

ZONING

170 Attachment 13

City of Dover

Office (O) District

[Amended 6-22-2016 by Ord. No. 2016.06.08-010; 10-26-2016 by Ord. No. 2016.10.12-015; 10-13-2021 by Ord. No. 2021.09.08-006]

Permitted Uses

- Accessory dwelling unit
- Adult day care
- Assembly hall
- Bank
- Bed-and-breakfast
- Child-care facility
- Clinic
- Congregate care [3]
- Dwelling, two-family
- Dwelling, three- to four-family [4]
- Dwelling, single-family
- Educational institution, postsecondary
- Educational institution, K-12
- Farm animals for family use, for noncommercial purposes, on lots containing a one- or two-family dwelling [5]
- Funeral parlor
- Nursing home [3]
- Office
- Public recreation
- Public utility [6]
- Rooming house

Uses Permitted by Conditional Use Permit

- Eating and drinking establishment
- Retail store

Uses Permitted by Special Exception

- Assisted living facility
- Continuing care community facility
- Elderly assisted care
- Group home for minors

Sign Regulations

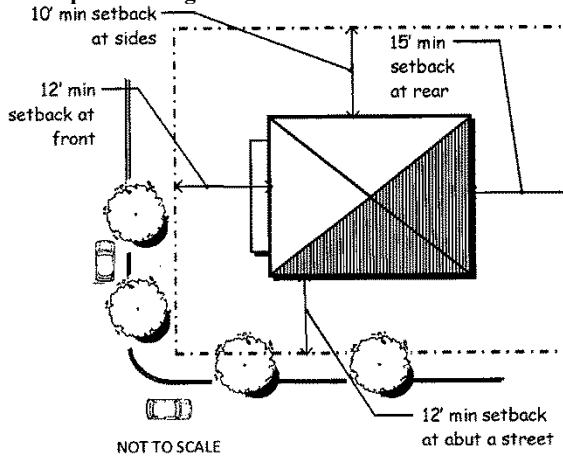
Size	O District
Total signs permitted	1 [per tenancy, and is for lot (excluding development identification signs)]
Total area permitted	12 sf
Type	
Freestanding	Permitted, provided that the principal building is set back at least 20 ft (if multiple tenants, max size 4 sf per tenant; max ht 8 ft)
Projecting	Not permitted
Wall/awning	Permitted (max height 16 ft above ground elevation, or to bottom of sills of first level of windows above first floor, whichever is lowest)
Temporary	Permitted

Dimensional Regulations [1] [2]

Lot	
Minimum lot size	10,000 sf
Maximum lot coverage	50%
Minimum frontage	100 ft
Principal Building	
Front setback	12 ft
Abut a street setback	12 ft
Side setback	10 ft
Rear setback	15 ft
Outbuilding/Accessory Use	
Front setback	12 ft
Abut a street setback	12 ft
Side setback	10 ft
Rear setback	10 ft
Height of Building	
Principal building	45 ft max
Outbuilding	40 ft max

DOVER CODE

Principal Building Placement



Footnotes

- [1] Refer to §§ 170-13, 170-14 and 170-27D for exceptions to lot size, frontage and setback requirements.
- [2] All land containing wetlands shall not be counted in determining the gross land area of a lot for the purposes of minimum lot size or minimum density requirements for residential uses. The minimum nonwetland portion of any newly created lot shall be contiguous. For the purposes of this calculation, wetlands shall include areas that meet the definition of wetland in the New Hampshire Code of Administrative Rules Env-Wt 101.113 and the 1987 Federal Manual for Identifying Jurisdictional Wetlands. Wetland buffers shall only be allowed to count for 40% of the minimum lot size required.
- [3] A congregate care facility shall require a minimum lot size of 1,000 square feet per unit, and a nursing home facility shall require a minimum lot size of 1,000 square feet per bedroom.
- [4] Provided that the lot contains at least 5,000 square feet for each dwelling unit. Dwelling units are allowed only in the second story or higher of a newly constructed structure.
- [5] Use is allowed on the portion of the lot that is behind the principal structure, provided the following standards are met. Chickens: no more than 6 chickens and no roosters, with 3 square feet of chicken coop and 20 square feet of a fenced enclosure yard per chicken; all coops and enclosures shall be 20 feet from any property line. Sheep or goats: 1 animal per 10,000 square feet of lot area, with a maximum of 6 animals; 10 square feet of shelter and 30 square feet of a fenced enclosure yard per animal; all shelters and enclosures shall be 30 feet from any property line.
- [6] The utility facility shall be appropriately fenced to protect the public. Landscaping materials shall be

required to provide a visual screen from any structures and storage within.

Conditional Use Permit Criteria

Eating and Drinking Establishment: An eating and drinking establishment shall be allowed if a conditional use permit is granted by the Planning Board, upon a finding that the following criteria are met:

- A. The eating and drinking establishment shall contribute to a neighborhood feel and be pedestrian-friendly.
- B. The eating and drinking establishment shall be no larger than 2,000 square feet.
- C. The eating and drinking establishment shall not include drive-in service.
- D. The required parking may be reduced by 50% if on-street parking is available in the neighborhood.
- E. All on-site parking shall be screened from abutting residential lots.
- F. Any loading or unloading of products shall not disrupt neighborhoods or traffic flow.
- G. The proposed use shall be compatible with the surrounding neighborhood.
- H. Hours of operation shall be limited to 6:00 a.m. to 10:00 p.m., Sunday through Thursday, and 6:00 a.m. to 11:00 p.m., Friday and Saturday.
- I. If a new building is proposed for the use, it shall be a minimum of 2 stories.
- J. The applicant shall provide proof that he/she has conducted a preliminary code review for an eating and drinking establishment with the Inspection Services Division.

Retail Store: A retail store shall be allowed if a conditional use permit is granted by the Planning Board, upon a finding that the following criteria are met:

- A. The store shall contribute to a neighborhood feel and be pedestrian-friendly.
- B. The store shall be no larger than 2,000 square feet.
- C. The store shall not include drive-in service.
- D. The required parking may be reduced by 50% if on-street parking is available in the neighborhood.
- E. All on-site parking shall be screened from abutting residential lots.
- F. Any loading or unloading of products shall not disrupt neighborhoods or traffic flow.
- G. The proposed use shall be compatible with the surrounding neighborhood.
- H. Hours of operation shall be limited to 6:00 a.m. to 9:00 p.m. Sunday through Thursday and 6:00 a.m. to 10:00 p.m. Friday and Saturday.
- I. If a new building is proposed for the use, it shall be a minimum of 2 stories.

Special Exception Criteria [see § 170-59C(3) for additional regulations]

Assisted Living Facility:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 2,000 square feet of lot area in the O District.

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- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

Continuing Care Community Facility:

- A. The facility shall be serviced by municipal sewer.
- B. The density per unit requirement is 2,000 square feet of lot area in the O District.
- C. Parking lots and service areas are screened from abutting residential uses.
- D. The facility shall obtain a license from the State of New Hampshire.

Elderly Assisted Care Home: Elderly assisted care home is allowed by special exception in accordance with the densities and provisions stated below:

- A. Elderly assisted care homes larger than 6 bedrooms shall meet the following density requirements: in the O District, at a density of 1 bedroom per 2,500 sq. ft.
- B. Provided that parking and service areas are screened from abutting residential uses.
- C. Notwithstanding the above requirements, the maximum number of bedrooms and residents allowed in a facility may be increased, provided the increase is found not to be detrimental to the surrounding properties and conforms with parking standards in § 170-56 (Conditions for parking and loading spaces). Furthermore, any increase to an existing structure must be contained within or contiguous to the original structure.

Group Home for Minors: Group home for minors shall be subject to the following conditions:

- A. The group home site shall be compatible with abutting uses.
- B. The group home shall be located in areas of transitional land use or mixed land uses.
- C. Parking and service areas shall be screened from abutting residential uses, unless the abutter chooses to not want said screening.
- D. Open space shall be maintained on the property in an amount comparable to the neighborhood.
- E. The planned occupancy of the group home shall be compatible with the permitted density of the surrounding neighborhood.