

ARTICLE VI
Dimensional Standards

§ 235-31. General provisions.

- A. The creation of any lot of record or the development of any existing or newly created lot of record shall be subject to the dimensional standards established within this article except as specifically exempted elsewhere in this chapter. The Table of Dimensional Standards¹⁷ is intended to provide a comprehensive list of the required standards for each district and type of use.
- B. Exemption for property affected by municipal improvements. **[Added 7-12-1999 by Ord. No. 10.99.10]**
- (1) As to any lot upon which a vested conforming or nonconforming use has been established, the subsequent acquisition by the City of a fee or other interest in any portion of the lot, either by agreement or through the exercise of eminent domain or otherwise, the effect of which acquisition is to render the size or other dimensional feature of the lot nonconforming or to increase any previously existing nonconformity that was lawfully established, shall not be deemed to create a violation of the dimensional requirements of this chapter. Notwithstanding the foregoing, any later change or expansion of use of the lot or structure thereon shall be subject to all relevant dimensional standards and other provisions of this chapter.
 - (2) The acquisition by the City of a fee or other interest in any portion of an undeveloped lot, either by agreement or through the exercise of eminent domain or otherwise, shall not relieve the owner or developer of the lot from compliance with all dimensional requirements under this chapter which are otherwise applicable to any subsequent development of the remaining lot.

§ 235-32. Minimum lot size.

- A. General. Except as provided in Article X, Nonconforming Lots, Uses and Structures, no principal building or use shall be constructed or established on a lot having less than the prescribed minimum lot size. For lots of record under one acre (43,560 square feet), minimum lot size shall be measured to the nearest square foot. For lots of record one acre (43,560 square feet) or more, the minimum lot size shall be measured to the nearest one 1/100 of an acre.
- B. On-site septic system. Where an on-site septic system is permitted and will be utilized, the minimum lot size shall include the land area required to meet state and local requirements governing the installation of such a system.
- C. Lot reduction permitted. A lot may not be so reduced as to fail to satisfy any minimum dimension, area or setback required for a permitted principal use.

17. Editor's Note: The Table of Dimensional Requirements is included at the end of this chapter.

- D. Buildable land area, residential. Each lot developed for single-family or two-family residential development shall have a minimum of 20,000 square feet of buildable land area where on-site septic or water supply are permitted and will be utilized. Lots served by municipal water and sewer shall meet the following square footage requirements for buildable land area: **[Amended 3-23-1998 by Ord. No. 03.98.03]**
- (1) RR1 and RR2: 6,000;
 - (2) RS and SFR: 4,500;
 - (3) RG, RA, P, CR, C: 3,000; and
 - (4) BC and BCI: 1,500.
 - (5) DR: exempt. **[Added 5-22-2000 by Ord. No. 05.2000.05]**
- E. Open space lots. Lots created solely for the purposes of activities as outlined in § 235-40B(3)(b)[2] and [3] which fall under the categories of limited use open space or conservation use open space, whether part of a conventional or cluster subdivision, are exempt from the minimum dimensional requirements, provided that access is provided and the restrictions are appropriately documented on the recorded subdivision plan. **[Added 8-13-2001 by Ord. No. 05.2001.05]**

§ 235-33. Maximum residential unit density.

Residential unit density shall be as prescribed in the Table of Dimensional Standards.¹⁸

§ 235-34. Minimum lot frontage.

Lot frontage shall be as prescribed in the Table of Dimensional Standards¹⁹ except as permitted below and shall be measured along the shared boundary of the lot and the access street.

- A. Frontage on dead-end streets. For any lot having a minimum of 50% of its frontage on the curve of a permanent turnaround at the terminus of a dead-end street, frontage may be measured at the required front setback line.
- B. Corner lots. In the case where a lot is located on two or more streets, the minimum frontage dimension shall apply to at least one frontage. Additional street frontages shall have a minimum of a 1:3 ratio to the required frontage or 50 feet, whichever is greater. **[Amended 8-13-2001 by Ord. No. 05.2001.05]**
- C. Shorefrontage. Frontage along the shoreline shall be measured in straight line segments (chords) of 25 feet, following the shore, but crossing the mouths of streams or irregular indentations less than 50 feet in width. **[Added 10-14-1997 by Ord. No. 10.97.10]**

¹⁸. Editor's Note: The Table of Dimensional Requirements is included at the end of this chapter.

¹⁹. Editor's Note: The Table of Dimensional Requirements is included at the end of this chapter.

§ 235-35. Minimum setback requirements.

- A. Front setback. The minimum front setback shall be determined by a line parallel to the street right-of-way line extending from one side lot line to the other, a distance specified in the Table of Dimensional Requirements.²⁰ Ornamental features, eaves and cornices may project two feet within the front setback. In the case of corner lots, the front setback shall be observed for all adjacent street frontages.
- B. Side and rear setbacks. Side and rear setbacks shall be determined by a line parallel to the side or rear lot line and located a distance from the side or rear line as specified in the Table of Dimensional Requirements.²¹ In the case of irregularly shaped lots the side setbacks shall apply to all lot lines except that line most parallel to and most distant from the front lot line. Ornamental features, eaves and cornices may project two feet within the side and rear setbacks. (Note: See Article VII, Supplemental Provisions, Residential Accessory Buildings.)
- C. Exceptions for developed areas. In the RS, SFR, RG, RA, P, BC, BCI, CR and DR Districts where vacant lots of record exist as of the date of this chapter adoption, the minimum setback may be the average of the setbacks of the existing dwellings or buildings on the immediately adjacent lots. **[Amended 8-13-2001 by Ord. No. 05.2001.05]**
- D. Special setback areas. For the purpose of providing sufficient open area for eventual widening and reconstruction of collector streets, buildings, structures and appurtenances shall maintain a fifty-foot setback from the center line of the following streets or the required front setback, whichever is greater. Signs are exempt from this setback. **[Amended 8-13-2001 by Ord. No. 05.2001.05]**
- (1) Court Street.
 - (2) Main Street, North and South, including Old North Main Street.
 - (3) Endicott Street North (Route 3) (formerly Daniel Webster Highway).
 - (4) Endicott Street East (Route 11B) (formerly Winnepesaukee Shore Road).
 - (5) Parade Road (Elm Street to the Meredith Town line).
 - (6) Meredith Center Road.
 - (7) Elm Street.
 - (8) Roller Coaster Road.
 - (9) White Oaks Road.
 - (10) Belmont Road (Route 106).
 - (11) Province Road (Route 107).

20. Editor's Note: Said table is included at the end of this chapter.

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- (12) North Main Street Bypass (Route 107).
 - (13) Union Avenue.
 - (14) Weirs Boulevard.
 - (15) Lake Street.
- E. Nonresidential buildings. When a nonresidential building is constructed in a commercial district on a lot of record the side or rear lot line of which is the boundary between the commercial district and a residential district, the setback from such side or rear lot line shall be the same as if the nonresidential building were located in the abutting residential district.
- F. Building setbacks in the Downtown Riverfront (DR) District. In addition to the setbacks as prescribed in Table II, Dimensional Requirements the following additional standards shall apply: **[Added 5-22-2000 by Ord. No. 05.2000.05]**
- (1) Between buildings. In addition to the ten-foot side setback required, all new buildings or additions to existing buildings shall be erected in such a location that would, to the greatest extent possible, provide a twenty-foot separation from any other existing building located on an adjacent lot.
 - (2) Waterfront setback. All new buildings and additions to existing buildings shall be a minimum of 15 feet from the high-water mark, as defined by the State of New Hampshire. In addition, all such buildings or building additions shall be a minimum of the distance equal to 75% of the height of the building, not including cupolas, spires, antennas and chimneys.

§ 235-36. Green space.

- A. Development, redevelopment or expansion of development of existing and newly created lots of record shall occur in such a manner that green space in the amount as prescribed by the Table of Dimensional Requirements²² is retained or developed. The applicant shall make all efforts to provide green area that provides a buffer to adjacent properties and adjacent streets, provides passive amenities to the patrons and employees of the development and is an integral part of the overall design and architecture of the development. Where lots are split by districts, green space will be calculated based on the proportionate amount of the lot in each district. Total green space provided may be distributed throughout the lot. **[Amended 8-13-2001 by Ord. No. 05.2001.05]**
- B. Downtown Riverfront District, special standards. Green space shall be a minimum of 25% as prescribed by the Table of Dimensional Requirements²³ However, land dedicated to and developed for nonmotorized public access and use, including but not limited to patios, squares and walkways, etc., may be substituted for up to 50% of the green space

22. Editor's Note: Said table is included at the end of this chapter.

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required even though the surface treatment is other than as defined by this chapter for green space. **[Added 5-22-2000 by Ord. No. 05.2000.05]**

§ 235-37. Building height.

The height of a building shall be measured from the highest point of any roof or parapet to the average finished grade of the structure. Chimneys, spires, cupolas, television antennas and other parts of buildings or structures not intended for human occupancy shall not be more than 15 feet above the district limit.

§ 235-38. Residential and commercial uses on the same lot of record. [Amended 5-22-2000 by Ord. No. 05.2000.05]

Where multiple uses are permitted on the same lot of record and additional uses or change of use(s) are proposed, the applicant shall document that all uses conform with regard to the density and green area requirements for each separate and distinct use in order to establish additional uses on such a lot. In no case may land area, setback requirements, green space or density be shared between separate and distinct uses. Nonconformities of setbacks, height restrictions, signs or use shall not prohibit the establishment of an additional conforming use.

ARTICLE VII
Supplementary Provisions

§ 235-39. General provisions.

The following provisions are applicable to all uses in any district and are in addition to any other provisions throughout this chapter or any other applicable regulation:

- A. (Reserved)²⁴
- B. Visibility at intersections. On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially obstruct vision between the height of 21/2 feet and eight feet above the adjoining street grade in the area bounded by the street right-of-way lines of the corner lot and a line joining the points on said street right-of-way lines 20 feet from their point of intersection.
- C. Building on unaccepted streets. The purpose of this subsection is to regulate the issuance of building permits for the erection of buildings on lots abutting unaccepted highways or streets.
 - (1) No building permit shall be issued and no building shall be erected on any lot within the City unless the street giving access to the lot shall have been accepted by the City or such street corresponds in its location and lines with a street shown on a subdivision plan approved by the Planning Board.

24. Editor's Note: Former Subsection A, Parking and storage of unlicensed vehicles, was moved to § 235-41K 8-13-2001 by Ord. No. 05.2001.05.

ZONING

235 Attachment 3

City of Laconia

Table II

Table of Dimensional Requirements

[Amended 10-14-1997 by Ord. No. 10.97.10; 3-23-1998 by Ord. No. 03.98.03;
5-22-2000 by Ord. No. 05.2000.05; 10-25-2004 by Ord. No. 05.2004.05]

DIMENSIONAL STANDARDS: RESIDENTIAL USES

District	Minimum Land Area ^c			Maximum Residential Density Units/Acre	Minimum Lot Frontage ^a		Setback requirements ^b			Maximum Structure Height	Minimum Green Area Required (%)	Zoning District
	NO Municipal Utilities	With Municipal Water or Sewer	Municipal Water and Sewer		No or One Utility	Water and Sewer	Minimum Front Setback	Minimum Side Setback	Minimum Rear Setback			
RR1	2 acres	2 acres	2 acres		250	250	40	25	40	35	65	RR1
RR2	2 acres	2 acres	2 acres		250	250	75	35	50	35	65	RR2
RS	2 acres	40,000	10,000		100	80	25	10	15	35	60	RS
SFR	2 acres	40,000	10,000	6.0	100	80	25	10	15	35	65	SFR
RG	2 acres	40,000	10,000	6.0	100	80	15	10	15	35	60	RG
RA			10,000	9.0		80	15	10	15	60	60	RA
P			10,000	6.0		80	15	10	15	60	25	P
BC			10,000	6.0		80	Exempt	Exempt	Exempt	60	20	BC
CR	2 acres	40,000	10,000	6.0	160	80	15	10	15	35	60	CR
C		40,000	8,000	6.0	150	80	15	10	25	60	20	C
BC/I			10,000	6.0		80	15	10	15	60	20	BC/I
DR			Exempt	20.0		Exempt ^d	15 ^b	10 ^b	15	60	25 ^e	DR

GENERAL NOTES:

- ^a Shore frontage. Any new lot created on public waters shall have a minimum frontage along the shoreline of 150 feet. (New lots in DR are exempt.) See §§ 235-19 and 235-40B for exceptions for conventional cluster subdivision.
- ^b Properties which abut railroad rights-of-ways may reduce the required setback adjacent to the railroad ROW to 10 feet. Minimum setback for structures in the DR District is 15 feet from the high-water mark. See § 235-35F, Building setbacks in the DR District, for additional restriction.
- ^c See § 235-32D, Buildable land area, residential, for additional dimensional requirements. Residential development in DR is exempt.
- ^d Property must have deeded access to a street.
- ^e See § 235-36, Green space, for additional provisions in the Downtown Riverfront District (DR).

LACONIA CODE

Table II
Table of Dimensional Requirements
City of Laconia

DIMENSIONAL STANDARDS: NONRESIDENTIAL USES

District	Minimum Land Area ^c			Minimum Lot Frontage ^a		Setback Requirements ^b			Maximum Structure Height	Minimum Green Area Required (%)	Zoning District
	No or One Utility	With Municipal Water or Sewer	Municipal Water and Sewer	No or One Utility	Municipal Water and Sewer	Minimum Front Setback ^d	Side Setback ^d	Minimum Rear Setback ^d			
RR1	2 acres	40,000	20,000	160	125	40	25	40	35	65	RR1
RR2	2 acres	2 acres	2 acres	250	250	75	35	50	35	65	RR2
RS	2 acres	40,000	10,000	100	80	25	25	25	35	60	RS
SFR	2 acres	40,000	10,000	100	80	25	25	25	35	65	SFR
RG	2 acres	40,000	10,000	100	80	25	10	25	35	60	RG
RA			10,000		80	25	10	25	60	60	RA
P			10,000		80	15	10	20	60	20	P
BC			Exempt		Exempt	Exempt	Exempt	Exempt	60	0	BC
BC/I			20,000		100	Exempt	Exempt	Exempt	60	20	BC/I
DR			Exempt		Exempt ^d	Exempt	10 ^f	Exempt	60	25 ^e	DR
AI	1 acre	1 acre	1 acre	100	100	50	25	25	35 ³	20	AI
CR	2 acres	40,000	8,000	160	50	Exempt	Exempt	25	60	25	CR
C		40,000	8,000	150	80	10	Exempt	20	60	20	C
IP			60,000		200	35	35 ²	25 ²	35	20	IP
I			20,000		100	25	20 ²	25 ²	35	20	I

NONRESIDENTIAL USE NOTES:

- ¹ For multi-family buildings the setback shall be 1½ feet for every vertical foot of building height over 35 feet.
- ² Where industrial districts abut a residential district, boundary side and rear yards shall be increased to 50 feet.
- ³ Except as governed by the Laconia Airport Authority and the FAA.
- ⁴ For properties not within the Shoreland Protection Overlay District the setback from public waters shall be one foot for every vertical foot of structure or building. (Properties in DR are exempt)

GENERAL NOTES:

- ^a Shorefrontage. Any new lot created on public waters shall have a minimum frontage along the shoreline of 150 feet. New lots in DR are exempt. See §§ 235-19 and 235-40B for exceptions for conventional cluster subdivision.
- ^b Properties which abut railroad rights-of-ways may reduce the required setback adjacent to the railroad ROW to 10 feet. Minimum setback for structures in the DR District is 15 feet from the high-water mark. See § 235-35F, Building setbacks in the DR District, for additional restriction.
- ^c Residential development is exempted from § 235-32D, Buildable land area, residential.
- ^d Property must have deeded access to a street.
- ^e See § 235-36, Green space, for additional provisions in the Downtown Riverfront District (DR).
- ^f See § 235-35F, Building setbacks in the DR District, for additional restriction