

# **Bow Mills Mixed Use District – Article 17**

**(Amended March 2020)**

## **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

the principle use to be served and reasonable shared parking arrangements can be used to meet the minimum requirement.

2. Parking areas shall be located primarily behind and to the side of buildings, as well as below grade and in parking structures as appropriate. No more than 50 % of the parking spaces provided shall be located between the building to be served and the public or private road providing access.
3. A traffic impact assessment in accordance with Section 6.01 of the Bow Site Plan Regulations shall be required for all developments exceeding the threshold.
4. The Planning Board encourages and may require the construction of shared access and cross access connections between adjacent lots, as well as easements for future connections.
5. To minimize the traffic impact on existing arterial and collector streets, the Planning Board may require the use of parallel frontage or service roads along state or federal highways.
6. Accommodations for pedestrian circulation between businesses, residences, and parking areas shall be provided and connections to adjacent sites shall be made when feasible.
7. The incorporation of transit facilities, such as a bus pull-out, may be required by the Planning Board at its discretion.
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

1. Residential units shall be located primarily above commercial floor space; not more than 25 % of the total proposed ground-level floor space may be designated for residential use.
2. For each residential unit, the following minimum space dedication shall be required:
  - a) Public open space: A minimum of 600 square feet (sf) per unit of outdoor area, which is defined as land that is accessible to residents and contains recreational amenities, 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
3. Residential developments shall have appropriately scaled recreational facilities, such as trails, fitness centers, tennis courts, or swimming pools.

#### F. Review Process

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

1. A minimum of one neighborhood meeting shall be held at least thirty days prior to the first public hearing for a new or expanded site development within the district. The purpose of the meeting will be to get feedback early from abutters and address concerns prior to submitting a final application. The Community Development Department and all abutters shall be notified by regular mail fourteen days in advance of the meeting and meeting minutes shall be provided by the applicant as part of the application to the Town.
2. Any application for site development within the district shall be accompanied by a noise management plan, which shall at a minimum assess the acoustic impact of the proposed development on abutters relative to accepted standards and identify reasonable measures and best operating techniques for attenuation.

#### G. Signs

The standards found in Article 8 of the Bow Zoning Ordinance shall apply.

H. Nonconforming lots, structures, and uses

The provisions of Section 2.09 and Article 11 of the Zoning Ordinance shall apply. All legal lots of record that existed prior to adoption of this ordinance are exempt from the minimum tract size requirement, but no new lot shall be created that does not meet the minimum tract size.