

Bow Mills Mixed Use District – Article 17

(Amended March 2024)

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 and staffed by the Town Community Development Office personnel.

II. Purpose

- A. The Bow Mills Mixed Use (BMMU) District is the community's commercial, cultural and transportation center. The purpose of this article is to enhance these attributes in the BMMU District and in the community at-large by allowing alternative designs to be presented to the Planning Board that waive provisions except for:

- Permitted Uses (IV)

This is not an overlay district, however some components of the Commercial (C) District are incorporated. In addition to the permitted uses under the C District, this Mixed Use District recognizes that there may be better, more innovative ways to encourage the Town Master Plan objectives.

- B. Proposed developments will be judged on their reasonable probability of meeting at least two of the below desired Objectives:

- Expanding the Town's Property tax base in a manner that reflects the goals of the Master Plan and other relevant Town policies above what would have reasonably occurred with a C District development on the same site.
- Combining the elements of different uses, to increase interactions between where residents live, work, shop and utilize local amenities in a manner that reduces unnecessary vehicle trips and increases the site's vitality.
- Providing amenities that attract visitors and residents to a vibrant center.
- Allowing and encouraging new, better ideas from proposed redevelopment or development of sites and structures without becoming overly permissible or lowering community standards and expectations.
- Promoting innovative energy production, distribution or efficiency uses.
- Providing opportunity for multi-generational communities.

- C. The Planning Board is hereby allowed to judge the proposed BMMU proposal - in its entirety – and decide by vote if it should be granted allowability under this Innovative Land Use Control ordinance. Demonstrated compliance with the objectives criteria in section II.B. is required.

III. Definitions:

Small Scale Manufacturing: Production of goods by the use of hand tools or small-scale, light mechanical equipment occurring solely within an enclosed building under 10,000 square feet. Must include a retail component. Typical uses include, but are not limited to woodworking, ceramic studios, jewelry manufacturing, 3D printing, alcohol production, and food processing.

IV. Permitted Uses:

Permitted uses in the BMMU include:

- A. Those permitted and meeting the requirements of C zoning.
- B. Additional permitted uses include:
 - 1. Residential including multi-unit development
 - 2. Residential and commercial mix
 - 3. Small scale manufacturing, logistics and food production and sales
 - 4. Innovative transportation facilities or transportation support infrastructure.
 - 5. Other Innovative uses

V. Dimensional Requirements

A. Up to 5 acres requirements:

- 1. Maximum 5 acres; minimum 0.5 acres
- 2. Minimum road frontage: 100 feet
- 3. Maximum building height: 40 feet
- 4. Maximum number of stories: 3
- 5. Maximum lot coverage: 80%
- 6. Maximum floor to area ratio (FAR): 0.60
- 7. Minimum setbacks: 10 feet front, rear, and side
- 8. Minimum setback from the Residential Zone shall be fifty feet and shall be screened in accordance with Section 7.16 of the Zoning Ordinance

B. Greater than 5 acres requirements:

- 1. Minimum road frontage: 200 feet

2. Maximum building height: 55 feet
3. Maximum number of stories: 4
4. Maximum lot coverage: 60%
5. Maximum floor to area ratio (FAR): 0.60
6. Minimum setbacks: front 30 feet, rear 50 feet, and side 20 feet
7. Minimum setback from Residential Zone shall be fifty feet and shall be screened in accordance with Section 7.16 of the Zoning Ordinance.

VI. General Provisions

The following standards shall be applied to any new, redevelopment or expanded development within the BMMU District unless 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 the principal use(s) to be served. Reasonable on-site shared parking arrangements may be utilized for complimentary uses that have differing time-of-day demands.
2. Adjacent properties may also be used for parking if the Planning Board and its counsel are satisfied that a long-term agreement is in place and enforceable, to meet the minimum requirements.
3. Parking areas shall be at least primarily located behind or to the side of main building(s).
4. A traffic impact assessment in accordance with Section 6.01 of the Bow Site Plan Regulations may be required by the Board for all developments exceeding the threshold in 6.01.
5. For lots of 5 acres or more, the Planning Board encourages the construction and maintenance of shared pedestrian, trail and emergency vehicle access and connections between adjacent lots, and the recording of easements for future connections.

6. To minimize the traffic impact on existing arterial and collector streets, for projects over 5 acres, the Planning Board may require the use of parallel frontage or service roads along state or federal highways.
7. For lots of 5 acres or more, the incorporation of transit facilities, such as a bus pull-out, ride-share, or other innovative and acceptable transit techniques is encouraged.
8. All access improvements shall be designed to meet guidelines set forth by the American Association of State Highway and Transportation Officials (AASHTO) and best engineering practices.

B. Building Design

The standards found in Section 15.10 of the Bow Zoning Ordinance shall apply.

C. Landscaping

The standards found in Section 15.09 & 15.11 of the Bow Zoning Ordinance shall apply.

D. Lighting

The standards found in Section 15.15 of the Bow Zoning Ordinance shall apply.

E. Residential Uses: Recommended Guidelines: For redevelopments or new developments that propose a residential and commercial mix:

1. No more than 75% of the total combined proposed floor space for residential and commercial mixed use may be designated for residential use.
2. Open Space and Common Areas
 - a) Public open space: A minimum of 600 square feet (sf) per residential unit of outdoor area, which is defined as land that is accessible to the public excluding all parking areas and sidewalks.
 - b) Private open space: A minimum of 80 sf for each unit of outdoor area which is defined as outdoor space with private access, including decks, balconies, porches, and gated patios.
 - c) Common building area: A minimum of 30 sf/unit for residential and resident-permitted community meetings, recreation, health, government, and social spaces.

3. All developments shall have pedestrian natural resource access. Developments are also encouraged to provide adequate recreational and community facilities, such as trails, fitness centers, tennis courts, health centers, or swimming pools, and amenities including hospitality and meeting spaces.

F. Review Process

The review process is established in the Bow Site Plan Review and Subdivision Regulations, as applicable, *with the following exceptions:*

For projects 5 acres or more:

1. An additional Public Neighborhood Meeting may be required by the Board to gather early input from the community, held at least thirty days prior to the first public hearing after an application for an Innovative site plan is submitted, for a new or expanded site development within the BMMU District. The purpose is to get feedback and encourage dialogue with the community, to allow the Board and applicant to address concerns or suggestions prior to submitting a final application.

Any application for site development within the district may be required to submit a noise and light impact statement, which shall at a minimum assess the acoustic and light impacts of the proposed development on abutters and require measures to ensure accepted standards and identify reasonable measures and best for on-going operating techniques.