

Amend 235, Zoning, Article IV adding section 235-21.1

(Proposed Language)

235-21.1 Performance Zoning Overlay District.

The Performance Zoning Overlay District is adopted as an innovative land use control pursuant to RSA 674:21. The provisions of Subsections A through E of this section shall apply to any lot encompassed by the boundaries of the **Urban Commercial (UC)** zone, and parcels 318-155-1, 318-538-1.1, 332-404-1, 296-155-1, 333-155-1, 333-155-2, 363-155-1, and 363-155-2. These provisions shall not apply to:

- 1.) Residential parcels containing four or less units of housing.
 - 2.) Nonresidential parcels proposing additions to, or expansion of, existing uses resulting in an increase of less than 3,000 square feet of gross floor space.
 - 3.) Residential parcels proposed to be changed to nonresidential use(s) or mixed residential and nonresidential uses, resulting in less than 3,000 square feet of gross floor space.
- A. In accordance with RSA 674:21, I(i), the intent of these provisions is to promote flexibility in redevelopment of parcels in the **UC zone**, and parcels 318-155-1, 318-538-1.1, 332-404-1, 296-155-1, 333-155-1, 333-155-2, 363-155-1, and 363-155-2, based upon a development plan which is consistent with the City of Laconia Master Plan. The process allows flexibility for a redevelopment project to be proposed largely independent from the following current land use regulations: the selection of land uses, density, setbacks, signs, buffers, building heights, lot sizes, lot dimensions, and parking requirements otherwise applicable to the property.
- B. The Planning Board may grant conditional use permits, consistent with the criteria noted below. An applicant is not entitled to a conditional use permit, and the Planning Board may, in its discretion, decline to grant such permit if the Board determines such permit is not justified or warranted in accordance with the below criteria and the intent of this regulation. This provision is adopted as an innovative land use control pursuant to RSA 674:21, II, and the Planning Board is vested with sole authority to administer it and to grant the conditional use permits. All other zoning regulations shall apply, including, but not limited to, steep slope regulations and wetland and wetland buffers.
- C. As part of the site plan approval process for redevelopment in the **UC zone**, and parcels 318-155-1, 318-538-1.1, 332-404-1, 296-155-1, 333-155-1, 333-155-2, 363-155-1, and 363-155-2, the applicant/owner shall be required to prepare an overall development plan for the entire parcel if it exceeds 5 acres in total size or if the plan is combining 3 or more lots of any size; otherwise a traditional site plan shall be submitted. The overall development plan shall show existing site conditions and proposed development, including the general types, locations and intensities of proposed land uses and proposed traffic and pedestrian flows, and shall generally indicate how the proposed development of the site will impact municipal services and facilities and abutting properties.
- D. Criteria.
- (1) The overall development plan shall meet the following criteria for redevelopment:
 - (a) Creating a well-planned and integrated development which may include a mixture of land uses, including residential, retail, office, entertainment, hotels, restaurants, or other uses compatible with adjacent parcels that enhance the overall community.
 - (b) Mitigating negative impacts on traffic, public utilities, municipal services, and natural resources.
 - (c) Limiting new access points on existing streets.
 - (d) Providing transitions between existing and proposed land uses which protect residential abutters.
 - (e) Providing high quality site planning and architectural, landscaping and signage designs that meet the design standards in the Site Plan Review Regulations.
 - (f) Minimizing views of large parking lots from existing streets.
 - (g) Creating pedestrian and vehicular links to abutting parcels.

- (h) Establishing open space and pedestrian amenities, including usable common land and wide sidewalks.
- (2) The Planning Board shall have sole authority for approval of an overall development plan based on the criteria noted above. The Board may approve amendments or revisions to a previously approved overall development plan.
- E. All subsequent site plans and/or subdivisions submitted to the Planning Board for approval within the parcel shall conform to the overall development plan, if one was required, as well as these provisions and the Subdivision and/or Site Plan Review Regulations, as applicable. The Planning Board may adopt additional performance standards for large-scale redevelopment projects as part of its regulations.

