

ZONING

165 Attachment 1

Town of Derry

Zoning
Record of Amendments

Effective Date	Article/Section Amended or Added	Subject Matter
12-14-1994	Article 1300 (New)	Interim Growth Management Ordinance
1-3-1995	Article 600	Light Industry – Insert "H"
1-3-1995	Article 700, Section 709, Part B	Floodplain – Insert #4
5-4-1995	Article 2000 (New)	Aquifer Ordinance
6-4-1995	Article 600, Section 611.1 (Add A.7)	Community-oriented rec. fac.
8-10-1995	Articles 200, 300, 600, 1100	Sexually oriented businesses (New)
12-14-1995	Article 1300 (Readoption)	Interim Growth Management Ordinance
(Expired)	Article 1300	Interim Growth Management Ordinance
1-9-1997	"Town Wide Rezoning"	Adopt Land Uses and Zoning Map
2-6-1997	Article 500, Section 501	Delete Office/R&D Dev.
2-20-1998	Article 200, Section 202	"Wireless communication facilities" defined
2-20-1998	Article 300, Section 323 (New)	Telecommunications regulation
2-20-1998	Article 600 (Several sections amended)	To implement the provisions of Section 323.2 (A), (B) and (C)
10-1-1998	Article 500, Sections 501 and 502-A	Re Rockingham Road parcels
1-1-1999	Article 600, Section 601-I	Replace 601.5 with 601.4 (corrects typo)
2-5-1999	Article 600, Section 613 (New)	Industrial V District
3-18-1999	Article 600, Section 604.4 (New)	OMB dimensional requirements
3-18-1999	Article 600, Section 605.5 (New)	ORD dimensional requirements
4-2-1999	Article 1300 (Replaces Expired Interim GMO)	Growth Management Ordinance (New)
10-7-1999	Article 600, Section 614.4 MHDR	Special exception uses added
12-16-1999	Articles 500 and 501	General Town-wide rezoning (court decision)
1-6-2000	Article 323, Section 323.2A.4, and 323.2 B	Wireless communication

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2-16-2001	Articles 200, 400, 500	Term definitions, districts, Zoning Map and district boundaries (TBOD)
2-16-2001	Article 500, Sections 502B and D	TM 116-272 classified OMB to resolve conflict between Zoning Map and text
2-16-2001	Article 600, Section 602	Central Business District (CBD)
2-16-2001	Article 600, Section 618 (New)	Traditional Business Overlay District (TBOD)
5-10-2001	Article 600, Section 614 MHDR	Private schools
2-21-2002	Article 3000, Impact Fees	Impact fees
3-30-2003	Article V, § 165-31C (OBD) (MHDR to OBD)	Add Parcel 26126, Griffin Street
3-30-2003	Article V, § 165-31D (OMB) (MDR to OMB)	Add Parcels 0539, 0539-1, 0592 Rockingham Road
4-18-2003	Article II, § 165-5	Definitions of "bed-and-breakfast," "inn," "motel" and "tourist home"
4-18-2003	Article IV, §§ 165-32 and 165-49	Permitted uses in GC and TBOD Districts
5-15-2003	Recodification	To conform with General Code Publishers renumbering
5-15-2003	Article XVIII, § 165-144	Severability
7-20-2003	Article V, § 165-31	Zoning Map and district boundaries
11-21-2003	Article VI, § 165-32	Conditional use permits in GC District
11-21-2003	Article III, § 165-10; Article VI, §§ 165-32, 165-33, 165-34, 165-35, 165-36 165-39, 165-41, 165-42, 165-43, 165-44, 165-45, 165-46, 165-47, 165-48, 165-49	Setbacks; minimum frontage requirements
11-21-2003	Article XII, § 165-101	Signs and billboards
11-21-2003	Article XVI, § 165-132	Violations and penalties
3-17-2004	Article IV, § 165-29; Article V, § 165-31; Article VI, § 165-43.1	Industrial VI District
3-17-2004	Article V, § 165-31	Medium-High-Density Residential District boundaries

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7-15-2004	Article II, § 165-5; Article IV, § 165-29; Article V, §165-31; Article VI, § 165-32.1	General Commercial II District; delete Industrial District II
1-21-2005	Article V, § 165-31	Medium-High-Density Residential District boundaries
1-21-2005	Article V, § 165-31	Medium-Density Residential District boundaries
1-21-2005	Article VI, § 165-34	Permitted uses, new structures and additions and off-street parking in OBD
5-19-2005	Article V, § 165-30; Article VI, § 165-38; Article VII, § 165-50; Article IX, § 165-71	Flood Insurance Study
5-19-2005	Article XII, § 165-101	Signs and billboards
5-19-2005	Article II, § 165-5	Definition of "flashing sign"
7-7-2005	Article XIX	Independent Adult Community Overlay District
10-20-2005	Article III, § 165-28.1	Architectural design regulations
11-17-2005	Article III, §§ 165-22, 165-25 and 165-26; Article IV, § 165-45; Article XII, § 165-101	Building permit and construction requirements; accessory apartments; modular or pre-site built housing;
11-17-2005	Article IV, §§ 165-44 and 165-45	Construction standards for multifamily dwellings
12-2-2005	Article III, § 165-23; Article VI, §§ 165-34H and 165-45B(3)(e)[4]	Buffer zones
12-2-2005	Article IV, § 165-29; Article V, §§ 165-30 and 165-31; Article VI, § 165-45.1	Medium-High-Density Residential District II (MHDR-II)
12-2-2005	Article XII, § 165-101	Animated, moving, flashing signs and signs that emit noise
2-3-2006	Article XIX, § 165-147	Locations for independent adult communities
5-17-2007	Article VI, § 165-35	Congregate-care and assisted-living facilities as permitted uses in the OMB District
5-17-2007	Article II, § 165-5	Definitions of "congregate-care facility" and "assisted-living facility"
7-5-2007	Article XIX, §§ 165- 149, 165-150, 165-153	Independent Adult Community Overlay District amendments

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7-5-2007	Article II, § 165-5; Article III, § 165-9; Article VI, §§ 165-32, 165-37, 165-38, 165-49; Article VII, § 165-51; Article VIII, § 165-63; Article X, §§ 165-80, 165-84, 165-86; Article XII, § 165-103	Access drives, public streets and private streets
9-10-2009	Article IV, § 165-45.1	Medium-High-Density Residential District II: clarify total finished living area
9-10-2009	Article IV, § 165-46	Medium-Density Residential District: clarify total finished living area
9-10-2009	Article II, § 165-5	Definitions relative to livestock
9-10-2009	Article XX, §§ 165-154 through 165-160	Livestock
12-17-2009	Article V, § 165-30	Zoning Map
12-17-2009	Article V, § 165-31	District boundaries
7-1-2010	Article V, § 165-30	Zoning Map (change in zoning designation from MHDR to MHDRII, 68 parcels)
1-7-2011	Article II, § 165-5	Add definition of "professional office"
1-7-2011	Article IV, § 165-29	Add General Commercial III District (GC-III)
1-7-2011	Article V, § 165-30	Zoning Map
1-7-2011	Article VI, § 165-32.2	Add General Commercial III District (GC-III)
11-17-2011	Article V, § 165-30	Zoning Map (rezone eight parcels from ORD to LMDR)
2-16-2012	Article VII, § 165-51	Delete and amend certain definitions related to floodplains
2-16-2012	Article VII, § 165-55	Delete references to A1-30, AO or AH
2-16-2012	Article VII, § 165-57	Amend certain sections to delete references to Zone A, Zone A1-30; add Subsection E
2-16-2011	Article VII, § 165-58	Delete references to Zones A1-30, AH, FHBM; delete Subsection A(3)
2-16-2012	Article VII, § 165-59	Add Subsection C
2-16-2012	Article IX, § 165-71	Change references to Rockingham County; delete reference to Flood Boundary and Flood Insurance Map
6-14-2012	Article II, § 165-5	Delete "contractor's yard," "drive-in restaurant or refreshment stand," "retail store," "vehicular sales or repair facility"
6-14-2012	Article II, § 165-5	Amend "agriculture," "commercial service establishment," "hotel," "professional office," "restaurant," "wireless communication facilities"

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6-14-2012	Article II, § 165-5	Add "commercial agriculture," "noncommercial agriculture," "automobile and similar vehicular sales," "automobile repair facility/garage," "automobile service station," "church," "filling station," "indoor commercial recreational facility," "industrial establishment," "light industrial establishment," "manufacturing," "drive-in restaurant," "retail sales establishment," "wholesale business"
-14-2012	Article III, § 165-14	Amend provision
6-14-2012	Article VI, § 165-42	Amend Subsection A, Permitted uses, and Subsection C, Prohibited uses
7-4-2013	Article II, § 165-5	Add "clinic," "bus depot," day care," "health service facility," "library," "medical office," "open space," "private educational facility/private school," "radio broadcast facility," and "sale of travel accommodations"
7-4-2013	Article III, § 165-14	Amend provision to exclude the use in the Industrial IV Zone
7-19-2013	Article VI, § 165-32	Amend allowed uses in the General Commercial Zone
7-19-2013	Article VI, § 165-35	Amend provisions to be in accord with changes to the General Commercial allowed uses
2-7-2014	Article II, § 165-5; Article VI, §§ 165-32.2E, 165-34L, 165-37G(3), 165-45D(2)(f), 165-45.1C(2)(f), 165-46B(2)(f), 165-46E(5), 165-49H; Article XII	Add or amend "advertising device," "awning, sign," "billboard," "marquee," "sign, abandoned," "sign, digital," "sign, directional," "sign, electronic message center," "sign, flashing," "sign, government," "sign, ground," "sign, interactive digital," "sign, nonconforming," "sign, official," "sign, off-premises," "sign permit," "sign, political," "sign, projecting," "sign, residential neighborhood identification," "sign, sandwich board (A-frame)," "sign, special event," "sign, temporary," "sign, unsafe," "sign, wall," "sign, warning," "sign, window"; repeal sign provisions in various sections; amend Article XII, Signs
6-6-2014	Article V, § 165-30	Change zoning designation of two parcels from MHDR to GC
6-20-2014	Article II, § 165-5; Article XX, §§ 165-154-165-162	Add or amend "nuisance," "pasture," "enclosure," "livestock," "structure," "fowl"; amend Article XX, Livestock and Fowl
4-24-2015	Article III, §§ 165-22, 165-26; Article VI, §§ 165-44 -- 165-45	Amend to update references to the Building Code and Property Maintenance Code

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5-7-2015	Article II, §§ 165-5, 165-8; Article VI, §§ 165-44 -- 165-45	Add "green area/space," "greenway/greenbelt," "net buildable area," "recreation, active," "recreation area/space" and "recreation, passive"; amend the number of dwellings allowed on a lot; revise density calculations, parking calculations, green space and recreational space requirements for multifamily dwellings
7-2-2015	Article VI, §§ 165-45, 165-45.1, 165-46	Amend to remove reference to covenants in deeds for special exceptions
7-16-2015	Article II, § 165-5	Amend "commercial service establishment," "bus depot," "professional office," and "filling station" and to add definitions for "contractor," "travel agent," "light manufacturing," "electric vehicle supply equipment"
7-16-2015	Article III, § 165-13	Amend Off-street parking for nonresidential uses
7-16-2015	Article VI, §§ 165-33 and 165-49	Amend the uses permitted in the zones, the area and dimensional requirements, review criteria, buffer zones, prohibited uses, parking, special exception uses
8-6-2015	Article II, § 165-5	Delete "commercial recreation building," add "commercial performing and fine arts schools and studios," add "movie and recording studios" and amend "private educational facility/private school"
8-6-2015	Article IV, § 165-29	Add a General Commercial IV District
8-6-2015	Article V, § 165-30	Amend the Zoning Map, moving three parcels from OMB to GCIV, and moving 77 parcels from GC to GCIV
8-6-2015	Article VI, §§ 165-32, 165-33, 165-45, and 165-49; § 165-32.3	Add commercial performing and fine arts schools and studios as a permitted use, and create a new section, GCIV and list the permitted uses for the zone
10-1-2015	Article VI, §§ 165-44B(2)(e) and 165-45B(2)(e)	Amend the subsection to replace the word "circumference" with "radius"
7-7-2016	Article V, § 165-30	Change the zoning designation of three parcels from MHDR to GC
6-2-2017	Article II, § 162-5; Article XII	Signs amendments
7-20-2017	Article II, § 165-5; Article III, § 165-25	Add and amend various definitions; amend provisions regarding accessory dwelling units (formerly "accessory apartments")
12-21-2017	Article V, § 165-30	Amend the Zoning Map, removing 444 parcels from MHDR, and adding 444 parcels to MHDR II

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6-1-2018	Article II, § 165-5	Amend definition of “warehouse,” remove definition of “self-storage unit” and add definition of “self-storage facilities”
6-16-2018	Article V, § 165-30	Amend the Zoning Map, moving seven properties from MHDR II to CBD
10-18-2018	Article VI, § 165-32.1A(11) and (12)	Add subsections to include “medical office” and “health service facility” as permitted uses
4-19-2019	Article V, § 165-30	Amend the Zoning Map to move five parcels from CBD to MHDR and six parcels from MHDR to MHDR II
5-2-2019	Article VI, §§ 165-33 and 165-49	Amend to update permitted uses for Central Business District and Traditional Business Overlay District
6-21-2019	Article VI, § 165-32	Add “medical office” as a permitted use
7-18-2019	Article III, § 165-14.1; Article VI, §§ 165-33 and 165-49	Add § 165-14.1, Electric vehicle charging stations; amend §§ 165-33 and 165-49 to remove “electric vehicle supply equipment” as a permitted use
9-13-2019	Article IV, §165-29	Enumeration of districts to add a new Number 24: West Running Brook District
9-13-2019	Article V, § 153-30	Amend the Zoning Map to add the West Running Brook District
9-13-2019	Article VI, § 165-32.4	Add § 165-32.4, West Running Brook District, and the provisions for that district
10-3-2019	Article V, § 165-30	Amend the Zoning Map to move four parcels from MHDR and two parcels from GC to the Office Business District
10-17-2019	Article IV, § 165-34	Amend the permitted uses, limitations, parking requirements, and maximum lot coverage
2-27-2020	Article II, § 165-5	Add definitions relative to sports wagering
2-27-2020	Article IV, §§ 165-32, 165-32.3 and 165-42	Amend the list of permitted uses to include sports wagering
5-7-2020	Article II, § 165-5; Article XX, § 165-155	Amend definitions and regulations regarding public and private nuisances
4-15-2021	Article II, § 165-5; Article V, § 165-30; Article VI, § 165-42	Amendments in relation to indoor farming operations; amendments to Industrial District-IV regulations
5-20-2021	Article VI, § 165-32	Amendment to uses permitted in the General Commercial District
7-1-2021	Article VI, § 165-49	Amendments to TBOD District
7-15-2021	Article II, § 165-5; Article XII, § 165-101.5, § 165-101.8, § 165-101.12	Signs amendments

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12-16-2021	Article V, § 165-30	Amend the Zoning Map to rezone 12 residential parcels to Industrial VI
6-18-2022	Article VI, § 65-32.4I(4) (b)	Amends design standards for all areas and buffer zones
6-2-2023	Article XIX, §§ 165-145, 165-146, 165-150, 165-153	Amend Independent Adult Community Overlay District provisions
8-10-2023	Article V, § 165-30	Rezone 23 parcels from the TBOD to the CBD
9-13-2023	Article VII, Floodplain Development District	Amend §§ 165-51, 165-55, 165-58, 165-67, and 165-69 to bring article into compliance with NFIP
2-21-2025	Article II, § 165-5	Amend the definition of "Abutter" and add a definition for "Asian Bodywork Therapist/Reflexologist/Structural Integrator"
2-21-2025	Article III, § 165-25	Amend setback provisions and required parking minimum
2-21-2025	Article VI, § 165-34, § 165-35	Amend parking requirements and add permitted use in the district
2-21-2025	Article XV, § 165-125, § 165-128	Amend who may have standing to request an appeal
2-21-2025	Article XIX, § 165-150	Amend the parking requirements