medical offices and clinics outpatient only</li> <li>11. Trade, craft and general service establishments, such as shops for plumbers, electricians, painters, paper hangers, upholsterers, sign painters and printers</li> <li>12. Hotel or motel up to 125 rooms</li> <li>13. Satellite dish receiver 42 inches or less in diameter</li> </ol>	<p><b>Permitted uses:</b></p> <ol style="list-style-type: none"> <li>1. Assisted living center</li> <li>2. Primary, secondary and post-secondary school</li> <li>3. Historic preservation building</li> <li>4. Museum</li> <li>5. Performance facility indoor up to and more than 500 occupancy</li> <li>6. Club, fraternal or service organization</li> <li>7. Religious, sectarian or private non-profit recreational use</li> <li>8. Cinema or similar indoor amusement use with no live performance</li> <li>9. Indoor recreation use such as bowling alley or arcade</li> <li>10. Health club, yoga studio, marital arts school, or similar use up to and more than 2,000 GFA</li> <li>11. Professional Office</li> <li>12. Business office including real estate office</li> <li>13. Financial institution services office and retail bank</li> <li>14. Media studio excluding any transmitting antenna tower</li> </ol>	<p><b>Permitted uses:</b></p> <ol style="list-style-type: none"> <li>1. Single family dwellings (thereby allowing ADUs)</li> <li>2. Two family dwellings</li> <li>3. Multifamily dwellings 3 to 8</li> <li>4. Conversion of a building existing on January 1, 1980, with less than the required minimum lot area per dwelling unit specified in Article 5- 2 to 4 units</li> <li>5. Live/Work Units</li> <li>6. Primary, secondary and post-secondary school</li> <li>7. Historic preservation building</li> <li>8. Municipally operated park and related activities</li> <li>9. Health club, yoga studio, marital arts school, or similar use up to 2,000 GFA</li> <li>10. Business office including real estate office</li> <li>11. Financial institution services office and retail bank</li> <li>12. Family day care facility</li> <li>13. Group day care facility including private preschool and kindergarten</li> <li>14. Drop-off/pick up only for items to be dry cleaned or laundered off site</li> <li>15. Self-service laundry for use by the general public</li> </ol>	<p><b>Permitted uses:</b></p> <ol style="list-style-type: none"> <li>1. Two family dwellings</li> <li>2. Townhouses</li> <li>3. Multifamily dwellings 3 to more than 8</li> <li>4. Manufactured housing park</li> <li>5. Municipally operated park and related activities</li> <li>6. Boat landings, boat docks, boathouses and associated marine uses non commercial</li> <li>7. Satellite dish receiver 42 inches or less in diameter</li> <li>8. Construction Trailer temporary use</li> <li>9. Temporary structures up to 30 days</li> <li>10. Manufactured Housing not on a foundation, as temporary replacement housing for a dwelling on the same lot destroyed by natural causes, provided that there is an active building permit for rebuilding the destroyed dwelling up to 180 days</li> <li>11. Accessory use to a permitted principal use, but not including any outdoor storage</li> <li>12. Home Occupation 1</li> </ol>

<p>19. Public or private transformer station, substation, pumping station or automatic telephone exchange, not including any business office storage yard or storage building essential to service the area in which it is located</p> <p>20. Satellite dish receiver 42 inches or less in diameter</p> <p>21. Whip antenna not more than 30 feet in height</p> <p>22. Construction trailer</p> <p>23. Temporary structure up to 90 days</p> <p>24. Manufactured housing not on a foundation, as temporary replacement housing for a dwelling on the same lot destroyed by natural causes, provided that there is an active building permit for rebuilding the destroyed dwelling up and more than 180 days</p> <p>25. Carts or trailers, including outdoor display area, used for the seasonal sale of dry goods, Christmas trees, flowers, fruits, vegetables, seasonal products and prepared food</p> <p>26. Accessory use to a permitted principal use, but not including any outdoor storage</p> <p>27. Concessions and services located within the principal building</p> <p>28. Indoor storage of motor vehicles or boats as an accessory use</p> <p>29. Outdoor storage of registered motor vehicles owned by residents of the premises or business. Such vehicles may include only one commercial vehicle, which shall be limited to no more than 2 axles and 6 wheels</p> <p>30. Outdoor storage for not more than 9 consecutive months of boats owned by residents of the</p>	<p>14. Whip antenna not more than 30 feet in height</p> <p>15. Construction Trailer temporary use</p> <p>16. Temporary structures up to 90 days</p> <p>17. Manufactured Housing not on a foundation, as temporary replacement housing for a dwelling on the same lot destroyed by natural causes, provided that there is an active building permit for rebuilding the destroyed dwelling more than 180 days</p> <p>18. Carts or trailers, including outdoor display area, used for the seasonal sale of dry goods, Christmas trees, flowers, fruits, vegetables, seasonal products and prepared food</p> <p>19. Accessory use to a permitted principal use, but not including any outdoor storage</p> <p>Accessory use to a permitted principal use, but not including any outdoor storage</p> <p>20. Concessions and services located within the principal building</p> <p>21. Indoor storage of motor vehicles or boats as an accessory use</p>	<p>15. Publishing facility or similar electronic production operation</p> <p>16. Call center</p> <p>17. Medical offices and clinics outpatient only</p> <p>18. Group day care facility including private preschool and kindergarten</p> <p>19. Personal services</p> <p>20. Consumer services such as a copy shop, bicycle repair, and pet grooming</p> <p>21. Trade, craft and general service establishments, such as shops for plumbers, electricians, painters, paper hangers, upholsterers, sign painters and printers</p> <p>22. Drop-off/pick up only for items to be dry cleaned or laundered off site</p> <p>23. Self-service laundry for use by the general public</p> <p>24. Undertaking establishment, funeral parlor or mortuary chapel, excluding crematorium</p> <p>25. Convenience goods 1 both 6-11 and 24/7</p> <p>26. Convenience goods 2 6AM to 11PM</p> <p>27. Retail sales conduction within building</p> <p>28. Shopping center</p> <p>29. Fish market</p> <p>30. Manufacture of goods sold at retail on the premises, such as crafts, coffee roasting and bakery goods</p> <p>31. Nightclub or bar less than 250 occupancy</p>	<p>16. Undertaking establishment, funeral parlor or mortuary chapel, excluding crematorium</p> <p>17. Convenience goods 1 6AM to 11PM</p> <p>18. Bed and Breakfast 1</p> <p>19. Bed and Breakfast 2</p> <p>20. Boat landings, boat docks, boathouses and associated marine uses non commercial</p> <p>21. Research and development not marine-dependent</p> <p>22. Satellite dish receiver 42 inches or less in diameter</p> <p>23. Construction Trailer temporary use</p> <p>24. Temporary structures up to 30 days</p> <p>25. Manufactured Housing not on a foundation, as temporary replacement housing for a dwelling on the same lot destroyed by natural causes, provided that there is an active building permit for rebuilding the destroyed dwelling up to 180 days</p> <p>26. Accessory use to a permitted principal use, but not including any outdoor storage</p> <p>27. Home Occupation 1 &amp; 2</p> <p>28. Concessions and services located within the principal building</p> <p>29. Indoor storage of motor vehicles or boats as an accessory use</p> <p>30. Outdoor storage of registered motor vehicles owned by residents of the premises or business. Such vehicles may include only one commercial vehicle, which shall be</p>	<p>13. Concessions and services located within the principal building</p> <p>14. Indoor storage of motor vehicles or boats as an accessory use</p> <p>15. Outdoor storage of registered motor vehicles owned by residents of the premises or business. Such vehicles may include only one commercial vehicle, which shall be limited to no more than 2 axles and 6 wheels</p> <p>16. Outdoor storage for not more than 9 consecutive months of boats owned by residents of the property: not more than one motorboat or sailboat longer than 12 feet. Any number of motorboats or sailboats up to 12 feet in length or hand-powered craft without restriction as to length 9canoes and kayaks)</p> <p>17. Outdoor storage of lobster traps, lobster buoys and associated rope</p>
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<p>property: not more than one motorboat or sailboat longer than 12 feet. Any number of motorboats or sailboats up to 12 feet in length or hand-powered craft without restriction as to length (canoes and kayaks)</p> <p>31. Outdoor storage of lobster traps, lobster buoys and associated rope</p>	<p>22. Outdoor storage of registered motor vehicles owned by residents of the premises or business. Such vehicles may include only one commercial vehicle, which shall be limited to no more than 2 axles and 6 wheels</p> <p>23. Outdoor storage for not more than 9 consecutive months of boats owned by residents of the property: not more than one motorboat or sailboat longer than 12 feet. Any number of motorboats or sailboats up to 12 feet in length or hand-powered craft without restriction as to length (canoes and kayaks)</p>	<p>32. Restaurant take out only</p> <p>33. Restaurant fast food</p> <p>34. Restaurant, place of public assembly or function room up to 250 occupancy</p> <p>35. Inn</p> <p>36. Conference hotel</p> <p>37. Conference Center</p> <p>38. Sales, renting or leasing of passenger cars and light trucks, motorcycles, tractors, snowmobiles and small power equipment (ie lawn mowers) including accessory repair services</p> <p>39. Boat landings, boat docks, boathouses and associated marine uses non commercial and fishing boat landing 1</p> <p>40. Wholesale sales devoted to and in the same establishment as a permitted retail use occupying up to 20% of GFA of establishment and 21% to 40% GFA</p> <p>41. Food processing not including seafood processing</p> <p>42. Satellite dish receiver 42 inches or less in diameter</p> <p>43. Whip antenna not more than 30 feet in height</p> <p>44. Construction Trailer temporary use</p> <p>45. Temporary structures up to 30 days</p> <p>46. Manufactured Housing not on a foundation, as temporary replacement housing for a dwelling on the same lot destroyed by natural causes, provided</p>	<p>limited to no more than 2 axles and 6 wheels</p> <p>31. Outdoor storage for not more than 9 consecutive months of boats owned by residents of the property: not more than one motorboat or sailboat longer than 12 feet. Any number of motorboats or sailboats up to 12 feet in length or hand-powered craft without restriction as to length (canoes and kayaks)</p> <p>32. Outdoor storage of lobster traps, lobster buoys and associated rope</p>	
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		<p>that there is an active building permit for rebuilding the destroyed dwelling up to 180 days</p> <p>47. Carts or trailers, including outdoor display area, used for the seasonal sale of dry goods, Christmas trees, flowers, fruits, vegetables, seasonal products and prepared food</p> <p>48. Accessory use to a permitted principal use, but not including any outdoor storage</p> <p>49. Home Occupation 1 &amp; 2</p> <p>50. Concessions and services located within the principal building</p> <p>51. Outdoor dining or drinking area, as accessory use to a permitted principal use</p> <p>52. Indoor storage of motor vehicles or boats as an accessory use</p> <p>53. Outdoor storage of registered motor vehicles owned by residents of the premises or business. Such vehicles may include only one commercial vehicle, which shall be limited to no more than 2 axles and 6 wheels</p> <p>54. Outdoor storage for not more than 9 consecutive months of boats owned by residents of the property: not more than one motorboat or sailboat longer than 12 feet. Any number of motorboats or sailboats up to 12 feet in</p>		
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		length or hand-powered craft without restriction as to length (canoes and kayaks)		
		55. Outdoor storage of lobster traps, lobster buoys and associated rope		
<p><b>Uses by Special Exception:</b></p> <ol style="list-style-type: none"> <li>1. Health club, yoga studio, martial arts, school, or similar use</li> <li>2. Social Service Campus residential (25 acres)</li> <li>3. Media Studio including any transmitting antenna tower</li> <li>4. Call center</li> <li>5. Veterinary Care</li> <li>6. Motor vehicle service station, motor vehicle repair or washing facility for passenger cars and light trucks 10.581, 10.592, 10.843</li> <li>7. Sales, rental, leasing, distribution, and repair of trucks over 10,000lb GVW, recreational vehicles, marine craft or manufactured housing, and related equipment 10.581, 10.592, 10.843</li> <li>8. Impound Lot principal or accessory use</li> <li>9. Truck fueling facility 10.581, 10.592, 10.843</li> <li>10. Truck terminal 10.592, 10.843</li> <li>11. Repair of commercial marine craft and marine-related structures 10.581, 10.592, 10.860</li> <li>12. Food processing including seafood processing</li> <li>13. Biological or chemical laboratory</li> <li>14. Recycling facility or recycling plant 10.592, 10.853</li> <li>15. High hazard use including other uses listed in section but not including 14.90</li> <li>16. Public or private transformer station, substation, pumping station or automatic telephone</li> </ol>	<p><b>Uses by Special Exception:</b></p> <ol style="list-style-type: none"> <li>1. Residential care facility of more than 5 residents</li> <li>2. Retail bank</li> <li>3. Clinics with inpatient care</li> <li>4. Ambulatory surgical center</li> <li>5. Veterinary Care</li> <li>6. Drop-off/pick up only for items to be dry cleaned or laundered off site</li> <li>7. Hotel or motel 126 to 250 rooms</li> <li>8. Research and development</li> <li>9. Public or private transformer station substation, pumping station or automatic telephone exchange, not including any business office, storage yard or storage building essential to service the area in which is located</li> <li>10. Helipad, as an accessory use to a permitted hospital use</li> <li>11. Satellite dish receiver more than 42 inches in diameter</li> <li>12. Temporary structures up to 180 days</li> </ol>	<p><b>Uses by Special Exception:</b></p> <ol style="list-style-type: none"> <li>1. Residential care facility more than 5 residents</li> <li>2. Place of assembly religious or other nonprofit</li> <li>3. Outdoor performance facility up and more than 500 occupancy</li> <li>4. Club, fraternal or service organization</li> <li>5. Media studio including accessory transmitting antenna tower</li> <li>6. Clinics with inpatient care</li> <li>7. Ambulatory surgical center</li> <li>8. Veterinary Care</li> <li>9. Convenience goods 2 24/7</li> <li>10. Retail sales large format</li> <li>11. Sexually oriented business</li> <li>12. Nightclub or bar 250 to 500 occupancy</li> <li>13. Restaurant, place of public assembly or function room from 250 to greater than 500 occupancy</li> <li>14. Boarding House</li> <li>15. Hotel or motel any amount of rooms</li> <li>16. Boat landings, boat docks, boathouses and</li> </ol>	<p><b>Uses by Special Exception:</b></p> <ol style="list-style-type: none"> <li>1. Conversion of a building existing on January 1, 1980, with less than the required minimum lot area per dwelling unit specified in Article 5-5 to 8 units</li> <li>2. Assisted living home</li> <li>3. Residential care facility 5 or fewer residents and 5 or more than 5 residents.</li> <li>4. Place of assembly religious or other nonprofit</li> <li>5. Club, fraternal or service organization</li> <li>6. Profession Office</li> <li>7. Media studio excluding any transmitting antenna tower</li> <li>8. Publishing facility or similar electronic production operation</li> <li>9. Medical offices and clinics outpatient only</li> <li>10. Personal services</li> <li>11. Consumer services such as copy shop, bicycle repair, and pet grooming</li> <li>12. Trade, craft and general service establishments, such as shops for plumbers, electricians, painters, paper hangers, upholsterers, sign painters and printers.</li> <li>13. Veterinary Care</li> <li>14. Convenience Goods 2 6AM to 11PM</li> <li>15. Manufacture of goods sold at retail on the premises, such as</li> </ol>	<p><b>Uses by Special Exception:</b></p> <ol style="list-style-type: none"> <li>1. Assisted living home</li> <li>2. Residential care facility of 5 or fewer residents</li> <li>3. Historic preservation building</li> <li>4. Public or private transformer station substation, pumping station or automatic telephone exchange, not including any business office, storage yard or storage building essential to service the area in which is located</li> <li>5. Satellite dish receiver more than 42 inches in diameter</li> <li>6. Whip antenna not more than 30 feet in height</li> <li>7. Temporary structures up to 90 days</li> <li>8. Manufactured Housing not on a foundation, as temporary replacement housing for a dwelling on the same lot destroyed by natural causes, provided that there is an active building permit for rebuilding the destroyed dwelling more than 180 days</li> </ol>

<p>exchange, not including any business office storage yard or storage building providing community-wide or regional service</p> <p>17. Helipad as an accessory use to a permitted hospital use</p> <p>18. Satellite dish receiver more than 42 inches in diameter</p> <p>19. Temporary structure up to 180 days</p> <p>20. Outdoor storage of raw or partially finished material</p> <p>21. Outdoor storage of machinery equipment and vehicles other than 20.30 or 20.40</p>		<p>associated marine uses fishing boat landing 2</p> <p>17. Light industry</p> <p>18. Research and development</p> <p>19. Food processing including seafood processing</p> <p>20. Electronics manufacturing</p> <p>21. Public or private transformer station substation, pumping station or automatic telephone exchange, not including any business office, storage yard or storage building essential to service the area in which is located and providing community-wide or regional service</p> <p>22. Satellite dish receiver more than 42 inches in diameter</p> <p>23. Temporary structures up to 90 days</p> <p>24. Manufactured Housing not on a foundation, as temporary replacement housing for a dwelling on the same lot destroyed by natural causes, provided that there is an active building permit for rebuilding the destroyed dwelling more than 180 days</p> <p>25. Outdoor storage of machinery equipment and vehicles other than 20.30 or 20.40</p>	<p>crafts, coffee roasting and bakery goods</p> <p>16. Inn</p> <p>17. Public or private transformer station substation, pumping station or automatic telephone exchange, not including any business office, storage yard or storage building essential to service the area in which is located</p> <p>18. Satellite dish receiver more than 42 inches in diameter</p> <p>19. Whip antenna not more than 30 feet in height</p> <p>20. Temporary structures up to 90 days</p> <p>21. Manufactured Housing not on a foundation, as temporary replacement housing for a dwelling on the same lot destroyed by natural causes, provided that there is an active building permit for rebuilding the destroyed dwelling more than 180 days</p>	
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	<b>Conditional Permit Uses:</b> 1. Drive-through facility, as accessory use to a permitted principal use	<b>Conditional Permit Uses:</b> 1. Drive-through facility, as accessory use to a permitted principal use		
<b>Dimensional Standards</b> Minimum Lot Dimensions 2 acres, 200 feet continuous street frontage and depth Minimum Yard Dimensions Front 70 feet, Side 50 feet and rear 50 feet Maximum structure dimensions Height 70 feet except 10.532.20 Roof appurtenance height 10 feet Building coverage 50% Floor area ratio No Requirement Minimum open space 20%	<b>Dimensional Standards</b> Minimum Lot Dimensions 3 acres, street frontage 300 feet and depth of lot 300 feet, exceptions for properties adjacent to North Mill Pond Minimum Yard Dimensions Front 50 feet, Side 75 feet, Rear 50 feet exceptions for properties adjacent to North Mill Pond Maximum Structure Dimensions Height 60 feet, roof appurtenance 10 feet building coverage 30% and Minimum open space 30% Exceptions for north mill pond and Piscataqua river	<b>Dimensional Standards</b> Minimum Lot Dimensions 43,560 SF, street frontage 200 feet, depth 100 feet Minimum Yard Dimensions Front 30 feet, side 30 feet and rear 50 feet Maximum Structure Dimensions Height 60 feet, roof appurtenance 10 feet, building coverage 30% and minimum open space 20%	<b>Dimensional Standards</b> Minimum Lot Dimensions 7,500 sf with same for per dwelling unit, 100 feet street frontage and 80 feet of depth. Minimum Yard Dimensions Front 5 feet special for Lafayette Rd, side 10 feet and rear 15 feet Maximum Structure Dimensions Sloped roof 40 feet flat roof 30 feet, roof appurtenance 10 feet building coverage 40% Minimum open space 25%	<b>Dimensional Standards</b> Minimum Lot Dimensions 5 acres with lot area per dwelling unit 10,000 sf Minimum Yard Dimensions Front 30 feet, 10.533 special for Lafayette Rd side 25 feet and rear is 25 feet Maximum Structure Dimensions Sloped or flat roof 35 feet with exceptions for parking on first floor roof appurtenance 8 feet building coverage 20% see 10.816 for MHP Minimum open space 50%

### Special Yard Requirements on Lafayette Road

Notwithstanding the minimum **front yard** requirements specified in Section 10.521 or Section 10.531, for any **lot** adjoining Lafayette Road between the Route 1 Bypass and the Rye town line, no **building, structure**, parking area, or display or storage area shall be located less than 80 feet from the centerline of Lafayette Road or 30 feet from the sideline of Lafayette Road, whichever represents the greater **setback**, except as otherwise permitted by this Ordinance.

Gateway 1	Gateway 2
<p>The purpose of this district is to facilitate a broad range of housing types together with compatible commercial, fabrication, and civic uses in a high-quality pedestrian environment with moderate to high density.</p>	<p>This district is intended to facilitate a broad range of residential and mixed use development at a pedestrian scale and moderate density providing commercial uses that benefit residents of the district and surrounding neighborhoods along major corridors.</p>
<p><b>Permitted Uses:</b></p> <ol style="list-style-type: none"> <li>1. Single Family Dwelling</li> <li>2. Two-Family Dwellings</li> <li>3. Townhouse</li> <li>4. Multifamily dwellings more than 8 units</li> <li>5. Live/Work Units</li> <li>6. Historic Preservation building</li> <li>7. Municipally operated park or related activities</li> <li>8. Health club, yoga studio, martial arts school, or similar use up to 2,000 GFA</li> <li>9. Outdoor recreation use</li> <li>10. Professional office</li> <li>11. Business office including real estate office</li> <li>12. Financial institutions services office and retail bank</li> <li>13. Publishing facility or similar electronic production operation</li> <li>14. Medical offices and clinics outpatient only</li> <li>15. Family day care facility</li> <li>16. Personal services</li> <li>17. Consumer services such as copy shop, bicycle repair and pet grooming</li> <li>18. Trade, craft and general service establishments, such as shops for plumbers, electricians, painters, paper hangers, upholsterers, sign painters and printers</li> <li>19. Drop-off/Pick-up only for items to be dry cleaned or laundered off site</li> <li>20. Self-service laundry for use by the general public</li> <li>21. Convenience goods 1, 6AM to 11PM</li> <li>22. Convenience goods 2, 6AM to 11PM</li> <li>23. Retail sales conducted within a building</li> <li>24. Shopping center</li> </ol>	<p><b>Permitted Uses:</b></p> <ol style="list-style-type: none"> <li>1. Single Family Dwelling</li> <li>2. Two-Family Dwellings</li> <li>3. Townhouse</li> <li>4. Multifamily dwellings more than 8 units</li> <li>5. Live/Work Units</li> <li>6. Historic Preservation building</li> <li>7. Municipally operated park or related activities</li> <li>8. Health club, yoga studio, martial arts school, or similar use up to 2,000 GFA</li> <li>9. Outdoor recreation use</li> <li>10. Professional office</li> <li>11. Business office including real estate office</li> <li>12. Financial institutions services office and retail bank</li> <li>13. Publishing facility or similar electronic production operation</li> <li>14. Medical offices and clinics outpatient only</li> <li>15. Family day care facility</li> <li>16. Drop-off/Pick-up only for items to be dry cleaned or laundered off site</li> <li>17. Convenience goods 1, 6AM to 11PM</li> <li>18. Convenience goods 2, 6AM to 11PM</li> <li>19. Retail sales conducted within a building</li> <li>20. Shopping center</li> <li>21. Fish markets</li> <li>22. Manufacture of goods sold at retail on the premises, such as crafts, coffee roasting and bakery goods</li> <li>23. Restaurant take-out only</li> <li>24. Restaurant fast food</li> <li>25. Restaurant occupancy up to 50</li> </ol>

<ul style="list-style-type: none"> <li>25. Fish markets</li> <li>26. Manufacture of goods sold at retail on the premises, such as crafts, coffee roasting and bakery goods</li> <li>27. Nightclub or bar less than 250 occupancy</li> <li>28. Restaurant take-out only</li> <li>29. Restaurant fast food</li> <li>30. Restaurant occupancy up to 250</li> <li>31. Boat landings, boat docs, boathouses and associated marine uses non-commercial</li> <li>32. Satellite dish receiver 42 inches or less in diameter</li> <li>33. Construction Trailer</li> <li>34. Temporary structures up to 30 days</li> <li>35. Manufactured housing not on a foundation, as temporary placement housing for a dwelling on the same lot destroyed by natural causes, provided that there is an active building permit for rebuilding the destroyed dwelling up to 180 days</li> <li>36. Accessory use to a permitted principal use but not including any outdoor storage</li> <li>37. Home occupation 1 and 2</li> <li>38. Concession and services located within the principal building</li> <li>39. Outdoor dining or drinking area, as accessory use to a permitted principal use</li> <li>40. Outdoor dining or drinking area, as accessory use to a permitted principal use</li> <li>41. Indoor storage of motor vehicles or boats as an accessory use Outdoor storage of registered motor vehicles owned by residents of the premises or business. Such vehicles may include only one commercial vehicle, which shall be limited to no more than 2 axles and 6 wheels</li> <li>42. Outdoor storage for not more than 9 consecutive months of boats owned by residents of the property: not more than one motorboat or sailboat longer than 12 feet. Any number of motorboats or sailboats up to 12 feet in length or hand-powered craft without restriction as to length (canoes and kayaks)</li> <li>43. Outdoor storage of lobster traps, lobster buoys and associated rope</li> </ul>	<ul style="list-style-type: none"> <li>26. Boat landings, boat docs, boathouses and associated marine uses non-commercial</li> <li>27. Satellite dish receiver 42 inches or less in diameter</li> <li>28. Construction trailer</li> <li>29. Temporary structures up to 30 days</li> <li>30. Manufactured housing not on a foundation, as temporary placement housing for a dwelling on the same lot destroyed by natural causes, provided that there is an active building permit for rebuilding the destroyed dwelling up to 180 days</li> <li>31. Accessory use to a permitted principal use but not including any outdoor storage</li> <li>32. Home occupation 1 and 2</li> <li>33. Concession and services located within the principal building</li> <li>34. Outdoor dining or drinking area, as accessory use to a permitted principal use</li> <li>35. Indoor storage of motor vehicles or boats as an accessory use</li> <li>36. Indoor storage of motor vehicles or boats as an accessory use Outdoor storage of registered motor vehicles owned by residents of the premises or business. Such vehicles may include only one commercial vehicle, which shall be limited to no more than 2 axles and 6 wheels</li> <li>37. Outdoor storage for not more than 9 consecutive months of boats owned by residents of the property: not more than one motorboat or sailboat longer than 12 feet. Any number of motorboats or sailboats up to 12 feet in length or hand-powered craft without restriction as to length (canoes and kayaks)</li> <li>38. Outdoor storage of lobster traps, lobster buoys and associated rope</li> </ul>
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**Uses By Special Exception:**

1. Assisted living centers and homes
2. Residential care facilities up to and more than 5 residents
3. Place of assembly religious and other nonprofit
4. School primary, secondary or post-secondary
5. Museum
6. Indoor performance facility up to 500 persons
7. Outdoor performance facility up to 500 persons
8. Club, fraternal or service organization
9. Religious, sectarian or private non-profit recreational use
10. Cinema or similar indoor amusement use with no live performance
11. Indoor recreation use such as bowling alley or arcade
12. Health club, yoga studio, martial arts school, or similar use more than 2,000 GFA
13. Media Studio, excluding any transmitting antenna tower
14. Clinics with inpatient care
15. Ambulatory surgical center
16. Group day care facility including private preschool and kindergarten
17. Veterinary Care
18. Undertaking establishment, funeral parlor or mortuary chapel, excluding crematorium
19. Convenience goods 1, 24/7
20. Convenience goods 2, 24/7
21. Nightclub or bar from 250-500 occupancy
22. Restaurant occupancy 250 to 500
23. Boarding house
24. Bed and breakfast 1 and 2
25. Inn
26. Hotel or motel up to 500 rooms
27. Conference Hotel
28. Conference Center
29. Sales, renting or leasing of passenger cars and light trucks, motorcycles, tractors, snowmobiles and small power equipment (i.e. lawn mowers) including accessory repair services

**Uses By Special Exception:**

1. Assisted living centers and homes
2. Residential care facilities up to and more than 5 residents
3. Place of assembly religious and other nonprofit
4. School primary, secondary or post-secondary
5. Museum
6. Indoor performance facility up to 500 persons
7. Outdoor performance facility up to 500 persons
8. Club, fraternal or service organization
9. Religious, sectarian or private non-profit recreational use
10. Cinema or similar indoor amusement use with no live performance
11. Indoor recreation use such as bowling alley or arcade
12. Health club, yoga studio, martial arts school, or similar use more than 2,000 GFA
13. Media Studio, excluding any transmitting antenna tower
14. Group day care facility including private preschool and kindergarten
15. Personal services
16. Consumer services such as copy shop, bicycle repair and pet grooming
17. Trade, craft and general service establishments, such as shops for plumbers, electricians, painters, paper hangers, upholsterers, sign painters and printers
18. Veterinary Care
19. Self-service laundry for use by the general public
20. Undertaking establishment, funeral parlor or mortuary chapel, excluding crematorium
21. Nightclub or bar less than 250 occupancy
22. Nightclub or bar from 250-500 occupancy
23. Restaurant occupancy 50 to 500
24. Bed and breakfast 1 and 2
25. Inn
26. Hotel or motel up to 250 rooms
27. Light industry not marine dependent
28. Public or private transformer station, substation, pumping station or automatic telephone exchange, not including any business office,



<p>30. Motor vehicle service station, motor vehicle repair or washing facility for passenger cars and light trucks</p> <p>31. Sales, rental, leasing, distribution and repair of trucks over 10,000lbs GVW recreational vehicles, marine craft or manufactured housing and related equipment</p> <p>32. Wholesale sales devoted to and in the same establishment as a permitted retail use, occupying up to 20% GFA of establishment</p> <p>33. Light industry not marine dependent</p> <p>34. Research and development not marine dependent</p> <p>35. Food processing not including seafood processing</p> <p>36. Electronics manufacturing</p> <p>37. General manufacturing not marine dependent</p> <p>38. Public or private transformer station, substation, pumping station or automatic telephone exchange, not including any business office, storage yard or storage building essential to service the area in which it is located</p> <p>39. Satellite dish receiver more than 42 inches in diameter</p> <p>40. Whip antenna not more than 30 feet in height</p> <p>41. Temporary structures 31 to 90 days</p> <p>42. Manufactured housing not on a foundation, as temporary placement housing for a dwelling on the same lot destroyed by natural causes, provided that there is an active building permit for rebuilding the destroyed dwelling more than 180 days</p> <p>43. Carts or trailers, including outdoor display area, used for the seasonal sale of dry goods, Christmas trees, flowers, fruits, vegetables, seasonal products and prepared food</p>	<p>storage yard or storage building essential to service the area in which it is located</p> <p>29. Satellite dish receiver more than 42 inches in diameter</p> <p>30. hip antenna not more than 30 feet in height</p> <p>31. Temporary structures 31 to 90 days</p> <p>32. Manufactured housing not on a foundation, as temporary placement housing for a dwelling on the same lot destroyed by natural causes, provided that there is an active building permit for rebuilding the destroyed dwelling more than 180 days</p>
<p><b>Uses By Conditional Use Permit:</b></p> <ol style="list-style-type: none"> <li>ADU attached</li> <li>Drive-through facility, as accessory use to a permitted principal use</li> </ol>	<p><b>Uses By Conditional Use Permit:</b></p> <ol style="list-style-type: none"> <li>ADU attached</li> </ol>

Not allowed Planned Unit Development?? Residential density incentive PUD??Manufactured housing park??

Amusement park, water park or theme park not allowed in any of our districts....

There is a big gap in restaurant occupancy beginning at 50 then up 250, Maybe the lower amount should be 100??

The first step in the eminent domain process is to schedule a public necessity hearing. At this hearing, the City Council will view the site and then receive evidence regarding the necessity of the easements. Following acceptance of evidence, the City Council will vote as to whether necessity, as defined by law, exists for the proposed land acquisition.

The Legal Department requests that the City Council schedule a hearing to determine the public necessity to take by eminent domain drain line easements over 90 Maplewood Avenue, Tax Map/Lot 0125-0019, owned by 90 Maplewood LLC and over 0 Bartlett Street, Tax Map/Lot 0164-0004, owned by CSX Transportation, Inc ([drain line outlined in black on the attached map](#)).

The Legal Department believes it is important to take this first step of scheduling a hearing while it continues to negotiate with the parties for the needed easement rights.

*I recommend that the City Council move to schedule a public necessity hearing to begin at 5:00 p.m. on March 25, 2024 in Eileen Dondero Foley City Council Chambers.*

#### **7. Report Back on Request to Remove Salter Street from Waterfront Business District:**

The City Council, at its January 16, 2024 meeting, requested a report back from the Legal Department on [Marcia MacCormack's letter requesting that the Council](#) "...eliminate the Waterfront Business designation from Salter Street." In order to eliminate the Waterfront Business designation, the Council would need to amend the City's Zoning Map through the ordinance amendment process.

By way of background, many streets in the South End that lead to the waterfront are zoned General Residence B but change to Waterfront Business near the water. [Please see section of the City's Zoning Map attached](#). Salter Street has been zoned Waterfront Business since approximately 1965. Chapter 10, Article 4, Section 10.410 of the City's Zoning Ordinance defines the purpose of each zoning district. The Waterfront Business District's purpose is "[t]o accommodate and support business uses that depend on the ocean or the Piscataqua River for transport or resources." The General Residence District's purpose is "[t]o provide areas for single-family, two-family and multifamily dwellings, with appropriate accessory uses, at moderate to high densities ranging from approximately 5 to 12 dwelling units per acre, together with appropriate accessory uses and limited services." Use and dimensional requirements differ in each district. As presently defined, residential uses are prohibited in the Waterfront Business District. Residential properties in the Waterfront Business District are either preexisting nonconforming uses or permitted through variances.

The City Council has voted to rezone parcels from Waterfront Business to Single Residence in the past. In two separate actions in 2010 and 2015, the Council voted to rezone parcels on Sagamore Grove from Waterfront Business to Single Residence B. One request was on behalf of several lot owners on Sagamore Grove and the other was a subdivision.

The decision to change a zoning district is ultimately a policy decision of the Council governed by the City Charter (4.5), City Council Rules (30) and City Council Policies (2014-01).

This policy decision is made in consideration of the Master Plan and is further informed by a report back from the Planning Board prior to first reading (Chapter 10, Article I, Section 10.152).

If the Council supports or would like more information regarding Marcia MacCormack’s request to rezone Salter Street from Waterfront Business to General Residence B (to match the surrounding residential zone), the Council should refer the matter to the Planning Board for a report back.

*I recommend that the City Council move to refer Marcia MacCormack’s January 7, 2024 letter requesting Salter Street be rezoned from Waterfront Business to General Residence B to the Planning Board for its recommendation in a report back to City Council; or*

8. **Request to Establish Polling Hours for the Ward 1 State Representative Special Election on March 12, 2024:**

In accordance with RSA 659:4, the City Council shall determine the polling hours for the election. I would request that the polling hours for the Special Election for Ward 1 State Representative on March 12, 2024, be set from 8:00 a.m. to 7:00 p.m.

*I recommend that the City Council move to establish polling hours for the Ward 1 State Representative Special Election on March 12, 2024 from 8:00 a.m. to 7:00 p.m.*

## ***XII. Consent Agenda***

A. **Projecting Sign Request – 51 Islington Street Unit 1A:**

Permission is being sought to install a projecting sign at [51 Islington Street Unit 1A](#) that extends over the public right of way, as follows:

Sign dimensions: 36” x 36”

Sign area: 9 sq. ft.

The proposed sign complies with zoning requirements. If a license is granted by the City Council, no other municipal approvals are needed. *Therefore, I recommend approval of a revocable municipal license, subject to the following conditions:*

- 1) The license shall be approved by the Legal Department as to content and form;*
- 2) Any removal or relocation of the sign, for any reason, shall be done at no cost to the City; and*
- 3) Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the signs, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.*

received  
1/8/24

Dear Mayor McEachren and City Council Members,

January 7, 2024

This letter is my appeal to eliminate the Waterfront Business designation from Salter Street.

Recently the property at the end of Salter Street underwent extensive reconstructions, enlargements, expansion of parking, changes in use and is now referred to as Point of View Condominium Association.

I've lived in my house next door to this property since 1972. There was nothing at the time to believe it was anything but a quiet residential area.

In 1974 my neighbor started boat building, boat repair, and setting lobster traps claiming the right to do so under the ordinance.

This business was unimaginably disruptive eventually, resulting in the City being involved in a lawsuit to stop it. However various variances were granted by the Board of Adjustment allowing it to continue with restrictions until 1988.

Salter Street is a narrow congested dead end. There are no businesses that currently exist in the Waterfront Business zone that would be appropriate down here.

Bait shops, restaurants, private yacht clubs, marinas and fish markets are all existing and legal uses but they all have access on roads that are not dead ended.

Salter Street may remain residential as it is today but I've learned from experience the unexpected is also possible. The ordinance is a potential harbinger for problems.

Please schedule this for discussion.

Thank you

Sincerely,



Marcia MacCormack

53 Salter Street





**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 08/24/2023  
Data updated 3/9/2022

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

1" = 166.84064491741188 ft



# Map Theme Legends

## Zoning

### Residential Districts

- R Rural
- SRA Single Residence A
- SRB Single Residence B
- GRA General Residence A
- GRB General Residence B
- GRC General Residence C
- GA/MH Garden Apartment/Mobile Home Park

### Mixed Residential Districts

- MRO Mixed Residential Office
- MRB Mixed Residential Business
- G1 Gateway Corridor
- G2 Gateway Center

### Business Districts

- GB General Business
- B Business
- WB Waterfront Business

### Industrial Districts

- OR Office Research
- I Industrial
- WI Waterfront Industrial

### Airport Districts

- AIR Airport
- AI Airport Industrial
- PI Pease Industrial
- ABC Airport Business Commercial

### Conservation Districts

- M Municipal
- NRP Natural Resource Protection

### Character Districts

- CD5 Character District 5
- CD4 Character District 4
- CD4W Character District 4-W
- CD4-L1 Character District 4-L1
- CD4-L2 Character District 4-L2

### Civic District

- Civic District

### Municipal District

- Municipal District

### Overlay Districts

- OLOD Osprey Landing Overlay District
- Downtown Overlay District
- Historic District

City of Portsmouth

**Electric Vehicle Charging Station Zoning Amendments**

*Motion to approve and send the draft Zoning Ordinance amendments regarding Electric Vehicle Charging Stations to the Planning Board for review and recommendation back to the City Council for first reading.*

**Article 1 Purpose and Applicability**

**Section 10.440 Table of Uses – Residential, Mixed Residential, Business and Industrial Districts**

Use	R	SRA SRB	GRA GRB	GRC (A)	GA/M H	MRO CD4- L1	CD4 -L2	MRB	CD5 CD4	GB	G1	G2	B CD4 -W	WB	OR	I	WI	Supplemental Regulations
<b>11. Motor Vehicle-Related Uses</b>																		
11.90 Electric Vehicle Charging Stations as a Principal Use	N	N	N	N	N	N	P	P	CU	P	P	P	P	N	P	P	P	10.870 10.1110
<b>19. Accessory Uses</b>																		
19.60 Level 1 and Level 2 Electric Vehicle Charging Stations as an Accessory Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
19.70 Level 3 Electric Vehicle Charging Stations as an Accessory Use	CU	CU	CU	CU	CU	CU	P	P	CU	P	P	P	P	CU	P	P	P	

P = Permitted    S = Special Exception    CU = Conditional Use Permit    N = Prohibited
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**Section 10.450 Table of Uses – Pease/Airport Districts**

Use	AIR	AI	PI	ABC	Supplemental Regulations
<b>15. Transportation and Utilities</b>					
15.60 Level 1 and Level 2 Electric Vehicle Charging Stations as an Accessory Use	P	P	P	P	
15.70 Level 3 Electric Vehicle Charging Stations as an Accessory Use	P	P	P	P	
15.80 Electric Vehicle Charging Stations as a Principal Use	P	P	P	P	10.870 10.1110

**Article 8 Supplemental Use Standards**

**Section 10.870**

10.870 **Electric Vehicle Charging Stations as a Principal Use**

10.870.10 General

10.870.11 There shall be no more than two 40-foot wide curb cuts or access or egress points on each abutting street.

10.870.12 No vehicles in an inoperative condition shall remain on the site for more than 14 days.

**Article 11 Site Development Standards**

**Section 10.1110 Off-Street Parking**

**Table of Minimum Off-Street Parking Requirements for Nonresidential Uses**

Use No.	Use	Requirement
<b>11. Motor Vehicle-Related Uses</b>		
<b>11.70</b>	<b>Electric Vehicle Charging Stations as a Principal Use</b>	<b>Number of charging ports + 2 parking spaces</b>



**Section 10.1130      Landscaping and Screening**

10.1133      Landscaping and screening will not required for the electric transformers necessary for Electric Vehicle Charging Stations as a Principal Use and will not be required by the Site Plan Review Regulations.

**Article 15            Definitions**

**Section 10.1530      Terms of General Applicability**

**Level 1 and Level 2 Electric Vehicle Charging Stations as an Accessory Use**

Level 1 (120-volt or equivalent) and Level 2 (240-volt or equivalent) Electric Vehicle Charging Stations that are accessory to the primary permitted use of the property.

**Level 3 Electric Vehicle Charging Stations as an Accessory Use**

Level 3 (DC Fast Charging or equivalent) Electric Vehicle Charging Stations that are accessory to the primary permitted use of the property.

**Electric Vehicle Charging Stations as a Principal Use**

Level 1 (120-volt or equivalent), Level 2 (240-volt or equivalent), and Level 3 (DC Fast Charging or equivalent) Electric Vehicle Charging Stations that are the principal use of the property.

Section 10.440 Table of Uses – Residential, Mixed Residential, Business and Industrial Districts <b>Use</b>	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4- L1	CD4- L2	MRB	CD5 CD4	GB	G1	G2	B CD4- W	WB	OR	I	WI
<b>11. Motor Vehicle-Related Uses</b>																	
11.20 <b>Motor vehicle service station</b>	N	N	N	N	N	N	N	N	N	SCU	SCU	N	SCU	N	N	SCU	N
<del>11.21 <b>Motor vehicle fueling station:</b></del>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>
<del>motor vehicle repair or</del>																	
<del>11.22: <b>Car wash</b></del>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>CU</u>	<u>N</u>	<u>CU</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>
<del>washing facility for passenger cars and <b>light trucks</b></del>																	



Section 10.440 Table of Uses – Residential, Mixed Residential, Business and Industrial Districts <b>Use</b>	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4- L1	CD4- L2	MRB	CD5 CD4	GB	G1	G2	B CD4- W	WB	OR	I	WI
<b>19. Accessory Uses</b>																	
19.10 <b>Accessory use</b> to a permitted <b>principal use</b> , but not including any <b>outdoor storage</b>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
19.20 <b>Home occupation</b>																	
19.21 <b>Home occupation 1</b>	P	P	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N
19.22 <b>Home occupation 2</b>	S	S	S	S	N	S	S	P	P	P	P	P	P	N	N	N	N
19.30 Concessions and services located within the <b>principal building</b>	N	N	N	P	P	P	P	P	P	P	P	P	P	P	P	P	P
19.40 <b>Drive-through facility</b> , as <b>accessory use</b> to a permitted <b>principal use</b>	N	N	N	N	N	N	N	N	N	CU	CU	N	CU	N	CU	N	N
19.50 Outdoor dining or drinking area, as <b>accessory use</b> to a permitted <b>principal use</b>	N	N	N	N	N	N	CU	N	P	P	P	P	CU	N	N	N	N
<u>19.60 <b>EV Fueling Space</b> as <b>accessory use</b> to a permitted <b>principal use</b></u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>CU</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>N</u>

## Section 10.810 Residential and Institutional Residence or Care Uses

### 10.811 Accessory Uses to Permitted Residential Uses

10.811.10 The following **uses** are permitted as **accessory uses** to permitted residential **uses**, in addition to those **accessory uses** listed in Section 10.440:

- (a) The keeping of dogs and cats and other **household pets**, but not including **kennels**.
- (b) **Yard sale**.
- (b) The **outdoor storage** of one travel trailer or camper that is not used for occupancy or business purposes. The connection of any utility or service such as electrical, water, gas or sewage to the travel trailer or camper for any continuous period exceeding 48 hours shall be prima facie evidence that it is being used for habitation or business purposes.
- (c) Roadside stand or display area in conjunction with a farm for the sale of products raised on the premises by the owner or lessee thereof provided that all the following conditions are met:
  - (1) Such stand or display area shall not cover more than 150 square feet of **gross floor area** or ground area.
  - (2) Such stand or display area shall be located at least 30 feet from the **street** right-of-way.
  - (3) Adequate **off-street parking** shall be provided and arranged in such a way that vehicles will not back into the **street**.

(d) Electric Vehicle (EV) fueling space limited to customary residential electrical service (currently also known, without limitation, as “level one” and level two”).

### 10.843.30 Motor Vehicle Service Stations

10.843.31 All repairs and service work shall take place within an enclosed **building**.

10.843.32 Repaired or rebuilt vehicles shall not be sold upon the premises.

10.843.33 All pump islands shall be set back at least 40 feet from all **lot lines**.

10.843.34 Above ground electric vehicle charging support equipment (including, but not limited to, generators and transformers) shall be setback 10 feet from all lot lines.

10.843.35 Sale of **convenience goods 1** and **2** as an **accessory use**



**10.1112.32 Parking Requirements for Nonresidential Uses**

10.1112.321 The required minimum number of **off-street parking** spaces for **uses** other than 1.10 through 1.90 shall be based on the following table.

**Table of Minimum Off-Street Parking Requirements for Nonresidential Uses**

Use No.	Use	Requirement
<b>2. Institutional Residence or Care Facilities</b>		
<b>11. Motor Vehicle-Related Uses</b>		
11.20	<b>Motor vehicle service station, <u>motor vehicle fueling station</u>, motor vehicle repair</b> or washing facility for passenger cars and <b>light trucks</b>	2 + 1 per 400 sf GFA <u>Electric Vehicle fueling spaces may count towards minimum parking</u>

## Article 15 Definitions

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### Section 10.1530 Terms of General Applicability

#### Electric vehicle (EV)

An EV is a vehicle that derives motive power from an electric motor that draws electricity from a battery and is charged from an external source. An EV includes both plug-in vehicles powered only by a battery-powered electric motor (plug-in all electric vehicle) and plug-in vehicles powered by both battery-power and an internal combustion engine (plug-in hybrid electric vehicle).

#### Electric vehicle battery exchange

A motor vehicle fueling station where EVs may exchange depleted batteries with charged batteries, which may or may not be done through an automated process.

#### EV fueling space

A motor vehicle fueling space for an EV.

#### Motor vehicle fueling space

A public or private parking space used for the transfer of electrical energy by conductive or inductive means, or liquid or gaseous fuels by pumps and hoses, to a motor vehicle. A motor vehicle fueling space shall include any appurtenant above ground equipment adjacent to and service not more than two motor vehicle fueling spaces, but shall not include transformers or underground tanks serving multiple motor vehicle fueling spaces as a part of a motor vehicle fueling station.

#### Motor vehicle fueling station

A retail establishment for EV battery exchange or one that uses motor vehicle fueling spaces to sell motor vehicle fuel, (including, but not limited to gasoline, diesel, natural gas, electricity and hydrogen) to individual vehicles. A motor vehicle fueling station may also include the following accessory uses:

- Retail sale of propane in containers not larger than forty pounds (7.1 gallons) and kerosene in containers not larger than five gallons;
- Retail sale of products used by retail owners of motor vehicles for motor vehicle maintenance such as oil, transmission fluid, brake fluid, polish, wax, fuel additives and treatments, wipers and wiper fluid, tires, batteries, cleaning fluids and similar items; and
- Electric charging facilities for electric bicycles, scooters, and other similar electric mobility devices.

#### **Motor vehicle service station**

An establishment that sells fuel (including but not limited to gasoline, diesel, natural gas, electricity or hydrogen) to individual vehicles. A motor vehicle service station may include a motor vehicle fueling station, motor vehicle repair or convenience goods 1 or 2 but does not include any of the following:

- motor vehicle painting or body work;
- motor vehicle sales, leasing or rental;



- **outdoor storage** or display of vehicles, boats, automobile parts or other merchandise, except for (a) small sample displays of automotive accessory items or (b) batteries or tires located **adjacent** to the **principal building** or on the **motor vehicle fueling space** island(s) .

- retail sale of propane and kerosene;
- retail sale of products required for motor vehicle maintenance such as oil, transmission fluid, brake fluid, polish, wax, fuel additives and treatments, wipers, tires, batteries, windshield wiper fluid, cleaning fluids and similar items;
- minor automotive maintenance such as the addition of fluids, replacement of wiper blades and similar activities; and
- retail sale of over-the-counter consumer merchandise.

#### **Motor vehicle service station 1**

A **motor vehicle service station** that includes not more than 12 square feet of display area for the retail sale of consumer merchandise, and that does not include any of the following:

- **motor vehicle repair**;
- **motor vehicle painting or body work**;
- motor vehicle sales, leasing or rental;
- **outdoor storage** or display of vehicles, boats, automobile parts or other merchandise, except for (a) small sample displays of automotive accessory items or (b) batteries or tires located **adjacent** to the **principal building** or on the pump islands.

#### **Motor vehicle service station 2**

A **motor vehicle service station** that include the activities and limitations of **motor vehicle service station 1** and also includes **motor vehicle repair**.

#### **Motor vehicle service station 3**

A **motor vehicle service station** that includes the activities and limitations of **motor vehicle service station 1** and also includes sale of **convenience goods 1** or **2**.