



## Joint Planning Board and Planning, Licenses & Development Committee

### AGENDA

May 9, 2022

6:30 PM

City Hall, 2<sup>nd</sup> Floor Council Chambers

1. Roll Call
2. Approval of Meeting Minutes – March 14, 2022
3. Public Workshop

**Ordinance O-2022-04** – **Relating to amendments to the City of Keene Land Development Code.** Petitioner, City of Keene Community Development Department, proposes to amend sections of Chapter 100 of the City Code of Ordinances to add “Dwelling, Multi-family” as a permitted principal use with limitations to the Commerce District; amend 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, amend 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.

4. Discussion on the Rural District
5. Next Meeting – June 13, 2022
6. Adjourn

1 City of Keene  
2 New Hampshire

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5 JOINT PLANNING BOARD/  
6 PLANNING, LICENSES AND DEVELOPMENT COMMITTEE  
7 MEETING MINUTES  
8

Monday, March 14, 2022

6:30 PM

Council Chambers,  
City Hall

Planning Board

Members Present:

Pamela Russell Slack, Chair  
David Orgaz, Vice Chair  
Mayor George Hansel  
Councilor Michael Remy  
Emily Lavigne-Bernier  
Roberta Mastrogiovanni  
Armando Rangel, Alternate

Planning, Licenses &

Development Committee

Members Present:

Kate M. Bosley, Chair  
Michael Giacomo  
Philip M. Jones  
Gladys Johnsen  
Raleigh C. Ormerod

Staff Present:

Interim Community Development  
Director, John Rogers  
Asst. City Manager, Rebecca  
Landry  
Mari Brunner, Senior Planner

Planning Board

Members Not Present:

Harold Farrington  
Gail Somers  
Tammy Adams, Alternate

9  
10  
11 **I) Roll Call**

12  
13 PLD Chair Bosley called the meeting to order at 6:30 PM and a roll call was taken.  
14

15 **II) Approval of Meeting Minutes – November 8, 2021**

16  
17 A motion was made by Councilor Phil Jones to approve the November 8, 2021 meeting minutes.  
18 The motion was seconded Mayor George Hansel and was unanimously approved.  
19

20 **III) Adoption of 2022 Meeting Schedule**

21 A motion was made by Councilor Johnsen to adopt the 2022 Joint Planning Board and  
22 Planning, Licenses, and Development Committee meeting schedule. The motion was seconded  
23 Mayor George Hansel and was unanimously approved.  
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**IV) Public Workshop**

**Ordinance – O-2022-02** – Relating to Zone Change. Petitioner James Phippard, on behalf of owner Sandra R. Henry Trust, proposes to amend the Zoning Map of the City of Keene by changing the zoning designation of the property located at 19 Whitcombs Mill Rd (TMP 237-018-000-000-000) from Rural and Agriculture to Low Density 1. The total area of land that would be impacted by this request is 12.29 ac.

Mr. Jim Phippard of Brickstone Land Use Consultants addressed the Joint Committee on behalf of the owner, Sandra R. Henry Trust. He indicated the request before the Committee is to amend the zoning map. He called the Committee’s attention to Whitcombs Mill Road, Arch Street (top of the page on the map) Route 9 (bottom of the page) and the Cheshire Rail Trail. In close proximity to this property is Langdon Place. The subject property lies in the Rural zone today but a corner of the property is zoned Agriculture. The proposal is to change the zoning to Low Density 1 (LD-1).

Mr. Phippard stated the reason he chose LD-1 is because this property is located on the outside fringe of City utilities and it is a vacant piece of land. He indicated if the zoning is approved, the plan is to extend the sewer line that comes into Langdon Place into this property. Because of the possibility of being able to be on City sewer, City staff suggested the LD-1 zone. The long-term goal of the applicant is to construct ten single family homes and a duplex on this site.

With respect to extending City water to this site, Mr. Phippard noted that City water does exist on Arch Street and goes up to Felt Street and loops to the north but not to the south. Mr. Phippard stated that back in the 80’s when he owned this property and researched extending water to this site, the volume did not exist to be able to service this site. However, things have changed since that time – a water tower was constructed to support the Corporate Park area, which benefits all of west Keene. A hydro flow study was done on Arch Street and Wildwood Road that showed the existing water line has a pressure of 60 psi and a volume/rate of 2,900 gallon per minute, which he indicated was a good flow that is adequate fire flow for most facilities. He felt this is a big improvement compared to what existed.

However, in order to connect to water, the owner or developer would need to extend the water line from Felt Road, down Whitcombs Mill Road into the site (1,000 feet to the site drive way and 750 feet into the site). This would create 1,750 feet of dead-end water line. Mr. Phippard added the City Engineer would ask him to loop the water line. However, to do such work would be at a cost of approximately \$645,000. Mr. Phippard felt just because the pressure is adequate they should not be required to tie into the City water line that is 1,000 feet away. He felt a much larger development would be required to justify this type of expense. He indicated that if the City would pay for the cost to extend the water line, the applicant would be agreeable to that.

Mr. Phippard then went over the request to change the zoning from Rural to LD-1. The subject property is currently in the Rural zone where five acres are required for each single family dwelling. Properties in the Rural zone that are on City sewer and water can have reduced lot sizes of two acres. If the property were to be retained in the Rural zone, one option the

73 owner/developer could pursue would be to connect to sewer (but not water) and seek a variance  
74 from the Zoning Board of Adjustment to allow for 2-acre lots that only have access to City  
75 sewer. That would allow for six houses in all – this would justify extending the sewer line (1,500  
76 feet of sewer at a cost of \$150,000). With LD-1, they could build 12 homes with 12 wells and  
77 City sewer. With LD-1, tying into City water is only required if it is deemed to be available.  
78

79 Mr. Phippard noted the City Master Plan recommends more housing and there are several areas  
80 where it is recommended where utilities need to be expanded to accommodate more housing.  
81 With respect to traffic, according to the ITE Manual this expansion will add 114 trips per day,  
82 with nine vehicle trips during the AM peak hour and 12 vehicle trips during the PM peak hour.  
83 Mr. Phippard felt this was not a significant increase to traffic.  
84

85 Mr. Phippard further stated the City required a sewer capacity analysis on Arch Street. The  
86 existing sewer lines run between 8 inches to 20 inches. It was concluded from the study the  
87 system was running at 4% capacity and adding 26 homes that number would increase to 8%.  
88

89 The change to LD-1 reduces the number of uses compared to the permitted uses in a Rural  
90 District. LD-1 anticipates where there is access to sewer but not necessarily City water. He felt  
91 LD-1 was the best use of this property and there is a current need for housing in this area. This  
92 concluded Mr. Phippard's presentation.  
93

94 Councilor Remy asked why the applicant would not consider 26 homes at a cost of \$645,000, 14  
95 additional homes at that price would be a good investment. Mr. Phippard stated part of the reason  
96 is the land area. He referred to an existing conditional survey map. There are about 1.8 acres in  
97 the center of this site that are jurisdictional wetlands. To construct 26 homes in the LD-1 zone,  
98 you will only still be allowed single-family homes or duplexes, and there isn't space for 26. He  
99 referred to a concept plan with 12 homes – with this plan there is not that much land left over.  
100 He added they would like to construct this as a Conservation Residential Development (CRD) –  
101 with designated open spaces and 12 homes which can then be sold; creating 26 homes would be  
102 difficult in this area.  
103

104 Chair Bosley noted their discussion is not about what the applicant would like to construct. The  
105 Committee is looking at whether it would make sense to change the zoning to LD-1. She added  
106 LD-1 would not preclude the applicant from constructing 26 homes as long as they ran City  
107 water. She felt in her opinion because the water is located so far away the connection will not be  
108 easy and hence a change to LD-1 which requires sewer connection would be the better option.  
109

110 Councilor Johnsen asked whether a well would be required because there will not be connection  
111 to City water. Mr. Phippard stated there would at least need to be one well constructed, or it  
112 could be a well for each unit and these wells would be owned by the property owners.  
113

114 Councilor Giacomo stated he likes the idea of more housing and felt this would be great location  
115 for housing. He stated his concern is if this site is turned to LD-1 there would be spot zoning and  
116 this area would not be connected to any other LD-1 zone. Mayor Hansel in response stated he  
117 used to live in the only other LD-1 property which is close to this site which also used to be a  
118 gravel pit. The Mayor added he always felt LD-1 was a good option to add density to areas such

119 as this. He noted the only other LD-1 parcel is similar to the one before the committee today.  
120 Councilor Giacomo asked in an effort not to create spot zoning whether there would be an  
121 opportunity to talk to other property owners who currently connect to LD-1 to the north. Chair  
122 Bosley felt this conversation needs to be pursued with staff. She further noted her understanding  
123 of LD-1 is that it is a sub category of Low Density with the only difference being that water is  
124 unavailable and therefore this district was created for lots such as this.

125  
126 Councilor Jones asked whether this parcel would not be affected by the Surface Water Ordinance  
127 which exists in this area because of White Brook. Mr. Phippard stated the Surface Water  
128 Ordinance requires a 30-foot buffer in the Rural Zone. John Rogers, the Interim Community  
129 Development Director, noted the buffer is 75 feet.

130  
131 Councilor Johnsen asked with respect to the wells, whether one well company would be  
132 responsible for digging all the wells. Mr. Phippard stated once the property is sold it would be up  
133 to the developer how they want to develop this property.

134  
135 Chair Russell Slack asked how Mr. Phippard came up with the traffic number based on 12 homes  
136 and each home having at least two vehicles. Mr. Phippard stated that according to the most  
137 recent ITE Manual for single and two family homes, it is no longer 10 trips per day rather that  
138 number has been reduced to a little less than 9 trips per day for a total of 114 vehicle trips per  
139 day. For peak hour it was 9 additional AM trips and 12 for the PM peak hour.

140  
141 Senior Planner Mari Brunner addressed the Board next. Ms. Brunner stated this Ordinance  
142 proposes to amend the official Zoning Map of the City of Keene by changing the zoning of one  
143 specific parcel of land located at 19 Whitcombs Mill Road from the Rural District (a small  
144 corner is in the Agricultural District) to LD-1. She noted in the rezoning decision, the Board  
145 should not consider the Petitioner's intended of use of property, but rather consider all the  
146 potential uses allowed in the district.

147  
148 She went on to say the Committee should also be looking at the consistency of the proposed  
149 rezoning request with the Master Plan, existing and proposed zoning requirements, the  
150 surrounding land use and zoning patterns, and possible resulting impacts.

151  
152 She noted the subject property has access to City sewer via an easement on the Langdon Place of  
153 Keene property located at 136 Arch Street and, if the applicant chooses to develop the site,  
154 extending the sewer line to the property would be at the expense of the land owner.

155  
156 Ms. Brunner then addressed the topic of Master Plan Consistency.

157  
158 Community Vision: Within the Community Vision section of the Master Plan, the focus area "A  
159 Quality Built Environment" is what relates most closely to this rezoning request. This item  
160 addresses the need to provide quality housing and balance growth and the provision of  
161 infrastructure. This area of the City does have access to City sewer, which would be required for  
162 LD-1. This site could have access to City water if the developer chooses to pay to extend service,  
163 at their own expense. The proposed zoning change would provide the opportunity for more  
164 housing in that it would increase the number of dwelling units that would be allowed on this lot.

165 Under the current zoning for a conventional subdivision, a property owner can fit two units, but  
166 perhaps with a CRD that number could be increased to three units. Under the proposed zoning it  
167 can be 12 units and if City water is extended that number could be increased to 26 units  
168 (theoretically). With respect to road and bridge infrastructure, while this site has access from  
169 both Arch Street and NH Route 9 for light duty vehicles, heavy duty vehicles such as fire trucks  
170 and school buses would need to access the site from Route 9 due to the weight limits on the 1-  
171 lane bridge over White Brook.

172  
173 With respect to the Future Land Use Plan, this property is located in an area that is identified  
174 within the Future Land Use Map as being on the edge between a “Conservation Residential  
175 Development /Rural / Low Density Residential / Agriculture” (CRD) Area, and a “Secondary  
176 Growth Area/Low-Medium Density Residential” Area. Ms. Brunner noted that the CRD  
177 category includes areas for continued preservation of open space, agriculture, and rural  
178 residential uses, whereas the secondary growth area is identified as consisting of single-family,  
179 low- to medium-density development. The proposed zoning change would allow for single-  
180 family development, or if the land is developed as a CRD subdivision, it could be developed as  
181 single-family or two family homes.

182  
183 With respect to the Housing Chapter of the Master Plan, this item identified a need for housing  
184 as a “*fundamental challenge for the community as costs of community services continue to*  
185 *increase and Keene’s reliance on property taxes places a growing financial burden on its*  
186 *residents and businesses.*” The Housing Chapter discusses the importance of providing a  
187 balanced and diverse housing stock. In keeping with the Master Plan this zoning change would  
188 create more housing opportunities.

189  
190 Chair Russell Slack asked who was responsible for repair to the bridge. Ms. Brunner stated her  
191 understanding is that it is a City of Keene’s bridge and would be the City’s responsibility. The  
192 Chair asked staff to get more information on the age of this bridge and the last time it was  
193 repaired. She further stated she is in favor of housing but what she is not seeing is opportunities  
194 for workforce housing which is needed throughout the State.

195  
196 Ms. Brunner next addressed the intent of the existing and proposed Zoning Districts. The current  
197 zoning is Rural and the intent of the Rural District is to provide for areas of very low density  
198 development, predominantly of a residential or agricultural nature. These areas are generally  
199 outside of the valley floor, beyond where city water, sewer and other city services can be readily  
200 supplied. The proposed zoning is LD-1 which is intended to provide for low intensity residential  
201 development, which is primarily detached single-family dwellings on lots of 1-acre or larger in  
202 areas on the outer edge of available city water and sewer service. All uses in this district shall  
203 have City sewer. City water is required if sufficient volume and pressure is available as  
204 determined by the Public Works Department. Staff feels this proposed change is consistent with  
205 the intent of the LD-1 Zoning District, as the parcel has access to City sewer.

206  
207 With respect to uses, this change would create less opportunity for the types of uses that could  
208 occur. She called the Committee’s attention to the permitted uses in the LD-1 District, which are  
209 residential only (including small group homes). She also called the Committee’s attention those  
210 principal uses allowed in the Rural and/or Agriculture District, which are not allowed in Low

211 Density 1, such as Bed and Breakfast, Event Venue, Greenhouse/Nursery, Kennel,  
212 Recreation/Entertainment Facility – Outdoor, Cemetery, Farming, Golf Course, and Gravel Pit.

213  
214 With respect to Dimensional Requirements Ms. Brunner stated under the Rural District the  
215 minimum lot size is five acres but for LD-1 the lot size drops to one acre for parcels that only  
216 have access to City sewer, and hence a higher density will be permitted.

217  
218 Ms. Brunner noted that, from a visual perspective, the proposed change could be seen as spot  
219 zoning – in other words, one area of LD-1 surrounded by other zones (Rural on three sides and  
220 Agriculture on one side). Ms. Brunner stated however, in staff's opinion this wouldn't be  
221 considered spot zoning as it fits the intent of the district the applicant is proposing to change it to.  
222 The intent of LD-1 District is provide opportunity for residential development on the outer edge  
223 of available City water and sewer. Her understanding is that the LD-1 District was created  
224 specifically for lots like this one that could connect to City sewer and possibly City water, but are  
225 on the edge of the City's sewer and water infrastructure. However, this proposed change could  
226 result in a relatively large increase in the density of development that would be allowed in this  
227 area of the City.

228  
229 The other impact to consider would be to traffic. The one-lane bridge would limit access for  
230 emergency vehicles and other large vehicles' access to the site.

231  
232 Chair Bosley noted there is no signage on this bridge and asked when it would be prudent to  
233 perhaps locate a "Yield" sign on one side of the bridge. Ms. Brunner stated this would be a  
234 determination made by Public Works and is an item that could come up at the Planning Board at  
235 its review if and when development is proposed on this site.

236  
237 Asst. City Manager Rebecca Landry noted the CIP on page 83 does have information regarding  
238 this bridge. It is on the City's Red List for Bridges at #8 (not the worst) and could be eligible for  
239 grant funding from the State. Chair Russell Slack stated she is glad to hear it is not considered to  
240 be the worst but adding 114 more vehicle trips on this bridge is of concern to her.

241  
242 Councilor Jones stated his concern with traffic is at the intersection of Whitcombs Mill Road and  
243 Route 9 which is now going to have too many left turns. He also noted Whitcombs Mill Road to  
244 the bridge is now a dead end street because of truck access and asked whether this extends past  
245 the City's dead end limit. Ms. Brunner stated it probably wouldn't be considered a dead-end  
246 street under City Code because it does connect to Arch Street, however, she does understand the  
247 Councilor's point as it relates to heavy trucks not being able to go over the bridge. The Councilor  
248 noted it is referred to as a dead-end street if fire apparatus can't get over a road and that would be  
249 the case with the bridge access. Ms. Brunner stated that, when this application eventually goes  
250 before the Planning Board, this is something that would be reviewed by the Fire Department.

251  
252 Councilor Johnsen asked about flooding issues in this area. Ms. Brunner stated a small piece of  
253 this site is in the floodplain and referred the question to Mr. Phippard. Mr. Phippard referred to a  
254 very small sliver of land which is located in the flood plain; 99% of the property is above the  
255 100-year flood plain.

256

257 Chair Bosley asked about the availability of water and added LD-1 for this site makes sense to  
258 her but not low density. Mr. Rogers stated in his role as also the Zoning Administrator he would  
259 be looking for the Public Works Director to make the determination of the availability of water  
260 and the proximity of this site to water.

261  
262 The Chair asked for public comment.

263  
264 Mr. Phippard referred to page 8 of the Staff Report and referred to those lots located on the south  
265 side of Arch Street, starting at lot 10 through lot 36 – these lots are all less than five acres in size  
266 and even though they are in the Rural zone they are considered to be non-conforming due to lot  
267 size. He indicated these lots are most likely on City water as City water runs right in front of  
268 these lots. He noted these lots don't reflect the character of the zone they are located in and felt  
269 they would fit better in LD or LD-1. Mr. Rogers indicated these types of density factors are  
270 being reviewed by the City.

271  
272 Councilor Giacomo stated he is in approval of this project.

273  
274 Councilor Jones felt anything but LD-1 would not be enticing for this site because of the water  
275 issue. He further stated if the City wanted to address its housing needs, LD-1 was the best option.

276  
277 A motion was made by Mayor George Hansel that the Planning Board find the proposed  
278 Ordinance O-2022-02 consistent with the Community Goals and Master Plan. The motion was  
279 seconded by Councilor Michael Remy and was unanimously approved.

280  
281 A motion was made by PLD Chair Kate Bosley that the Planning Licenses and Development  
282 Committee request that the Mayor set a public hearing on this item. The motion was seconded by  
283 Councilor Phil Jones and was unanimously approved.

284  
285  
286 **V) Update on the Land Development Code**

287  
288 Economic Development Director Med Kopczynski was the next to addressed Committee. Mr.  
289 Kopczynski stated completion of the Land Development Code was an important step for the  
290 City. He explained what was done is a revision of the Central Business District and a  
291 reorganization. Mr. Kopczynski stated what staff is proposing at this time is to move forward  
292 with the two Economic Development Plans accepted by the City Council. This is also consistent  
293 with the outcome of the Strategic Governance exercise the Council just completed. He noted  
294 staff is not looking for any action today, this is just an update of what staff is proposing to do  
295 going forward, also because of some glitches identified in the Code. What staff is also noticing in  
296 the Code is some minor language changes which would make the Code clearer.

297 Staff plans on bringing back an amendment to the Code in about six months addressing the  
298 glitches that have been identified. Mr. Kopczynski talked about the transition districts which  
299 were not addressed at the time of the Code update; Blake Street and Grove Street areas. This  
300 item will be brought forward to the Joint Committee in July with a possible filing of an  
301 amendment to the Code in September.



302 Mr. Kopczynski then introduced new Planner Evan Clements to the Joint Committee.

303 Mr. Kopczynski went on with his presentation – he indicated staff has identified districts based  
304 on the current lot size requirements which likely could be changed to permit additional units. The  
305 districts are High Density, Medium Density and Rural.

306 With respect to CRD the premise is to leave much of the land area in open space and concentrate  
307 the density. CRD doesn't always allow for duplexes or multi-family units and this is something  
308 staff will be looking into. Chair Russell Slack asked whether Accessory Dwelling Units factor in  
309 here somewhere. Mr. Kopczynski stated this is an allowed use in any district that allows single  
310 family. Another discussion that might be undertaken is whether multi-family homes could be  
311 permitted in the Commerce District.

312 PLD Chair Bosley felt keeping the Code updated is an important task for the City.

313

314 **VI) Next Meeting – April 11, 2022**

315

316 **VII) Adjourn**

317

318 There being no further business, PLD Chair Bosley adjourned the meeting at 7:52 PM.

319

320 Respectfully submitted by,  
321 Krishni Pahl, Minute Taker

322

323 Reviewed and edited by,  
324 Mari Brunner, Senior Planner

## MEMORANDUM

**To:** Joint Committee of the Planning Board and PLD Committee

**From:** Mari Brunner, Senior Planner

**Date:** May 2, 2022

**Subject:** O-2022-04 Relating to Proposed Amendments to the City of Keene Land Development Code (Chapter 100 of City Code)

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### Overview

This Ordinance proposes to amend several provisions of the City of Keene Land Development Code in order to create opportunity for housing development in commercial and downtown areas of the City that is consistent with the prevailing scale and built form of the surrounding area. 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.

### Review of Commerce District

The Commerce District encompasses 220 parcels of land that are predominantly located in areas to the west and south of the downtown along major corridors (see Figure 1). The intent of this district is “*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.*”

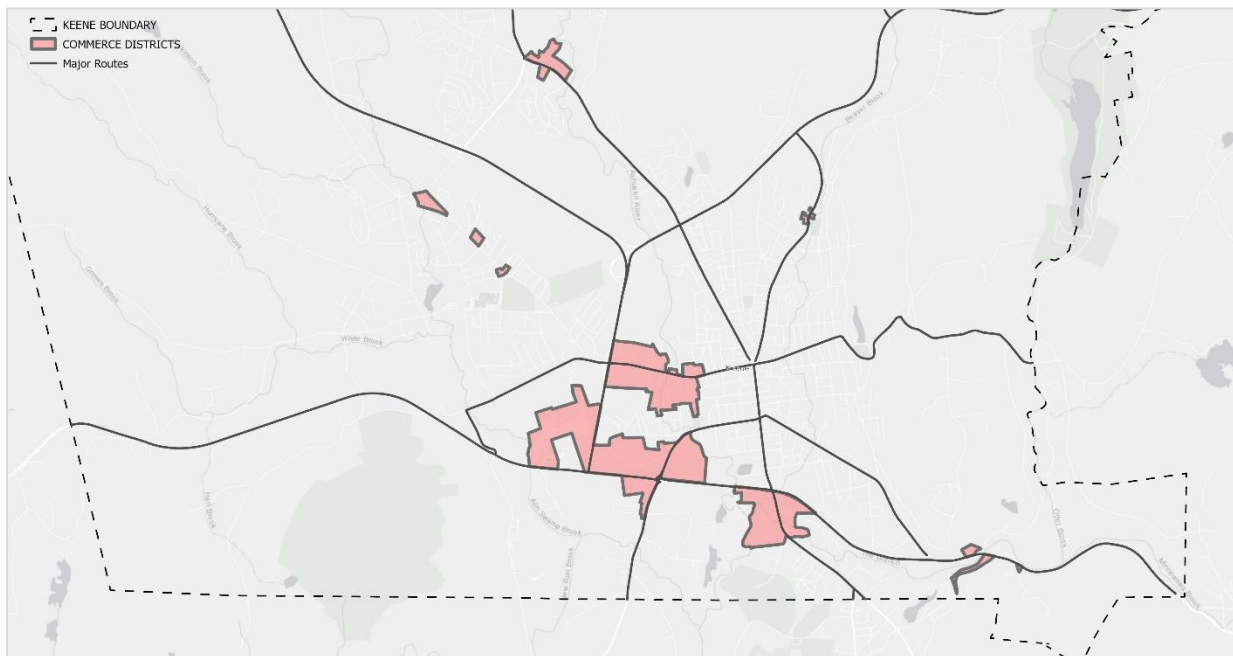


Figure 1. A map displaying the areas of Keene that are zoned Commerce (pink areas).

An overview of the uses that are permitted by the Zoning Regulations to occur in this District are displayed on Table 1 on the next page. This district allows for multiple principal uses to occur on one lot as long as each use is allowed in the district. Although no residential uses are currently allowed, there are a number of properties in the Commerce District where multi-family or mixed-use commercial and residential uses are occurring. Examples include, but may not be limited, to the following:

- 27 Ivy Drive, Multi-family
- 191-195 Key Road, Multi-family
- 82 Meadow Road, Multi-family
- 210-222 West Street, Multi-family\*
- 29-37 Ashuelot St, Mixed use commercial/residential
- 314 Park Ave, Multi-family
- 301-305 Park Ave, Mixed use commercial/residential
- 295 Park Ave, Mixed use commercial/residential
- 829-837 Court St, Mixed-use
- 642 Marlboro Rd, Mixed use commercial/residential
- 657 Marlboro Road, Multi-family

*\*This property received a variance in 2018 to allow multi-family residential units up to 90 units*

Dimensional Requirements in this District appear to promote a medium- to high-intensity of development density. Building heights are maxed at 2 stories / 35 ft by right or 3.5 stories / 50 ft with a Special Exception. The maximum impervious coverage is 80%, and the minimum lot size is 15,000 sf. Setbacks are 20 feet; however, the rear setback is increased to 50 feet if the property abuts a residential district (see Figure 2).

Staff are proposing to add “Dwelling, Multi-family” as a permitted use to this district, with the limitation that all dwelling units must be located above the ground floor (i.e. on the second floor or above). The purpose of this limitation is to preserve opportunities for commercial development within this district while still allowing residential development to occur in a mixed-use setting.

In addition, staff propose to remove the requirement to obtain a Special Exception in order to increase the number of stories or height that would be allowed, and instead allow additional stories or height by right, provided that additional building setback or height stepback\* requirements are met, as shown in Table 2. This proposed change would eliminate the need for an applicant to go to the ZBA for a Special Exception while mitigating the visual impact of the additional stories / height through increased setbacks or height stepbacks.

*\*A **Stepback** is the required additional distance that upper stories of a structure must be recessed from the façade of the stories below. A required stepback must continue through all upper stories once established, though it may be increased from any required minimums on any stories.*

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*</b>	2
<i>*With Special Exception</i>	3.5
<b>Max Building Height*</b>	35 ft
<i>*With Special Exception</i>	50 ft

Figure 2. Commerce District Dimensional Requirements.

**Table 1. Permitted Uses**

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
Private School	P <sup>1</sup>	8.3.3.F
Senior Center	P <sup>1</sup>	8.3.3.G

CONGREGATE LIVING / SOCIAL SERVICES USES		SECTION
Domestic Violence Shelter	P <sup>1</sup>	8.3.4.A
Drug Treatment Clinic	CUP	8.3.4.B
Food Pantry	P	8.3.4.D
Group Resource Center	CUP	8.3.4.G
Homeless Shelter	CUP	8.3.4.H
Lodginghouse	CUP	8.3.4.I
Residential Care Facility	CUP	8.3.4.J
Residential Drug/Alcohol Treatment Facility	CUP	8.3.4.K
INDUSTRIAL USES		SECTION
Artisanal Production	P <sup>1</sup>	8.3.5.A
Data Center	P	8.3.5.C
Industrial, Light	SE	8.3.5.E
Outdoor Storage Yard	P	8.3.5.F
OPEN SPACE USES		SECTION
Conservation Area	P	8.3.6.C
INFRASTRUCTURE USES		SECTION
Solar Energy System (Small-Scale)	P <sup>1</sup>	8.3.7.A
Solar Energy System (Medium- Scale)	CUP	8.3.7.B
Telecommunications Facilities	P <sup>1</sup>	8.3.7.E
TRANSPORTATION USES		SECTION
Parking Lot (Principal Use)	P <sup>1</sup>	8.3.8.A
Parking – Structured Facility (Principal Use)	P <sup>1</sup>	8.3.8.B

P = Permitted  
P<sup>1</sup> = Permitted with limitations per Article 8.  
SE = Permitted by Special Exception  
CUP = Permitted by Conditional Use Permit

**Table 2. *Proposed* Height Requirements for the Commerce District**

<b>Max Stories Above Grade</b>	2
<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.	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 3 <sup>rd</sup> story.	4
<b>Max Building Height</b>	35 ft
<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.	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 3 <sup>rd</sup> story.	56 ft

**Review of Downtown Core (DT-C) and Downtown Growth (DT-G) Districts**

The DT-C District is the heart of downtown Keene, accommodating the highest intensity of development. This district is intended to accommodate a rich mix of commercial, residential, civic, cultural, and open space uses in a highly walkable, vertically and horizontally mixed-use environment. There are many examples of downtown buildings that have retail, restaurant, office, or other commercial uses on the ground floor with either offices or residential apartments on the upper stories.

The DT-G District is located on lower Main Street and to the east and west of the DT-C District along the former railroad, as shown in Figure 3 on the next page. This district accommodates the reuse of existing structures within downtown Keene as well as new construction of significant size. It is intended to provide the flexibility needed to create a mixed use environment suitable for commercial, residential, civic, cultural, and open space uses in areas of downtown where growth is desired, with standards for new construction and infill that complement the walkable, urban form of Keene's downtown.

A major component of both of these downtown districts is the emphasis on pedestrian-scale development, an active streetscape, and walkability. Currently, multi-family residential uses are allowed in both of these districts by right; however, in the Downtown Core District, all dwelling units must be located above the ground floor if there are fewer than four units in one structure. Staff are proposing to change this so that multi-family residential development in the downtown can only occur by right on the upper stories of a building. The intent of this change is to promote ground-level uses that are appropriate for downtown areas with a high level of pedestrian traffic.

Dimensional requirements in these districts promote high-intensity mixed-use development. There is no minimum lot area, setbacks are on or very close to the property line, and building height is maxed at 85 ft or 7 stories. In addition, there are building activation requirements, including minimum ground floor height, maximum blank wall area, maximum building entry spacing, minimum ground floor transparency, etc. (see DT-C and DT-G dimensional requirements, attached to this staff report). These standards are intended to ensure new development in the downtown is consistent with the historic development pattern.



# Downtown Keene Zoning Map

(updated 4/29/22)

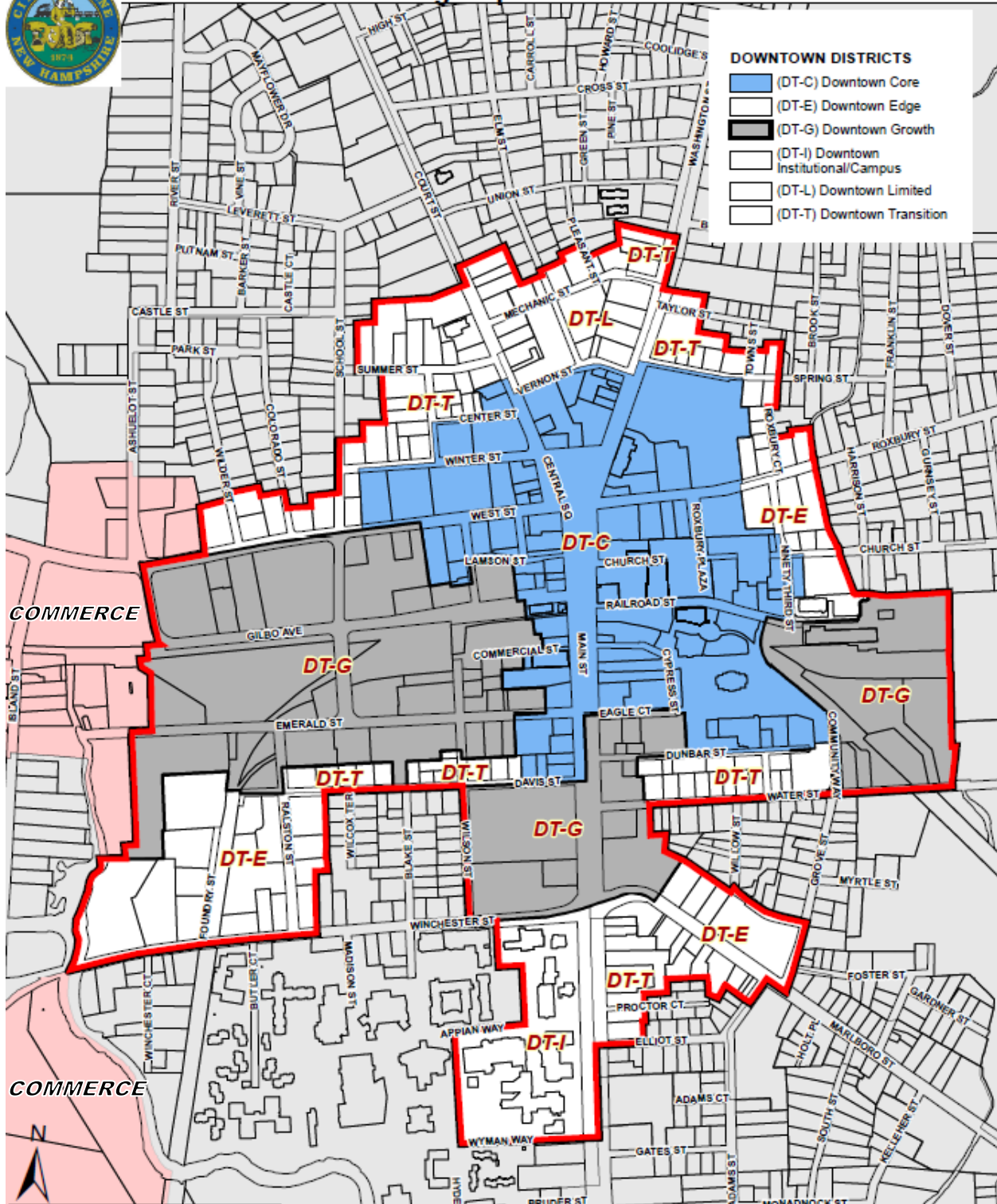


Figure 3. Map of downtown zoning districts, with the DT-C District shaded in blue, the DT-G District shaded in dark gray, and adjacent parcels in the Commerce District shaded in pink.

## Master Plan Consistency

### Community Vision

The vision focus area that is most relevant to this proposal is “A Quality Built Environment.” This focus area states:

*“The built environment addresses the physical and structural parts of our city, including what our city looks like, where we live, how we get around, and how we live. For our future, achieving a quality built environment means:*

*Providing Quality Housing • Sustaining a Vibrant Downtown • Maintaining Neighborhoods • Preserving and Celebrating Architectural History • Balancing Growth and the Provision of Infrastructure • A Complete Transportation System • Fostering Renewable Energy and Efficient Use of Resources”*

The proposal to allow multi-family dwellings in the Commerce District would provide further opportunity for housing development in areas of Keene where the infrastructure for water, sewer, and vehicular traffic is well-developed and could most likely accommodate new demand. The proposal to allow multi-family dwellings above the ground floor in the Downtown Core and Downtown Growth Districts is intended to help sustain a vibrant downtown by preserving the opportunity for more active uses to occur on the ground floor while allowing residential uses on the upper stories.

### Downtown

The Comprehensive Master Plan includes an entire chapter dedicated to Keene’s downtown, recognizing that it is the heart of the region and central to Keene’s overall identity. The downtown strategy most relevant to this proposal is *Downtown Vibrancy*, which states “As downtown businesses come and go, it is important that the community encourage an array of businesses that provide basic needs for the community and facilitate pedestrian activity, along with a variety of residential uses. The placement of those uses on first, second or higher floors within a building are also important to maintaining vibrancy. Retail and services businesses should continue to be placed on the first floor, with office and residential on the upper floors, in order to maintain walkability and support downtown as a destination.” Staff propose to continue to allow multi-family residential uses in the downtown, provided that the units are located above the ground story, consistent with the underlined statement above.

### Housing

The Housing chapter of the Master Plan states “Since most of the community’s available residentially zoned land has been developed, housing needs have to be addressed through infill development and the rehabilitation and redevelopment of existing stock.” It further states “Since the community is not expected to grow substantially in population and its housing needs will remain similar to current levels, creative housing solutions, if done well, can contribute greatly to keeping the small-town feel of Keene, while providing more housing choice and allowing people to live, work and play in the same community.”

The proposal to allow multi-family residential development in the Commerce District is intended to create opportunity for mixed-use residential development outside of the residentially zoned areas, which has mostly been developed. It would also encourage infill development, since all of the Commerce District land is located in areas of the City that have already been developed and have ready access to City sewer, water, and transportation infrastructure.

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

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
<b><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.</b>	<b>3-5 3</b>
<b><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.</b>	<b>4</b>
<b>Max Building Height<sup>a,b</sup></b>	35 ft
<b><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.</b>	<b>50 ft 42 ft</b>
<b><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.</b>	<b>56 ft</b>

### 5.1.5 Permitted Uses

RESIDENTIAL USES		
<b>Dwelling, Multi-family</b>	<b>P<sup>1</sup></b>	<b>8.3.1.C</b>
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-l: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.

TABLE 8-1: PERMITTED PRINCIPAL USES BY ZONING DISTRICT

P = Permitted P<sup>1</sup> = Permitted with limitations per Article 8 SE = Permitted by Special Exception CUP = Permitted by Conditional Use Permit - = Not Permitted

Use Definition & Standards Section #

RESIDENTIAL USES	R	RP	LD	LD-1	MD	HD	HD-1	DT-C	DT-G	DT-E	DT-L	DT-T	DT-I	COM	CL	BGR	NB	O	CP	I	IP	HC	A	C	
Dwelling, Above Ground Floor	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	P	P	P	-	-	-	-	P	-	8.3.1A
Dwelling, Manufactured Housing	P <sup>1</sup>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	8.3.1B
Dwelling, Multifamily	-	-	-	-	P <sup>1</sup>	P	P	P <sup>1</sup>	P P <sup>1</sup>	P	P	P	-	P <sup>1</sup>	-	P	P	P	-	-	-	-	-	-	8.3.1C
Dwelling, Single-Family	P	P	P	P	P	P	P	-	-	-	-	P	-	-	-	-	P	P	-	-	-	-	P	-	8.3.1D
Dwelling, Two-Family / Duplex	-	-	-	-	P	P	P	-	-	P	P	P	-	-	-	-	P	P	-	-	-	-	SE	-	8.3.1E
Manufactured Housing Park	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	8.3.1F
COMMERCIAL USES	R	RP	LD	LD-1	MD	HD	HD-1	DT-C	DT-G	DT-E	DT-L	DT-T	DT-I	COM	CL	BGR	NB	O	CP	I	IP	HC	A	C	
Agricultural-Related Educational & Recreational Activity as a Business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P <sup>1</sup>	-	8.3.2A
Animal Care Facility	P	-	-	-	-	-	-	-	P	P	P	-	-	P	P	-	-	-	-	-	-	-	P	-	8.3.2B
Art Gallery	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	P	-	-	-	-	-	-	-	8.3.2C
Art or Fitness Studio	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	P	-	-	P	-	-	-	-	8.3.2D
Banking or Lending Institution	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	-	P	-	-	-	-	-	-	-	8.3.2E
Bar	-	-	-	-	-	-	-	P	P	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	8.3.2F
Bed and Breakfast	SE	SE	-	-	-	SE	SE	-	-	-	-	P <sup>1</sup>	-	-	-	P <sup>1</sup>	SE	P <sup>1</sup>	-	-	-	-	SE	-	8.3.2G
Car Wash	-	-	-	-	-	-	-	-	-	SE	-	-	-	P	P	-	-	-	-	P	-	-	-	-	8.3.2H
Clinic	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	-	-	-	-	-	-	P	-	-	8.3.2I
Event Venue	-	-	-	-	-	-	-	-	P	-	-	-	P	P	-	-	-	-	-	-	-	-	SE	-	8.3.2J
Funeral Home	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	-	P	P	-	-	-	-	-	-	8.3.2K
Greenhouse / Nursery	P	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	-	P	-	8.3.2L
Health Center / Gym	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	-	-	-	P	-	P	-	-	8.3.2M
Heavy Rental & Service Establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	P	-	-	-	-	8.3.2N
Hotel/Motel	-	-	-	-	-	-	-	P	P	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-	8.3.2O
Kennel	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	8.3.2P
Micro-Brewery/Micro-Distillery/Micro-Winery	-	-	-	-	-	-	-	P	P	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	8.3.2Q-S
Motor Vehicle Dealership	-	-	-	-	-	-	-	-	-	P	-	-	-	P	P	-	-	-	-	-	-	-	-	-	8.3.2T
Neighborhood Grocery Store	-	-	-	-	-	SE	-	P	P	P	P	-	-	P	-	P	P	-	-	-	-	-	-	-	8.3.2U
Office	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P <sup>1</sup>	P <sup>1</sup>	P	P <sup>1</sup>	SE	SE	P	-	-	8.3.2V
Personal Service Establishment	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	P	-	-	-	-	P	-	-	8.3.2W
Private Club / Lodge	-	-	-	-	-	-	-	P	P	P	P	SE	-	P	P	-	-	SE	-	-	-	-	-	-	8.3.2X
Recreation/Entertainment Facility - Indoor	-	-	-	-	-	-	-	P	P	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-	8.3.2Y
Recreation/Entertainment Facility - Outdoor	-	-	-	-	-	-	-	-	P	-	-	-	P	P	P	-	-	-	-	-	-	-	SE	-	8.3.2Z
Research and Development	-	-	-	-	-	-	-	SE	P	-	-	-	P	P	P	P	-	-	P	P	P	P	-	-	8.3.2AA
Restaurant	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P <sup>1</sup>	P <sup>1</sup>	-	-	-	-	-	-	-	8.3.2AB
Retail Establishment, Heavy	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	8.3.2AC
Retail Establishment, Light	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	-	P <sup>1</sup>	-	-	-	-	P	-	-	8.3.2AD
Self Storage Facility - Exterior Access	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	P	-	-	-	-	8.3.2AE
Self Storage Facility - Interior Access	-	-	-	-	-	-	-	-	SE	P	-	-	-	P	P	-	-	-	-	P	-	-	-	-	8.3.2AF
Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	-	-	P <sup>1</sup>	-	-	-	-	-	-	-	-	-	-	8.3.2AG
Specialty Food Service	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	P	-	-	-	-	-	-	-	8.3.2AH
Vehicle Fueling Station	-	-	-	-	-	-	-	-	-	-	-	-	-	P <sup>1</sup>	P <sup>1</sup>	-	-	-	-	-	-	-	-	-	8.3.2AI
Vehicle Rental Service	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	8.3.2AJ