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Amendment B

Proposed change to the Section 3.02 of the Zoning Ordinance

3.02 Words and Phrases not Defined

Buildable Land: Buildable land includes the total *contiguous* land area of a lot *except*:

- a. land with slopes in excess of ~~thirty-three~~ *twenty-five* percent (~~33~~ *25*%), or ledge which is exposed or lying within four (4) feet of the soil surface; or
- b. wetlands *and wetland buffers* as defined in this Ordinance; or
- c. land which is subject to an easement or a right-of-way in favor of the Town, County, State, Federal Government, or any third party; or
- d. land necessary for the protection of aquifers which may serve as future sources of drinking water for the Town; or
- e. land of such character that it cannot be safely used for building purposes because of danger to health or peril from fire, flood or other hazard or the use of which would tend to increase the danger to health, life or property or aggravate the flood hazard; or
- f. land subject to periodic flooding, poor drainage or other hazardous conditions; or
- g. land with unsuitable soil or inadequate capacity for individual sanitary sewerage disposal systems unless the improvements will be connected to a common sewer system; or
- h. land included in the Floodplain District or shown to be bog, marsh, swamp area, area of high water table or any similar situation;

Kennel, Commercial: A place where dogs are housed *for a partial or full day* and/or bred on the premises as all or part of a business.

Proposed Change to Section 4.01 of the Zoning Ordinance

ARTICLE 4. ESTABLISHMENT OF DISTRICTS AND ZONING MAP

4.01 Establishment of Districts and Statement of Purpose of Each

A. Base Districts

All of the land in the Town of Bow is hereby divided into the following Base Districts for the purposes so stated, and as shown on the Official Zoning Map (Section 4.02A):

1. Rural (RU) District - The Rural District is designed to accommodate a range of residential uses at low densities in a rural environment where sewer service is not available or anticipated, as indicated in the Master Plan, Agriculture, forestry, recreation, and other low intensity uses are permissible in the RU District.
2. Residential (R) District - The Residential District is designed to accommodate a range of residential uses at low densities in areas where sewer service is available or the extension of such is anticipated at some future time, as indicated in the Master Plan.
3. Residential One Family (R-1) District - The Residential One District is designed to accommodate one-family residential uses at low densities.
4. Commercial (C) District - The Commercial District is designed to allow a broad range of commercial uses including retail, service, offices, restaurants, recreational, institutional, and transportation-related uses in areas along arterial roads where sewer service is available or the extension of such is anticipated at some future time, as indicated in the Master Plan.
5. Limited Industrial (I-1) District - The Limited Industrial District is intended to accommodate office and industrial uses in areas where sewer service is available or the extension of such is anticipated at some future time, as indicated in the Master Plan.
6. General Industrial (I-2) District - The General Industrial District is designed to include offices and industrial uses, and some limited commercial uses, in an area in which the extension of sewer service is anticipated at some future time, as indicated in the Master Plan.
7. Civic (CV) District - The Civic District is intended to define a town center which will accommodate institutional office uses together with small retail and service uses in an area where sewer service is available or the extension of such is anticipated at some future time, as indicated in the Master Plan.
- ~~8. Institutional (IN) District - The Institutional District is designed to accommodate office and institutional uses in an area where sewer service is available.~~

9.8 Business Development (BD) District [ARTICLE 16 – PUBLISHED SEPARATELY] - The purpose of the Business Development District Ordinance is to attract environmentally

acceptable commercial, industrial, recreational, and institutional uses to the District; to encourage diversity in the community tax base through appropriate flexibility in land use and land use development; to optimize financial return on public infrastructure investments and expenditures, including municipal sewer, municipal water supply, and public highways; to minimize adverse traffic impacts on Route 3-A, future interstate highway interchanges, and surrounding local streets and roadways; and to preserve valuable historical, cultural, and natural features within the District and to minimize adverse environmental impacts to water and air, while reducing light and noise pollution, flooding, clear cutting of vegetation, and the blocking of scenic views.

9. *Bow Mills Mixed Use District (BMMU) [ARTICLE 17 – PUBLISHED SEPARATELY]*

The purpose of the Bow Mills Mixed Use District is a) to expand the Town's tax base and allow high value development in close proximity to Interstate 89 and 93, b) to permit the development of a walkable community with a mix of compatible commercial and residential uses to help meet the demands of the current and future market, c) to allow flexibility in development, and d) to minimize the traffic impact of any proposed development on local roads by orienting access toward the highway and transit.

10. *South Bow Mixed Use District (SBMU) [ARTICLE 18 – PUBLISHED SEPARATELY]*

The purpose of the South Bow Mixed Use District is a) to expand the Town's tax base and allow high value development in the southern part of town close to Route 3A and Interstate 93, b) to permit the development of a walkable community with a mix of compatible residential, commercial, and industrial uses to help meet the demands of the current and future market, c) to allow flexibility in development, and d) to promote cooperation between the Towns of Bow and Hooksett and encourage the sharing of municipal resources when feasible.

PRINCIPAL USES	DISTRICTS									Supplementary Regulations Reference
	RUR	R	R-1	C	I-1	I-2	CV	IN	BD	
A. RESIDENTIAL										
1. Single Family	P	P	P	-	-	-	-	-	-	
2. Duplex or Two-Family	P	P	-	-	-	-	-	-	-	Section 7.05
3. Multi-Family	S	S	-	-	-	-	-	-	-	Section 7.05
4. Housing for the Elderly	P	P	P	-	-	-	P	-	-	Section 7.05
5. Manufactured Housing Park	C	-	-	-	-	-	-	-	-	Section 7.03
6. Manufactured Housing Subdivision	P	-	-	-	-	-	-	-	-	Section 7.03
7. Boarding or Rooming House	S	S	S	-	-	-	-	-	-	
8. Open Space Residential Development	P	P	P	-	-	-	-	-	-	Section 7.02
B. PUBLIC AND INSTITUTIONAL										
1. Churches	S	S	S	S	S	S	S	S	S	
2. Public or Private Schools	S	S	S	S	S	S	S	S	P	
3. Hospitals	-	-	-	P	P	P	-	P	P	
4. Residential Care Facility	S	S	S	P	P	P	P	P	P	RSA 151:2 I(e)
5. Child Day Care Center	-	-	-	S	S	S	P	P	P	Section 7.08
6. Adult Day Care Facility	-	-	-	S	S	S	-	S	P	RSA 151:2 I (f)
7. Libraries and Museums	-	-	-	S	P	P	P	P	P	
8. Social, Fraternal Clubs and Lodges	-	-	-	P	P	P	S	S	P	
9. Municipal & Public Works Facilities	S	S	S	P	P	P	P	P	P	
10. Cemeteries	S	S	S	S	S	S	S	S	S	
11. Essential Public Utilities and Appurtenances	S	S	S	P	P	P	P	P	P	Section 7.12
12. Home Based Day Care (see RSA 672:1V-a)	P	P	P	S	S	S	S	S	S	

PRINCIPAL USES	DISTRICTS										Supplementary Regulations Reference
	RU	R	R-1	C	I-1	I-2	CV	IN	BD		

C. RECREATION AND ENTERTAINMENT											
1. Publicly Owned Recreation Facility	P	P	P	P	P	P	P	P	P	P	
2. Commercial Outdoor Recreational Facility	S	S	S	P	P	P	-	-	P		
3. Indoor Commercial Recreational Facility	-	-	-	P	P	P	C	-	P		
4. Movie Theater or Concert Hall	-	-	-	P	P	P	S	S	P		
5. Campgrounds or Youth Camps	S	-	-	-	-	-	-	-	-	Section 7.21	
6. Golf Courses	S	S	S	S	S	S	-	-	S		

D. OFFICES											
1. General Professional, Business, Financial, or Government Offices	-	-	-	P	P	P	P	P	P		
2. Medical, Dental or Health Care Offices	-	-	-	P	P	P	P	P	P		
3. Banks	-	-	-	P	P	P	P	P	P		

Legend of Districts

- RU = Rural
- R = Residential
- R-1 = Residential One Family
- C = Commercial
- CV = Civic
- I-1 = Limited Industrial
- I-2 = General Industrial
- ~~IN~~ = ~~Institutional~~
- BD = Business Development
- BMMU = Bow Mills Mixed Use
(Uses listed separately in Article 17)*
- SBMU = South Bow Mixed Use
(Uses listed separately in Article 18)*

Legend of Uses

- dash = Not permitted
- C = Conditional Use Permit required
- P = Permitted Use
- S = Special Exception required

PRINCIPAL USES	DISTRICTS									Supplementary Regulations Reference
	RU	R	R-1	C	I-1	I-2	CV	IN	BD	

E. COMMERCIAL										
1. Retail Sales and Rental of Goods and Merchandise										
a. Less than 6000 SF of floor area	-	-	-	P	P	P	P	P	P	
b. No floor area limit	-	-	-	P	P	P	S	S	P	
2. Personal and Business Services	-	-	-	P	P	P	P	P	P	
3. Hotels, Motels, and Inns	-	-	-	P	P	P	S	S	P	
4. Animal Hospital	-	-	-	P	P	P	-	-	P	Section 7.09
5. Commercial Kennels	-	-	-	S	S	S	P	P	S	Section 7.09
6. Mortuary or Funeral Homes	-	-	-	S	-	S	-	S	S	
7. Auction and Auction Houses	-	-	-	P	P	P	S	S	P	
8. Mini-Storage	-	-	-	S	P	P	-	-	P	

F. RESTAURANTS										
1. Within a fully enclosed structure	-	-	-	P	P	P	P	P	P	
2. With service outside	-	-	-	P	S	P	S	S	P	

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PRINCIPAL USES	DISTRICTS									Supplementary Regulations Reference
	RU	R	R-1	C	I-1	I-2	CV	IN	BD	

G. AUTOMOTIVE & TRANSPORTATION										
1. Motor Vehicle Sales and Rental	-	-	-	P	S	S	-	-	S	
2. Sales and Installation of Vehicle Parts and Accessories	-	-	-	P	S	P	-	-	P	
3. Motor Vehicle Repairs and Maintenance	-	-	-	P	S	P	-	-	P	
4. Gasoline Sales	-	-	-	P	S	S	-	-	S	
5. Car Wash and Truck Wash	-	-	-	P	S	S	S	S	S	
6. Motor or Rail Freight Terminal	-	-	-	S	S	P	-	-	P	
7. Bus or Train Station	-	-	-	P	S	P	-	-	P	
8. Sales or Rental of Recreational Vehicles, Camping Trailers, or Boats, including Servicing & Repair	-	-	-	P	S	S	-	-	S	
9. Marina (including the servicing and repair of boats)	-	-	-	P	S	P	-	-	P	
10. Heliport and Airstrip	-	-	-	S	S	S	S	S	S	Section 7.19

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PRINCIPAL USES	DISTRICTS									Supplementary Regulations Reference
	RU	R	R-1	C	I-1	I-2	CV	IN	BD	

H. INDUSTRIAL										
1. Manufacturing, Processing, Repairing, and Assembling Goods and Merchandise	-	-	-	S	P	P	-	-	P	Section 7.12
2. Warehousing and Storage of Non-Flammable, Non-Explosive Goods	-	-	-	S	P	P	-	-	P	Section 7.12
3. Bulk Storage of Fuels, Chemicals, or Flammable Materials	-	-	-	-	S	S	-	-	S	Section 7.12
4a. Sales of Construction Equipment and/or Materials with Outdoor Display or Storage	-	-	-	S	-	P	-	-	P	
4b. Sales of Construction Equipment and/or Materials up to 15,000 SF with no Outdoor Display or Storage	-	-	-	P	P	P	-	-	P	
5. Materials Recycling Center	-	-	-	-	S	S	-	-	S	
6a. Removal and Excavation of Earth Materials	S	-	-	-	S	S	-	-	S	Section 7.14
6b. Minor / Pre-development Excavation of Earth Materials	C	C	C	C	C	C	C	C	C	Section 7.14
7. Processing of Earth Materials	-	-	-	-	S	S	-	-	S	
8. Planing Mill or Sawmill	S	-	-	-	-	S	-	-	S	Section 7.13
9a. Contractor's Yard	-	-	-	-	-	P	-	-	S	
9b. Tradesman's Shop	-	-	-	P	P	P	-	-	P	
10. Laboratory or Research Facility	-	-	-	P	P	P	-	-	P	
11. Junk Yard	-	-	-	-	-	S	-	-	S	Section 7.17
12. Commercial Electricity Generation	-	-	-	S	S	P	S	S	P	

PRINCIPAL USES	DISTRICTS									Supplementary Regulations Reference
	RU	R	R-1	C	I-1	I-2	CV	IN	BD	

I. AGRICULTURAL										
1. Farming and Agricultural Operations										
a. Agricultural	P	S	S	S	S	S	S	S	S	
b. Horticultural	P	S	S	S	S	S	S	S	S	
c. Livestock	P	P	P	-	-	-	-	-	-	Section 7.18
2. Silvicultural Operations	P	P	P	P	P	P	P	P	P	
3. Stables and Equestrian Facilities	C	S	S	-	-	-	-	-	-	Section 7.18
4. Commercial Greenhouses including Wholesale and Retail Sales	S	S	S	P	P	P	-	-	P	

J. MISCELLANEOUS										
1. Condominium Conversion	S	S	S	S	S	S	S	S	S	
2. Radio or Television Tower or Antenna or Personal Wireless Service Facility	C	C	C	C	C	C	C	C	C	Section 7.10
3. Sexually Oriented Businesses	-	-	-	-	-	C	-	-	-	Section 7.11

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ACCESSORY USES	DISTRICTS									Supplementary Regulations Reference
	RUR	R-1	C	I-1	I-2	CV	IN	BD		

A. RESIDENTIAL											
1. Home Occupation	P	P	P	P	P	P	P	P	P	P	Section 7.06
2. Cottage Industry	S	S	S	S	S	S	S	S	S	S	Section 7.07
3. Storage of Equipment / Surplus Associated with an Off-Premise Occupation	S	S	S	S	S	S	-	-	S		
4. Accessory Structures and Facilities including but not limited to Tool Sheds, Greenhouses, Swimming Pools, and Tennis Courts	P	P	P	P	P	P	P	P	P	P	Section 7.15
5. Grazing, Care, Raising, and/or Keeping of Livestock for Personal Use	P	P	P	S	S	S	S	S	S	S	Section 7.18
6. Accessory Dwelling Unit	P	P	P	P	P	P	P	P	P	P	Section 7.04
7. Home Based Day Care (RSA 672:1 V-a)	P	P	P	P	P	P	P	P	P	P	Section 7.08
8. Storage and Use of a Registered Boat, Recreational Vehicle, Camping Trailer, or Motor Vehicle	P	P	P	P	P	P	P	P	P	P	Section 7.17

B. NON-RESIDENTIAL											
1. Drive In or Drive Through	-	-	-	S	S	S	S	S	S	S	
2. Dwelling Unit for Resident Caretaker or Security Personnel	-	-	-	S	S	S	S	S	S	S	Section 7.26
3. Farm or Roadside Stand	P	P	P	P	P	P	-	-	P	P	Section 7.15

ACCESSORY USES	DISTRICTS									Supplementary Regulations Reference
	RU	R	R-1	C	I-1	I-2	CV	IN	BD	

C. RESIDENTIAL AND NON-RESIDENTIAL										
1. Signs	P	P	P	P	P	P	P	P	P	Article 8
2. Child Day Care Center	S	S	S	P	P	P	P	P	P	Section 7.08
3. Small Wind Energy Systems	P	P	P	P	P	P	P	P	P	Section 7.25
4. Small Electricity Generation	P	P	P	P	P	P	P	P	P	

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SBMU = South Bow Mixed Use

(Uses listed separately in Article 18)

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Notwithstanding the above procedures, when the Board of Selectmen or Health Officer determines that a structure or use poses an imminent hazard to public health or safety, the Board of Selectmen or Health Officer may issue a cease and desist order or initiate other appropriate action or proceeding at law or in equity to address the imminent hazard.

Article 17

Bow Mills Mixed Use District

I. Authority

This article is adopted pursuant to the provisions of RSA 674:21, Innovative Land Use Controls and shall be administered by the Planning Board.

II. Purpose

The purpose of this article is:

- A. To expand the Town’s tax base and allow high value development in close proximity to Interstate 89 and 93,
- B. To permit the development of a walkable community with a mix of compatible commercial and residential uses to help meet the demands of the current and future market,
- C. To allow flexibility in development, and
- D. To minimize the traffic impact of any proposed development on local roads by orienting access toward the highway and transit.

III. Permitted Uses

- A. Subject to the general provisions of this article and other applicable sections of the Bow Town Code, the following land uses are permitted within the district as a use by right:
 - 1. Retail Sales with limited outdoor display*
 - 2. Personal Services
 - 3. Hotels, Motels, Inns
 - 4. Offices
 - 5. Restaurants with or without a drive through
 - 6. Gas stations with no service facilities
 - 7. Movie theaters
 - 8. Medical facilities
 - 9. Indoor recreational facilities
 - 10. Banks with or without a drive through
 - 11. Research & development facilities and laboratories
 - 12. Transit facilities
 - 13. Residential dwelling units

**Outdoor retail display areas shall be accessory to indoor retail sales and shall constitute no more than ten percent (10 %) of the total retail display area.*

- B. Subject to the general provisions of this article and other applicable sections of the Bow Town Code, the following land uses are permitted within the district as a use by special exception, if the listed uses singularly or combined do not occupy more than 50 % of the floor space in the proposed development:
 - 1. Place of worship
 - 2. Day care facility
 - 3. Schools, colleges, and universities
 - 4. Libraries and museums
 - 5. Social clubs and lodges

IV. Dimensional Requirements

- A. Minimum tract size: 10 acres
- B. Minimum road frontage: 300 ‘ for any lot fronting a public street, 200’ for lots fronting a private street
- C. Maximum building height: 55 feet
- D. Maximum number of stories: 4
- E. Maximum lot coverage: 60 %
- F. Maximum floor to area ratio (FAR): 0.60
- G. Minimum setbacks, front, rear, and side: 10 feet
- H. Minimum setback from Residential Zone District shall be fifty feet and shall be screened in accordance with Section 7.16 of the Zoning Ordinance.

V. General Provisions

The following standards shall be applied to any new or expanded development within the District and may be waived by the Planning Board under Section 11 of the Bow Site Plan Review Regulations:

- A. Access and Parking
 - 1. The minimum parking requirements found in Appendix A of the Bow Site Plan Review Regulations shall apply. To allow design flexibility and encourage efficiency, parking spaces may be located on-site or off-site within 600 feet of