

4 USE AND DIMENSIONAL REGULATIONS

4.1 District Uses

Subject to other applicable sections and all other local, state and federal laws, rules and regulations, no building, structure or land may be used or occupied except for the purposes permitted in the base district in which the use is located as set forth in the Table of Uses.

4.1.1 Designation of Permitted Uses

Permitted uses in the base districts are designated in the Table 4-1, Table of Uses by the following:

- Uses Permitted by Right - A use denoted by the letter "P" is permitted by right in the district
- Uses Permitted by Special Exception - A use denoted by the letter "S" is a use that may be authorized by Special Exception in that district. The Zoning Board of Adjustment may grant a Special Exception in accordance with the procedures and conditions set forth in [Section 8.1.5](#), Special Exceptions.
- Uses Permitted by Conditional Use Permit - A use denoted by the letter "C" is a use that may be authorized by a Conditional Use Permit in that district. The Planning Board may grant a Conditional Use Permit in accordance with the procedures and conditions set forth in [Section 6](#), Conditional Use Permits.

4.1.2 Use Table

Table 4-1 Londonderry Zoning Ordinance Use Table P = Permitted Use C = Requires Conditional Use Permit S = Requires Special Exception														
	AR-1	R-III	C-I	C-II	C-III	C-IV	MUC	IND-I	IND-II	GB	PUD	AD	POD - 102 ¹	POD - 28 ¹
RESIDENTIAL AND AGRICULTURAL														
Agriculture	P	P									P ⁵			
Assisted Living Facilities	C	P	P	P	P		P				P ⁵		P	P
Back Lot Development	C										P ⁵			See specific district regs.
Dwelling, multi-family		P	C ⁹	C ⁹	C ⁹	C ⁹	C ⁹				P ⁵		C ⁹	C ⁹
Dwelling, multi-family workforce	C ^{3&7}	C ³	C ³	C ³	C ³	C ³	C ³				P ⁵		C ³	C ³
Small workforce housing development	C ³													
Dwelling, single family	P	P			S						P ⁵			
Dwelling, single family, workforce	C ³	C ³	C ³	C ³	C ³	C ³					P ⁵			
Dwelling, two-family	P	P			S						P ⁵			
Dwelling, two-family, workforce	C ³	C ³	C ³	C ³	C ³	C ³					P ⁵			

Table 4-1

Londonderry Zoning Ordinance Use Table

P = Permitted Use C = Requires Conditional Use Permit S = Requires Special Exception

	AR-1	R-III	C-I	C-II	C-III	C-IV	MUC	IND-I	IND-II	GB	PUD	AD	POD - 102 ¹	POD - 28 ¹
Live-Work Units			C	C	C	C	C	C	C	C	P ⁵			
Manufactured housing	P	P												
Manufactured housing, workforce	C ³	C ³												
Mixed use residential						P, C ³	P, C ³				P ⁵		C ³	C ³
Mobile homes	P													
Nursing Home and accessory uses		P	P	P	P		P				P ⁵		P	P
Preexisting manufactured housing parks	P													
Presite Built Housing	P													
CIVIC USES														
Community center			P	P		C					P ⁴			
Cemetery	P													
Public Facilities	P		P	P		C		P	P	P	P ⁴	P		
Public Utilities	P	P	P	P				S	S	S	P ⁵	S		
Recreational Facilities, Public	P			P							P ⁴		P	P
Religious Facilities	P		P	P	P	P					P ⁵		P	P
Cultural Uses and Performing Arts							C			P	P ⁴			
BUSINESS USES														
Aeronautical Facilities												P		
Assembly, testing, repair and packing operations up to 250,000 sq. ft.								P	P	P	P ⁴			
Assembly, testing, repair and packing operations 250,001 sq. ft. or larger								P	P	C	P ⁴			
Bed and Breakfast Homestay	P										P ⁵			
Business center development			P	P			P			P	P ⁴		P	P
Conference/Convention Center							C			P	P ⁴			
Day Care Center, Adult						C	C				P ⁴			
Drive-thru window as an accessory use			P	P			C							
Drive-in establishments			P	P										
Drive-in theatres				P										

Table 4-1

Londonderry Zoning Ordinance Use Table

P = Permitted Use C = Requires Conditional Use Permit S = Requires Special Exception

	AR-1	R-III	C-I	C-II	C-III	C-IV	MUC	IND-I	IND-II	GB	PUD	AD	POD - 102 ¹	POD - 28 ¹
GB District Services										(See GB District Services Use Table, Section 4.1.2)				
Financial institution			P	P			P			P	P ²			
Funeral homes			P	P	P									
Education and Training Facilities							C			P	P ²			
Excavation, including Temporary and Permanent Manufacturing Plants as an accessory use.	See Section 5.8													
Group Child Care Center					P	C		S	S		P ²		C	C
Home Occupation	See Section 5.12										S			
Hospital										P				
Hotels				P			C			P	P ²			
Manufacturing, Heavy									P	P		P		
Manufacturing, Light up to 250,000 sq. ft.				P				P	P	P	P ²	P		
Manufacturing, Light 250,001 sq ft or larger				P				P	P	C	P ²	P		
Membership club			P	P							P ²			
Motels				P										
Motor Vehicle Maintenance, Major Repair and Painting									P			P		
Motor vehicle rental												P		
Motor Vehicle Station, Limited Service				P		C ²					P ²	P		
Recreation, commercial			P	P			P				P ²		P	P
Retail sales establishment up to 75,000 sq. ft.			P	P		P	P				P ²		P	P
Retail sales establishment 75,001 sq. ft. or larger			P	P			C				P ²			
Outdoor Storage of goods or materials (not to exceed 5-10% of the gross floor area) as an Accessory Use										C				
Professional office			P	P	P	P	P	P	P	P	P ²	P	P	P
Rental Car Terminal up to 50,000 sq. ft.										P	P ²			
Rental Car Terminal 50,001 sq. ft. or larger										C	P ²			
Repair services			P	P		P		P	P		P ²	P	P	P
Research or Development Laboratories				P			P	P	P	P	P ²	P		

Formatted: Highlight

Table 4-1

Londonderry Zoning Ordinance Use Table

P = Permitted Use C = Requires Conditional Use Permit S = Requires Special Exception

	AR-1	R-III	C-I	C-II	C-III	C-IV	MUC	IND-I	IND-II	GB	PUD	AD	POD - 102 ¹	POD - 28 ¹
Restaurant			P	P		C	P				P ^a	P	P	P
Restaurant, fast food			P	P			C				P ^a			
Sales of Heavy Equipment or Heavy Trucks as an accessory use								C	C	C				
School, Private					P						P ^a		P	P
Service establishment			P	P			P	P	P		P ^a	P	P	P
Sexually oriented businesses			P	P										
Storage, self serve				P				P	P				C	C
Terminal, Airplane												P		
Terminal, Trucking up to 100,000 sq. ft.									P	P	P ^a	P		
Terminal, Trucking 100,001 sq. ft. or larger									P	C	P ^a	P		
Vehicle Sales Establishment				P										
Warehouses and Storage up to 250,000 sq. ft.				P				P	P	P	P ^a	P	C	C
Warehouses and Storage 250,001 sq. ft. or larger				P				P	P	C	P ^a	P	C	C
Wholesale Businesses up to 250,000 sq. ft.				P				P	P	P	P ^a	P		
Wholesale Businesses 250,001 sq. ft. or larger				P				P	P	C	P ^a	P		

1 - Any use permitted in the underlying zoning district, which is not a permitted use in the Performance Overlay District is considered a Conditional Use
2 - See Section 4.3.1(B)(4) for additional dimensional requirements related to fuel dispensers
3 - See Section 5.7 for specific requirements (workforce housing)
4 - As part of an approved PUD Master Plan, See Section 5.2
5 - As part of an approved PUD Master Plan (where the underlying zoning is not GB), See Section 5.2
6 - Applies only to proposed multi-family workforce housing developments in the AR-1 district which meet the following conditions:
a. Prior to May 13, 2014, one or more variances were granted to the proposed development from provisions of this ordinance that were in effect at that time;
b. As of May 13, 2014, no additional variances were necessary for the proposed development to constitute a proposal sufficiently complete as to qualify for consideration by the Planning Board for approval
c. A Conditional Use Permit for the proposed development is approved by the Planning Board not later than 4/19/2017 (said date being eighteen months after the adoption of these amendments).
7 - In the AR-1 district, Multi-family workforce housing may be permitted subject to a Conditional Use Permit on lots adjacent to commercial and industrial districts, provided that the proposed development meets the Conditional Use criteria for workforce housing.
8 - deleted
9 - See Section 6.3.5 for building size criteria

4.1.3 GB District Services Table

Table 4-2 GB District Services Use Table	
Accessory Uses up to 5,000 sq. ft. - Including but not limited to, retailing, cafeteria, personal services, restaurant or auditorium accessory with and incidental to a principal use	P
Accessory Uses from 5,001 – 20,000 sq. ft.-Including but not limited to, retailing, cafeteria, personal services, restaurant or auditorium accessory with and incidental to a principal use	C
Automotive Repair up to 5,000 sq. ft.	P
Automotive Repair from 5,001 to 10,000 sq. ft.	C
Computer Services up to 5,000 sq. ft.	P
Computer Services from 5,001 to 10,000 sq. ft.	C
Service/Commercial Businesses up to 5,000 sq. ft. (Including restaurants and gas stations)	P
Service/Commercial Businesses from 5,001 to 20,000 sq. ft. (Including restaurants and gas stations)	C
Daycare up to 5,000 sq. ft.	P
Daycare from 5,001 to 10,000 sq. ft.	C
Health Clubs up to 5,000 sq. ft.	P
Health Clubs from 5,001 to 20,000 sq. ft.	C
Hospital	P
Personal Service Businesses up to 5,000 sq. ft.	P
Personal Service Businesses from 5,001 to 20,000 sq. ft.	C

Formatted: Highlight

4.1.4 Accessory Uses

With the exception of residential district, all uses permitted for each district shall be permitted as accessory uses within that district provided the combination of uses shall meet all other provisions of this Zoning Ordinance.

4.1.5 Classification of Uses Not Specified

- A. In the event that a proposed use is not specified in the Table Uses upon written application by the land owner, the Zoning Administrator shall determine the administrative classification of the proposed use and whether the use is a use permitted by right; a use that requires a Special Exception, Conditional Use Permit, or other approval; or a use that is not permitted under this Ordinance.
- B. The Zoning Administrator shall consider the similarity of the characteristics, function, or the intensity of the proposed use to other uses included in the Table of Uses. The Zoning Administrator may also consider the similarity of a proposed non-residential use to the hierarchy of non-residential uses as developed by the U.S Department of Labor, North American Industrial Classification System (NAICS).
- C. The Zoning Administrator's determination of an administrative classification may be appealed to the Zoning Board of Adjustment as set forth in Section 8 of this Ordinance.

4.1.6 Supplemental Standards