

**§245-15.4 Traditional Neighborhood Overlay Zone II**

- A. *Purpose and Intent:* The purpose of Zone II is to allow for the creation of additional housing opportunities adjacent to as well as within the developed core of Peterborough that reflect changing household demographics. This approach to development is similar in its approach to Zone I and is also in furtherance of the 2015 Vision Statements from the Peterborough Master Plan, including:
- transitioning housing stock to meet the needs of a shifting community demographic; and
  - creating options for a range of quality housing types to meet the needs of all segments of the local population.
- B. *Authority and Administration:* This section is adopted in accordance with RSA 675: 1, II and RSA 674:21, Innovative Land Use Controls.
- C. *Applicability:* The following provisions apply to all lots in any district that permits residential use as a principal permitted use, subject to the provisions of this ordinance, except for any parcel within the Zone I designated map area. The provisions contained in Paragraphs D & E below shall supersede the provisions of the underlying zoning districts; all other relevant provisions of the zoning ordinance shall still apply.
- D. *Permitted Uses:*
- (1) Residential uses including single-family, two-family, multi-family up to a maximum of ten (10) units in one building, along with associated accessory uses.
  - (2) Non-residential uses such as personal or professional services and retail that are primarily intended to serve the neighborhood are permitted as accessory uses to a residential use, provided that they remain secondary and incidental to the principal permitted use. The accessory use may be located in the same building as the residential use, or in another structure on the same lot. In order to maintain a neighborhood scale, the allowable area of any approved non-residential use shall not exceed 1,000 square feet.
  - (3) It is the intent of this ordinance that more than one principal use and any associated accessory uses may exist on the same lot or in the same building.
- E. *Minimum Requirements* are as follows, in addition to all other applicable land use regulations:
- (1) *Water & Sewer:* In order to be eligible either for subdivision, or to build on a vacant lot under this ordinance, lots must either be already served by Town water, or an extension to the service is established. Sewer service shall be by connection to existing or extended service, or alternatively by a DES-approved community septic system. The costs of all connections and/or extensions to the municipal system shall be borne by the applicant. Any proposed new connections must be approved by the DPW Director.
  - (2) *Lot and Yard Standards*
    - (a) *Lot Size:* There are no minimum lot sizes required for any of the permitted uses.
    - (b) *Lot Coverage:* No lot may have more than 40% coverage consisting of primary and accessory building footprint(s), driveways and parking areas, or any other impervious

surface. If pervious materials are used for driveways or parking areas, these areas may be exempted from the 40% maximum lot coverage calculation.

(c) Lot Frontage: Any new lot created must have a minimum of 50 feet of frontage on an approved street.

(d) Setbacks:

(a) Dwellings shall not be set back from the front property line more than twenty (20) feet. Accessory structures shall be located to the rear of the lot.

(b) All buildings and structures shall be separated at a minimum by a distance required by the most current Building Codes followed by the Town. In no case, however, shall any building or structure be closer to a side or rear property line than five (5) feet.

(3) *Stormwater Management:* Stormwater shall be managed in accordance with Appendix B of the Subdivision Regulations. However, the utilization of Low Impact Development techniques (e.g. bio-retention, permeable pavers, rain gardens, etc.) is strongly encouraged and may be required, depending on the particular circumstances of the proposed development.

(4) *Building Design/Parking & Driveways:* To the extent applicable, plans shall be in accordance with the standards outlined in the Site and Building Design Guidelines appended to Zone I.

(5) *Maintenance Agreements:* For any project where multiple dwellings are constructed and will share any facilities or amenities such as common space or recreational amenities, a procedure shall be established to ensure the ongoing monitoring and maintenance, such as a Maintenance Agreement or Homeowners Association, to be approved by the Planning Board during the review process.

F. *Procedure:*

(1) Proposals that involve the subdivision of land and/or the development of three or more dwelling units shall apply to the Planning Board for subdivision, site plan review, and/or any other appropriate approvals. Said application shall include sufficient site and design detail to enable the Planning Board to make a determination of compliance with all applicable Site and Building Design Guidelines for the proposed design.

(2) *Waivers:* Pursuant to RSA 674:21, II the Planning Board is authorized to grant a Conditional Use Permit for requests to waive any of the requirements of this section. Any such request must be filed in writing using the Conditional Use Permit application. In the granting of any such Permit, the Board may attach reasonable conditions, or waive or modify any of the requirements of this section if specific circumstances relative to the proposal indicate that the waiver will properly carry out the spirit and intent of this ordinance. If a waiver request is denied, the Planning Board shall provide suggestions as to how the request could be modified to address Board concerns.