

SECTION 30# LEBANON DOWNTOWN DISTRICT

30#.1 Purpose.

The purpose of the Lebanon Downtown District is to provide in-town areas for retail and service businesses, banks, offices, and government facilities in downtown Lebanon, and to encourage other related commercial activities and higher density residential uses. The district regulations are intended to promote an active pedestrian environment consistent with the mixed-use character of the district by providing for continuity of building setbacks and limiting parking in front yards to promote an environment that is safe for walking and biking.

30#.2 Table of Uses.

PERMITTED USES

1. **Retail store**
2. **Personal service**
3. **Financial institution**
4. **Office**
5. **Restaurant**, sandwich shop
6. **Motel, hotel**
7. Radio or TV studio
8. **Membership club**
9. Library or museum
10. Theater, concert hall, movie theater
11. **Social service center**
12. **Amusements (indoor)**
13. Church
14. **Multi-family dwelling** (See Section 30#.5 – Dwelling Unit Density)
15. **Dwelling unit(s)** above or below the **street level story**

16. **Senior housing complex**

17. **Local government use**

18. **Community center**

19. **Renewable energy system** per Section 612

USES ALLOWED BY CONDITIONAL USE PERMIT (See Section 302.4)

1. **Group day care facility**
2. **Craftsman's shop**, art studio
3. **Educational facility, college/university**
4. Laundromat
5. Dry cleaning pick up station
6. **Essential service**
7. **Indoor recreational facility**
8. **Outdoor recreational facility**
9. **Parking facility**
10. Other uses per Section 30#.4

30#.3 Table of Dimensional Requirements

LEBANON DOWNTOWN DISTRICT

Minimum <i>Lot</i> Requirements					Maximum Building Height
Lot Area	Frontage	Front Yard	Side Yard	Rear Yard	
3,000 square feet	40' (*)	NONE, except as may be required per Section 30#.7	NONE, except as may be required per Section 30#.7	10' (*), except as may be required per Section 30#.7	55', except as may be permitted by conditional use permit per Section 30#.8

*May be reduced by **conditional use permit** per Section 302.4.

30#.4 Other Uses.

Other uses include any use not identified in Section 30#.2 that will contribute positively to the vibrancy of the Lebanon Downtown District. Such other uses shall be permitted by **conditional use permit** from the Planning Board pursuant to Section 302.4 provided the applicant demonstrates that the proposed use:

1. Will encourage the presence of the public in the Lebanon Downtown District and/or create regular and sustained opportunities for members of the public to utilize the Lebanon Downtown District. Examples include, but are not limited to, providing a retail, **personal service**, and/or **restaurant** component which is accessory to the primary use.
2. Will not be incompatible with abutting properties and uses. An example of incompatibility includes, but is not limited to, credible evidence that the proposed use will negatively impact the value of any abutting property and/or the viability of any existing abutting use.
3. Meets the standards set forth in Section 302.4.

30#.5 Dwelling Unit Density.

Density determinations for **multi-family dwellings** and **mixed use buildings** shall be made by the Planning Board during the course of site plan review based on site specific conditions and factors such as the availability of parking and/or the ability to provide required parking, the availability of adequate water and sewer, and the ability to provide required site improvements and to meet all other requirements of the Site Plan Review Regulations and all other applicable City regulations.

30#.6 Street Level Commercial Uses.

A. Buildings with Frontage on Primary Streets. If a **building** is located on a **lot** with **frontage** on a primary street, a minimum of 1,000 square feet or 1/3 of the **gross floor area**, whichever is less, of the **street level story** of the **building**, shall be devoted to a commercial use or uses, and such combined uses shall have both a depth of not less than 20 feet along the primary street.

B. Buildings with Frontage on Secondary Streets. If a **building** equal to or greater in size than 20,000 square feet is located on a **lot** with **frontage** on a secondary street, a minimum of 1,000 square feet or 1/3 of the **gross floor area**, whichever is less, of the **street level story** of the **building**, shall be devoted to a commercial use or uses, and such combined uses shall have both a depth of not less than 20 feet along the secondary street.

C. Definitions. For purposes of this subsection, primary and secondary streets are defined as follows:

1. Primary Streets. The Downtown Mall, Taylor Street within 500 feet of the Downtown Mall, Hanover Street from Hough Street to Church Street, West Park Street from Hanover Street to Court Street, and North Park Street from Court Street to Campbell Street.
2. Secondary Streets. Hanover Street from NH Route 120 to Hough Street, Bank Street, Court Street, any new segment of Taylor Street from Court Street to the Mascoma River, Campbell Street, and Spencer Street from Campbell Street to Kendrick Street.

30#7 Additional Front Yard, Side Yard, and Rear Yard Requirements.

A. Additional Front Yard Requirements.

1. Minimum Front Yard.
 - a. For residential uses located on the **street level story**, a **front yard** of at least ten (10) feet shall be required, except that features required by Section 6.10.B.10.c of the Site Plan Review Regulations for ground floor residential uses (e.g. raised landings, weather protection, stoops, porches, and/or decks, or entrance features for each lobby or unit accessed from the exterior at the ground-floor level) may project into the minimum required **front yard** provided that such features:
 - i. Do not project into the front setback along the building's frontage more than 35 percent of that building's frontage; and
 - b. For all uses other than residential uses located on the street level story, no **front yard** is required, except as required to meet the provisions of (c) below.
 - c. The placement of a **building** on a **lot** shall provide a **front yard** sufficient for the construction of streetscape improvements, including but not limited to sidewalks, curbing, drainage, street trees, and pedestrian improvements as may be required through Site Plan Review and by the Site Plan Review Regulations.
2. Maximum Front Yard. On a **lot** improved with a **building**, no **front yard** shall be greater than 15 feet, except that a **front yard** with a depth greater than 15 feet may be provided when such **front yard** enables or provides streetscape, public ways, or amenities on site accessible to the public and is approved by the Planning Board through Site Plan Review and the Site Plan Review Regulations.

3. Location of Parking and Circulation Areas. No new **parking areas** or circulation area for vehicles shall be located in the **front yard**. Where a **lot** abuts more than one **street**, this restriction shall only apply to the **front yard** along the **principal frontage**.

B. Additional Side and Rear Yard Requirements.

1. When a **lot** is adjacent to a **residential district** and is improved with a **building** with a **building height** of 45 feet or greater, a minimum **setback** of 15 feet from the side and rear **lot** lines adjacent to the **residential district** shall apply.
2. When a **lot** is adjacent to a **residential district** and is improved with a **building** with a **building height** of less than 45 feet, a minimum **setback** of 10 feet from the side and rear **lot** lines adjacent to the **residential district** shall apply.

30#.8 Building Height.

A. Maximum Height. By **conditional use permit** per Section 302.4, the Planning Board may allow a maximum **building height** of 65 feet if the Planning Board determines that the proposal conforms to the following standards:

1. The **building front line** of the top **story** is set back at least ten (10) feet from the **building front line** of the **story** below when built within thirty feet of the front lot line.
2. The proposal provides improvements to streetscapes, public ways, or public spaces that implement recommendations for downtown Lebanon in current plans, policies, or programs adopted by the City of Lebanon including but not limited to the Master Plan, Downtown Visioning Study, and the Capital Improvement Program.
3. The proposal includes a high-quality design with attention to architectural quality and detail, universal accessibility, historic preservation, and/or environmental sustainability.
4. The proposal meets the standards set forth in Section 302.4.D.

B. Minimum Height. A **principal building** shall have a minimum height of not less than two (2) **stories**.

30#.9 Driveways.

A **driveway** intersecting a **street** that constitutes the **principal frontage** of a **lot** is not permitted when the **lot** abuts another **street**, or is accessed by an existing shared **driveway**.

30#.10 Site Plan Review Regulations.

Development proposals and projects located in whole or in part within the Lebanon Downtown District are also subject to additional guidelines regarding building design and site design as established by the Planning Board in its Site Plan Review Regulations.

Definitions (ADD TO APPENDIX A)

FRONTAGE, PRINCIPAL: The side of the *lot* that abuts the *street* that generally functions as the primary orientation of residences, businesses, or other uses within the block. When a *lot* abuts more than one *street*, the *principal frontage* is situated along the *street* that carries the greatest volume of pedestrian and vehicle traffic.

STORY: The complete horizontal division of a *building*, comprising the usable space or room(s) on one level. Each such division is considered one full story. Story height is the floor to floor distance between finished floors and shall be not less than ten (10) feet, except that the *street level story* of a *building* may be not less than twelve (12) feet.

STORY, STREET LEVEL: The *story* having its floor elevation closest to the elevation of the adjacent *street* or any *story* partially below the elevation of the adjacent *street* and having six (6) feet or more of its height above the elevation of the *street*.