

**CITY OF KEENE**  
**NEW HAMPSHIRE**

**O-2022-04 Relating to Amendments to the City of Keene Land Development Code**

The attached materials include the full text of Ordinance O-2022-04 relating to proposed amendments to the City of Keene Land Development Code, as well as excerpted sections of the adopted City of Keene Land Development Code that are proposed to be amended with Ordinance O-2022-04. Text that is highlighted in yellow and bolded is proposed to be added; and, text that is highlighted in yellow, bolded, and stricken through is proposed to be deleted.

The proposed changes include adding “Dwelling, Multi-family” as a permitted principal use with limitations to the Commerce District; amending the height requirements in the Commerce District to allow for additional stories or height – up to four stories or 56 ft. – provided that additional building setback or building height stepback requirements are met; and, amending the use standards for “Dwelling Unit, Multi-family” in Section 8.3.1.C of Article 8 to require multi-family dwelling units in the Downtown Core, Downtown Growth, and Commerce Districts to be located above the ground floor. The intent of these proposed changes is to provide opportunity for housing development in commercial and downtown areas of the City that fits with the prevailing scale and built form of the surrounding area.



# CITY OF KEENE

Twenty-Two

In the Year of Our Lord Two Thousand and .....

## Relating to Amendments to the Land Development Code

AN ORDINANCE .....

*Be it ordained by the City Council of the City of Keene, as follows:*

That Chapter 100 of the Code of Ordinances of the City of Keene, New Hampshire, as amended, is hereby further amended as follows.

1. That " Dwelling, Multi-family" be added as a permitted principal use with limitations to the Commerce District.
2. Update Table 8-1 "Permitted Principal Uses by Zoning District" in Article 8 and Section 5.1.5 "Permitted Uses" in Article 5 to display " Dwelling, Multi-family" as a permitted use with limitations in the Commerce District under the category of Residential Uses.
3. That Section 8.3.1.C " Dwelling, Multi-family," use standard "b" in Article 8 be amended as follows:

"b. In the Downtown Core District, ~~Downtown Growth District, and Commerce District,~~ a minimum of 4 or more dwelling units is required if the units are not ~~shall be~~ located above the ground floor."

4. That Section 5.1.4 "Height" of Article 5 be amended as follows:

Max Stories Above Grade <sup>*a,b</sup>	2
<del><i>*With Special Exception</i></del> <u><i><sup>a</sup>With an additional 10-foot front and side building setback, or a building height Stepback of at least 10 feet. Stepback must occur above the ground story.</i></u>	<del>3.5</del> <u>3</u>
<del><i><sup>b</sup>With an additional 20-foot front and side building setback, or a building height Stepback of at least 20-feet. Stepback must occur above the ground story and no higher than the 3<sup>rd</sup> story.</i></del>	<del>4</del> <u>4</u>
Max Building Height <sup>*a,b</sup>	35 ft
<del><i>*With Special Exception</i></del> <u><i><sup>a</sup>With an additional 10-foot front and side building setback, or a building height Stepback of at least 10 feet. Stepback must occur above the ground story.</i></u>	<del>50</del> <u>42</u> ft
<del><i><sup>b</sup>With an additional 20-foot front and side building setback, or a building height Stepback of at least 20-feet. Stepback must occur above the ground story and no higher than the 3<sup>rd</sup> story.</i></del>	<del>56</del> <u>42</u> ft

George S. Hansel, Mayor

PASSED

## 5.1 COMMERCE (COM)

### 5.1.1 Purpose

The Commerce (COM) District is intended to provide an area for intense commercial development that is accessed predominantly by vehicles. Shopping plazas and multiple businesses in one building would be typical in this district. All uses in this district shall have city water and sewer service.

### 5.1.2 Dimensions & Siting

<b>Min Lot Area</b>	15,000 sf
<b>Min Road Frontage</b>	50 ft
<b>Min Front Setback</b>	20 ft
<b>Min Rear Setback</b>	20 ft
<i>Min rear setback if abutting residential district</i>	50 ft
<b>Min Side Setback</b>	20 ft

### 5.1.3 Buildout

<b>Max Building Coverage</b>	80%
<b>Max Impervious Coverage</b>	80%
<b>Min Green / Open Space</b>	20%

### 5.1.4 Height

<b>Max Stories Above Grade<sup>a,b</sup></b>	2
<sup>a</sup> With Special-Exception <sup>b</sup> With an additional 10-foot front and side building setback, or a building height stepback of at least 10 feet. Stepback must occur above the ground floor.	3-5 3
<sup>b</sup> With an additional 20-foot front and side building setback, or a building height stepback of at least 20 feet. Stepback must occur above the ground story and no higher than the third story.	4
<b>Max Building Height<sup>a,b</sup></b>	35 ft
<sup>a</sup> With Special-Exception <sup>b</sup> With an additional 10-foot front and side building setback, or a building height stepback of at least 10 feet. Stepback must occur above the ground floor.	50 ft 42 ft
<sup>b</sup> With an additional 20-foot front and side building setback, or a building height stepback of at least 20 feet. Stepback must occur above the ground story and no higher than the third story.	56 ft

### 5.1.5 Permitted Uses

RESIDENTIAL USES		
<b>Dwelling, Multi-family</b>	P <sup>1</sup>	8.3.1.C
COMMERCIAL USES		SECTION
Animal Care Facility	P	8.3.2.B
Art Gallery	P	8.3.2.C
Art or Fitness Studio	P	8.3.2.D
Banking or Lending Institution	P	8.3.2.E
Bar	P	8.3.2.F
Car Wash	P	8.3.2.H
Clinic	P	8.3.2.I
Event Venue	P	8.3.2.J
Funeral Home	P	8.3.2.K
Greenhouse / Nursery	P	8.3.2.L
Health Center / Gym	P	8.3.2.M
Hotel/Motel	P	8.3.2.O
Micro-Brewery/Micro-Distillery/ Micro-Winery	P	8.3.2.Q-S
Motor Vehicle Dealership	P	8.3.2.T
Neighborhood Grocery Store	P	8.3.2.U
Office	P	8.3.2.V
Personal Service Establishment	P	8.3.2.W
Private Club / Lodge	P	8.3.2.X
Recreation/Entertainment Facility - Indoor	P	8.3.2.Y
Recreation/Entertainment Facility - Outdoor	P	8.3.2.Z
Research and Development	P	8.3.2.AA
Restaurant	P	8.3.2.AB
Retail Establishment, Heavy	P	8.3.2.AC
Retail Establishment, Light	P	8.3.2.AD
Self Storage Facility - Exterior Access	P	8.3.2.AE
Self Storage Facility - Interior Access	P	8.3.2.AF
Sexually Oriented Business	P <sup>1</sup>	8.3.2.AG
Specialty Food Service	P	8.3.2.AH
Vehicle Fueling Station	P <sup>1</sup>	8.3.2.AI
Vehicle Rental Service	P	8.3.2.AJ
Vehicle Repair Facility – Major	P <sup>1</sup>	8.3.2.AK
Vehicle Repair Facility – Minor	P <sup>1</sup>	8.3.2.AL
INSTITUTIONAL USES		SECTION
Community Center	P <sup>1</sup>	8.3.3.A
Cultural Facility	P <sup>1</sup>	8.3.3.B
Day Care Center	P	8.3.3.C
Place of Worship	P <sup>1</sup>	8.3.3.E

## 8.3 PRINCIPAL USES

This section provides a definition for each of the uses identified in Table 8-1. Some uses may have limitations or conditions that are associated with them, which will be listed as use standards underneath the definition.

### 8.3.1 Residential Uses

#### A. Dwelling, Above Ground Floor

1. **Defined.** A dwelling unit that is located on the second story or higher of a building that is above ground.

#### B. Dwelling, Manufactured Housing

1. **Defined.** Any structure, transportable in one or more sections, which in the traveling mode is 8-body feet or more in width and 40-body feet or more in length or when erected on site is 320-sf or more, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating and electrical systems contained therein. Manufactured housing is regulated by the U.S. Department of Housing and Urban Development via the National Manufactured Housing Construction and Safety Standards and is so labeled. Manufactured housing as defined in this section does not include campers or recreation vehicles as defined in NH RSA 216-I:1 or NH RSA 259:84-a; presite built housing as defined in NH RSA 674:31-a; or modular buildings as defined in NH RSA 205-C:1, XI.
2. **Use Standard.** Manufactured housing shall only be permitted if located within a manufactured housing park as defined in this Article.

#### C. Dwelling, Multi-family

1. **Defined.** A structure containing 3 or more dwelling units located on a single lot, with dwelling units either stacked or attached horizontally, which is designed, occupied, or intended for occupancy by 3 or more separate families.
2. **Use Standards**
  - a. In the Medium Density District, no more than 3 dwelling units are allowed per lot.
  - b. In the Downtown Core District, **Downtown Growth District, and Commerce District, a minimum of 4 or more** dwelling units **is required if the units are not shall be** located above the ground floor.

#### D. Dwelling, Single-Family

1. **Defined.** A free-standing building containing only 1 dwelling unit on a single lot, which is designed, occupied, or intended for occupancy by 1 family.

#### E. Dwelling, Two-Family / Duplex

1. **Defined.** One building on a single lot containing 2 independent dwelling units, which is designed, occupied or intended for occupancy by 2 separate families.

#### F. Manufactured Housing Park

1. **Defined.** Any parcel of land under single or common ownership or control which contains or is designed, laid out, or adapted to accommodate 2 or more manufactured houses to be occupied as dwelling units, and includes all buildings, services and facilities for use as part of the park and its residents. Manufactured housing parks are subject to NH RSA 205-A.