

2018 PROPOSED REZONING AREA FROM TOWN CENTER TO VILLAGE (*Shown in Orange Hatching*)

PROPOSAL:

Rezone 63 acres from Town Center to Village



Yellow - Village Pink-Town Center

CONTEXT:

- *Land Use is Residential along Oak Hill Road*
- *Oak Hill Road is currently zoned Village from Route 9 to Meetinghouse Road*
- *Existing Zoning as Town Center makes current homes “legally existing nonconforming”*
- *Further residential development in this area would have to be tied to commercial development of property close to Route 9 & 125*

TOWN CENTER ZONING: 2.2.5

The Town center District is intended to facilitate the creation of a compact mixed-use development pattern around the intersection of Route 125 and Route 9. All development within this district must reflect the design characteristics of a traditional town center as outlined in the Master Plan and Town Center Plan, as well as the Site Plan Review and Subdivision Regulations. The goal for this district is to create a core of high density commercial development, civic uses and public open spaces. Commercial uses will offer opportunities for employment, services, and shopping for residents in adjoining neighborhoods as well as those in outlying rural portions of the town. Civic uses are also permitted in this district as part of planned use developments as a means to support commercial development and allow for alternative housing options within the community.

VILLAGE ZONING: 2.2.3(1)-2.2.3(2)

The Village District is intended to promote mixed use development at higher densities in order to provide a centralized location for regular community interaction as well as convenient opportunities for the purchase of goods and services by town residents. The regulations are intended to allow opportunities for creating apartments above commercial establishments and multifamily senior housing developments that would be in close proximity to municipal and school facilities and provide a base consumer support for small scale commercial establishments in the district. The site design and landscaping standards applied to development in this district should reflect the guidelines in the Master Plan as well as other land use regulations adopted by the Town. Development in this district should promote an environment that facilitates pedestrian access both within the V district as well as into adjoining zoning districts.

Table of Uses		
USE RESIDENTIAL	Village	Town Center
Conservation Subdivisions	P(5)	(-)
Manufactured Housing	P	(-)
Multifamily Housing	CP(6)	P(6)(13)
Senior Housing	P(6)	P(6)(13)
Single-Family Dwellings (Attached)	P	P(13)
Single-Family Dwellings (Detached)	P	P(13)
Two Family Dwellings	P	P(13)
Accessory Dwelling Unity	P	P
USE AGRICULTURAL		
Agricultural Uses	P	P(16)
Farms	P	P(16)
Open Air Farmers Markets	P	P
Keeping/Boarding of Horses	P	(-)
Orchards	P	(-)
USE COMMERCIAL		
Arts & Crafts Establishments	P	P
Art Studios	P	P
Assisted Living Facility	P(15)	P(15)
Sale of Automobile Parts & Supplies	CP	P
Automated banking Facility	P	P
Banks	P	P
Bed & Breakfasts	P	P
Billiard Parlors	(-)	P
Bowling Alleys	(-)	P
Business Support Services	P	P
Business & Professional Offices	P	P
Business & Professional Park	CP	CP
Commercial Recreation Facilities	CP	P

	Village	Town Center
Conference Centers	P	P
Child Day Care Agency (03/08/11)	P	P
Distillery/Brewery with Retail	P	P
Distillery without Retail	(-)	(-)
Drug Store	P	P
Elderly Assisted Care Home	CP(3)(15)	CP(3)(15)
Funeral Homes	P	P
Gasoline Service Stations	P	P
Convenience Stores w/Gas Pumps	P	P
Golf Courses	(-)	(-)
Grocery Store	P	P
Hardware Stores	P	P
Health Care Facilities	P	P
Health Clubs	P	P
Home Business	CP(9)	CP(9)
Home Occupation	P(10)	P(10)
Hospitals	(-)	(-)
Hotels	CP	P
Inns	P	P
Landscape Nurseries/Greenhouse	P	(-)
Kennel	(-)	CP
Medical/Dental Clinics	P	P
Mixed Use Developments	P(2)	P(2)
Motels	CP	P
Movie Theaters	P	P
Museums	P	P
Nursing Facility	P(15)	P(15)
Package & Delivery Services	P	P
Personal Service Establishments	P	P
Planned Unit Development (PUD)	CP(12)	P(12)
Publishing & Printing Establishments	P	P
Repair Services	P	P

	Village	Town Center
Restaurants	P	P
Restaurants, Drive Through	P	P
Retail Uses	P	P
Service for Autos and Trucks	CP	CP
Social or Fraternal Organizations	P	P
Veterinary Offices/Clinics	P	P
Wireless Communication Facilities	(-)	(-)
USE INDUSTRIAL		
Contractor's Storage & Equipment	(-)	(-)
Excavation Operations	CP(1)	(-)
Light Manufacturing Facilities	CP	(-)
Machine Shops	(-)	(-)
Research & Development Facilities	P	CP
Sawmills	(-)	(-)
Truck Terminals	(-)	(-)
Wholesale Uses	P	(-)
Warehouse Operations	P	(-)
USES PUBLIC/INSTITUTIONAL		
Churches	P	P
Educational Institutions	P	P
Municipal Buildings & uses	P	P
Parks & Playgrounds	P	P
USE ACCESSORY		
Private Garages	P	P
Accessory Uses	P	P
Farm/Produce Stand	P	P
In-House Dwelling Unit	P	P
Recreation	P(14)	P(14)
Swimming Pools	P	P

KEY /LEGEND	INTERPRETATION OF KEY/LEGEND
P	Permitted by Right
P(with Number)	Permitted with conditions specified in the footnote number given.
CP	Permitted if a Conditional Permit is issued by the Planning Board
CP(with Number)	Permitted if a Conditional Permit is issued by the Planning Board with conditions specified in the footnote number given.
(-)	Not permitted

Footnotes to Table 1 (Meaning of numbers given in parentheses in the table.)

(1)	All excavation operations shall conform to the Performance Standards specified in Section 7.1 of this Ordinance, as well as the requirements specified in the town's Site Plan Review Regulations. The Planning Board may require an undisturbed and/or vegetated buffer of suitable size to be maintained between an excavation site and any adjoining properties if said properties would be adversely impacted by such an operation
(2)	Provided that such use complies with Section 3.3 of this Ordinance as well as all other applicable regulations.
(3)	Such facilities may have no more than fifteen (15) patient/client beds
(4)	Provided that such use complies with Article 10 of this Ordinance entitled Wireless Communication Facilities Overlay
(5)	Provided that such use complies with Article 6 of this Ordinance entitled Conservation Subdivision Regulations.
(6)	No structure may contain more than eight (8) dwelling units.
(7)	Permitted within Conservation Subdivisions as specified in Article 6.
(8)	No residential structures are permitted within five hundred (500) feet of the centerline of Route 125 and Route 4 for properties located in the RC District.
(9)	Provided that such use complies with Section 7.4 of this Ordinance entitled Home Businesses.
(10)	Provided that such use complies with Section 7.3 of this Ordinance entitled Home Occupations.
(11)	For the sale of agricultural products, or any other goods, which are produced substantially as a home occupation or from agricultural activities on the premises, other than forestry related activities, as an accessory use to a principal residential use; one structure of 200 sq. ft. or less may be utilized without site review, after review by the Zoning Administrator for compliance with section 7.3 of this ordinance and consultation with appropriate department heads for review of access and safety concerns.
(12)	Planned Unit Developments (PUD) must comply with the provisions of Article 16 of this Ordinance as well as other applicable regulations
(13)	These uses shall only be permitted as part of a PUD in accordance with Article 16 of this ordinance.
(14)	In the absence of a primary use, a Recreational Vehicle may be utilized as a primary use for up to 180 days per year. Sewage disposal and other applicable codes requirements shall apply.
(15)	Maximum density per NHDES Subsurface Disposal Regulations or no more than one bedroom per ten thousand (10,000) square feet of upland soil, and the most restrictive shall apply.
(16)	For the growing and harvesting of crops and not for the raising of farm animals.

Proposed Lots to be affected:

Map 234 Lot 57.1 Timothy H. & Mary E. Graff 140 Oak Hill Rd. Barrington
Map 234 Lot 57 Marla L. & Mark J. Lemos 1164 Ocean BLVD Rye, NH 03870
Map 234 Lot 57.2 Edward Lemos 1995 Trust & Broad View Farm 138 Oak Hill Road Barrington
Map 234 Lot 62 Robert J. & Susan A Stibler Co-TRS RevTr 88 Oak Hill Road Barrington
Map 234 Lot 63 Howard & Phyllis Mixon 82 Oak Hill Road Barrington
Map 234 Lot 64 Dana & Celeste Martel 76 Oak Hill Road Barrington
Map 234 Lot 65 Douglas S & Marie-Andre Cleary 68 Oak Hill Road Barrington
Map 234 Lot 66 Marie-Andre R & Douglas S Cleary TRS REV TR Oak Hill Road
Map 234 Lot 79 Edward Kay 21 Littleworth Road Dover, NH 03820
Map 234 Lot 77 David & Glenda Henderson 1273 Winged Foot Lane Denver, NC 28037

Town Center Plan

The 2007 Town Center Plan identified the Northwest Quadrant of the Routes 9 & 125 intersection as an area for potential partnership between several land owners to create a traditional mixed use village center. Commercial development and mixed residential/commercial focused towards the Route 125 & 9 intersection. Moving away from the intersection townhouse and elderly housing condominiums and apartments sited with traditional single family village neighborhoods beyond this.

Recommendation

After review of the current zoning requirements for the Village District it is apparent a rezoning of the outlying lots in the Northwest Quadrant will allow for the type of housing envisioned in the Town Center Plan. The current zoning of Town Center for the outlying lots does not allow for the type of housing envisioned without directly tying it to a Planned Unit Development. Several of the lots contain existing homes which under the Town Center zoning are considered legally existing nonconforming. The rezoning to Village will also allow for residential growth in this area to happen incrementally. Housing growth in the area could feed future commercial growth closer to Routes 9 & 125.