

ARTICLE XII.1 USE AND DIMENSIONAL STANDARDS

175-53. Table of Land Uses.

Table 175-53, Table of Land Uses shows the uses that are allowed in the various zoning districts.

The following Table of Uses identifies allowed uses of land, buildings, or structures in all zoning districts. There is a definition in 175-7 for each of the uses listed in the table. Permitted Uses are indicated by a “P” in the appropriate column. Uses permitted only by Special Exception are indicated by a “SE.” Uses permitted only with the issuance of a Conditional Use permit are indicated by a “CU.” Uses not permitted in that district are marked with an “X.” Uses indicated with a CUA are Conditional Uses that are allowed only as an adaptive reuse of an existing building. Any use that is not listed as a Permitted Use or a Conditional Use is prohibited in the district. The following uses are specifically prohibited in all zoning districts:

1. All-Terrain Vehicle/Off Highway Recreational Vehicle Facility
2. Airport, private
3. Airport, commercial
4. Heliport
5. Drive-through facilities other than as an accessory to a financial institution as set forth in the table below
6. Junkyard
7. Cemetery
8. Warehouse, mini-storage

All projects involving the construction or enlargement of a building or structure that will be used for a nonresidential use or a multi-unit residence or that will create two (2) or more dwelling units (not including accessory apartments and accessory dwelling units) or that involve the erection of a personal wireless service facility are subject to review and approval by the Planning Board in accordance with the provisions of the Site Plan Review Regulations of the Town of Durham, New Hampshire. A nonresidential use includes any use listed below as a Rural Use, an Institutional Use, a Recreational Use, a Utility and Transportation Use, or a Commercial and Industry Use.

In addition, a change in the occupancy of an existing building is also subject to Site Plan Review by the Planning Board if the change in use is:

1. from one category of nonresidential use to another category of nonresidential use;
2. from a residential use to a nonresidential use;
3. from a nonresidential use to a multiunit residential use; or
4. from a single-family residential use to a multiunit residential or a nonresidential use.

CATEGORY OF USES	RESIDENTIAL ZONES				COMMERCIAL CORE ZONES					RESEARCH-INDUSTRY ZONES			
	Rural (R)	Residence A (RA)	Residence B (RB)	Residence C (RC)	Central Business (CB)	Professional Office (PO)	Church Hill (CH)	Courthouse (C)	Coe' s Corner (CC)	Office Research - Route 108 (OR)	Mixed Use and Office Research (MUDOR)	Office Research Light Industry (ORLI)	Durham Business Park (DBP)
I. NATURAL RESOURCE USES													
Principal Uses													
Conservation activities	P	P	P	P	P	P	P	P	P	P	P	P	P
Excavation and/or mining	CU	X	X	X	X	X	X	X	X	X	X	X	X
II. AGRICULTURAL USES													
See Article XX.1													
Principal Uses													
Crop Cultivation	P	P	P	P	P	P	P	P	P	P	P	P	P
Forestry	P	P	P	P	P	P	P	P	P	P	P	P	P
Farmers' Market	SE	X	X	SE	P	P	P	P	P	P	P	P	P
Livestock – large, keeping of	P ²	X	X	SE ²	X	X	X	X	P ²	P ²	P ²	P ²	P ²
Swine, keeping of	CU ²	X	X	CU ²	X	X	X	X	CU ²	CU ²	CU ²	CU ²	CU ²
Horses, keeping of	P ²	X	X	SE ²	X	X	X	X	P ²	P ²	P ²	P ²	P ²
Poultry, keeping of	P ²	X	X	SE ²	X	X	X	X	P ²	P ²	P ²	P ²	P ²
Goats and sheep, keeping of	P ²	X	X	SE ²	X	X	X	X	P ²	P ²	P ²	P ²	P ²

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Fur-bearing animals, keeping of	P ²	X	X	X	X	X	X	X	X	P ²	P ²	P ²	P ²
Rabbits, keeping of	P	X	X	SE	P	P	P	P	P	P	P	P	P
Bees, keeping of	P	X	X	SE	P ³	P	P	P	P	P	P	P	P
Aquaculture	P	X	X	SE	X	X	X	X	P	P	P	P	P
Agricultural Sales, Commercial	P	SE	SE	P	P	P	P	P	P	P	P	P	P
Kennel	CU	X	X	CU	X	X	X	X	X	CU	X	CU	X
Temporary sawmill <i>See Article XX</i>	P	P	P	P	X	X	X	X	X	P	P	P	P
Reuse of existing agricultural building <i>See Article XX</i>	CUA	X	X	CUA	X	X	X	X	X	P	P	P	P
Uses Accessory to Residential Uses													
Chickens and Turkeys, keeping of	P	P	P	P	X	X	X	X	P	P	P	P	X
Goats and Sheep, keeping of	P	P	P	P	X	X	X	X	P	P	P	P	X
Horses, keeping of	P ²	P ²	P ²	P ²	X	X	X	X	P ²	P ²	P ²	P ²	P ²
Livestock – large, keeping of	P ²	P ²	P ²	P ²	X	X	X	X	X	P ²	P ²	P ²	X
Swine, keeping of	P ²	P ²	P ²	P ²	X	X	X	X	X	P ²	P ²	P ²	X

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Rabbits, keeping of	P	P	P	P	P	P	P	P	P	P	P	P	P
Bees, keeping of	P	P	P	P	X	P	P	P	P	P	P	P	P
Aquaculture	P	P	P	P	X	X	X	X	P	P	P	P	P
Uses Accessory to Farms													
Farmstand	P	X	X	P	P	X	X	P	P	P	P	P	X
III. RESIDENTIAL USES													
Principal Uses													
Residence, single-family	P	P	P	P	X	P	P	X	X	X	CU	CU	X
Residence, duplex	X	X	X	X	X	X	X	X	X	X	X	X	X
Residence, multi-unit	X	X	X	X	X	CUA	X	X	X	X	X	X	X
Senior housing, single family	P	P	P	P	X	X	P	X	P	CU	CU	CU	CU
Senior housing, duplex	P	P	P	P	X	X	P	X	CU	CU	CU	CU	CU
Senior housing, multiunit	P	P	P	P	CU	P	P	P	CU	CU	P	CU	CU
Senior Care facility	P	X	CU	P	X	X	P	P	P	P	P	P	P
Nursing Home	X	X	X	X	X	X	P	P	P	P	P	P	CU

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Manufactured Housing	P	X	X	X	X	X	X	X	X	X	X	X	X
Porkchop Subdivisions <i>See Article XX</i>	P	X	X	P	X	X	X	X	X	X	X	X	X
Uses Accessory To Any Residential Use													
Home occupation-1	P	P	P	P	X	P	P	P	P	P	P	X	X
Home occupation-2	P	X	X	P	X	CU	CU	X	P	P	P	X	X
Accessory structure	P	P	P	P	X	P	P	P	P	P	P	P	P
Uses Accessory To a Single Family Residential Use													
Accessory dwelling unit <i>See Article XX</i>	P	P	P	P	X	P	P	X	X	X	P	P	X
Accessory apartment <i>See Article XX</i>	P	X	X	P	X	P	P	X	X	X	P	P	X
Child care home for not more than six children	P	P	P	P	P	P	P	P	P	P	P	P	X
Child care home for more than six children <i>See Article XX</i>	P	P	P	P	P	P	P	P	P	P	P	P	X
Short-term rental	SE	SE	SE	SE	P	P	P	P	P	SE	SE	SE	X

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IV. INSTITUTIONAL USES													
Principal Uses													
Adult day care facility	P	P	P	P	P	P	P	P	P	P	P	P	CU
Art center	X	X	X	X	P	X	P	P	CU	X	X	X	X
Child care center or child care nursery <i>See Article XX</i>	P	X	X	P	P	P	CU	P	CU	P	CU	CU	CU
Nursery or pre-school	P	X	P	P	P	P	CU	P	CU	CU	CU	CU	CU
Club	X	X	X	X	P	X	CU	CU	CU	X	X	X	X
Community center	X	X	X	X	P	P	CU	P	CU	CU	CU	CU	CU
Educational facility	X	X	X	X	CU	P	CU	P	X	X	CU	CU	CU
Fraternity/sorority house	X	X	X	X	CU	CUA	X	X	X	X	X	X	X
Government facility	P	P	P	P	P	P	P	P	P	P	P	P	P
Hospital	X	X	X	X	X	X	X	X	X	X	CU	CU	X
Library	X	X	X	X	P	P	P	P	P	P	X	X	X
Museum	CU	X	X	CU	P	P	P	P	CU	X	X	CU	CU
Religious use/facility	CU	CU	CU	CU	CU	P	P	X	CU	CU	X	X	X

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V. RECREATIONAL USES													
Principal Uses													
Golf course	CU	X	X	CU	X	X	X	X	X	X	X	X	X
Recreational facility, indoor	X	X	X	X	X	X	X	X	X	P	P	P	P
Recreational facility, outdoor	CU	X	X	CU	X	X	X	X	CU	CU	CU	CU	CU
Recreational playing fields, outdoor	P	P	P	P	X	X	X	X	CU	P	P	P	CU
VI. UTILITY & TRANSPORTATION USES													
Principal Uses													
Structured parking	X	X	X	X	CU	X	X	CU	CU	X	X	X	X
Surface parking	X	X	X	X	CU	X	CU	CU	X	X	X	X	X
Public utility facility	CU	X	X	CU	X	X	X	X	X	P	P	P	P
Personal Wireless Service Facility (See Article XVIII)	P	P	P	P	P	P	P	P	P	P	P	P	P
Single family or duplex residential solar energy system – accessory use (See Article XX)	P	P	P	P	P	P	P	P	P	P	P	P	P

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Multi-unit residential or nonresidential solar energy system – accessory use (See Article XX)													
• Building-mounted	P	P	P	P	P	P	P	P	P	P	P	P	P
• Freestanding	P	P	P	P	X	P	P	P	P	P	P	P	P
Small Utility-Scale solar energy system – principal use (See Article XX)													
• Building-mounted	X	X	X	X	P	P	P	P	P	P	P	P	P
• Freestanding	X	X	X	X	X	X	X	X	X	P	P	P	P
Large Utility-Scale solar energy system – principal use (See Article XX)													
• Building-mounted	X	X	X	X	X	X	X	X	X	P	P	P	P
• Freestanding	X	X	X	X	X	X	X	X	X	X	CU	CU	X
Small Group Net Metering Host-principal use (See Article XX)													
• Building-mounted	P	P	P	P	P	P	P	P	P	P	P	P	P
• Freestanding	X	X	X	X	X	X	X	X	X	P	P	P	P
Large Group Net Metering Host-principal use (See Article XX)													

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• Building-mounted	X	X	X	X	X	X	X	X	X	P	P	P	P
• Freestanding	X	X	X	X	X	X	X	X	X	X	CU	CU	X
Solar PV Parking Canopy-accessory use to surface parking (See Article XX)	X	X	X	X	P	P	P	P	P	P	P	P	P
Small Group Net Metering Host-accessory use to a single-family or Duplex residence (See Article XX)													
• Building-mounted	P	P	P	P	P	P	P	P	P	P	P	P	P
• Freestanding (The limits specified in Section 175-109 N.4.a apply)	P	P	P	P	P	P	P	P	P	P	P	P	P
VII. COMMERCIAL & INDUSTRY USES													
Principal Uses													
Reuse older single-family residence for a low impact nonresidential use <i>See Article XX</i>	CUA	X	X	CUA	P	P	P	P	P	P	P	X	X
Inn	P	X	X	P	CUA	CUA	CUA	CUA	CUA	CUA	CUA	X	X
Conference center	X	X	X	X	CU	P	CU	P	P	CU	X	X	CU

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Hotel	X	X	X	X	P	P	CU	P	CU	CU	CU	CU	CU
Restaurant	X	X	X	X	P	X	P	P	X	X	X	X	X
Restaurant, carry-out	X	X	X	X	P	X	X	P	X	X	X	X	X
Convenience store with gasoline sales	X	X	X	X	X	X	X	P	X	X	X	X	X
Craft shop with accessory production	X	X	X	X	P	X	P	P	X	X	X	X	X
Gallery	P	X	X	P	P	X	P	P	CU	X	X	X	X
Retail store, medium size	X	X	X	X	P	X	CU	P	X	X	X	X	X
Retail store, small	X	X	X	X	P	X	P	P	X	X	X	X	X
Financial institution	X	X	X	X	P	P	CUA	P	X	X	X	CU	CU
Business services	X	X	X	X	P	P	CUA	P	CU	P	P	P	P
Funeral homes	X	X	X	X	X	P	X	P	CU	X	X	X	X
Medical clinic	X	X	X	X	P	P	CUA	P	CU	P	P	P	P
Cinema	X	X	X	X	P	P	X	CU	X	X	X	X	X
Theater	X	X	X	X	P	P	X	CU	X	X	X	X	X
Personal services	X	X	X	X	P	X	CUA	P	CU	X	X	X	X
Veterinary clinic/grooming	CU	X	X	CU	X	X	X	X	X	CU	CU	CU	CU

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Office, business	X	X	X	X	P	P	P	P	P	P	P	P	P
Office, professional	X	X	X	X	P	P	P	P	P	P	P	P	P
Repair services	X	X	X	X	P	X	CUA	P	X	CU	CU	CU	CU
Automotive service station	X	X	X	X	X	X	X	P	X	X	X	X	X
Motor vehicle service facility	X	X	X	X	X	X	X	P	X	X	X	X	X
Motor vehicle sales and service	X	X	X	X	X	X	X	P	X	X	X	X	X
Automobile/car wash	X	X	X	X	X	X	X	P	X	X	X	X	X
Marine sales and service	X	X	X	CU	X	X	X	X	X	X	X	X	P
Boatyard/Boat club	X	X	X	CU	X	X	X	X	X	X	X	X	P
Research facilities and labs	X	X	X	X	X	X	X	X	X	P	P	P	P
Manufacturing, light	X	X	X	X	P	P	P	P	P	P	P	P	P
Warehouse	X	X	X	X	X	X	X	X	X	CU	X	CU	CU
Wholesale sales	X	X	X	X	X	X	X	X	X	CU	X	CU	CU
Mixed Use with residential (office/retail down, multiunit residential up) (See Note 1)	X	X	X	X	CU	X	X	X	X	X	X	X	X
Mixed Use with parking (parking and office/retail)	X	X	X	X	CU	CU	CU	CU	CU	X	CU	CU	CU

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Mixed Use with parking (parking and office)	X	X	X	X	CU	CU	CU	CU	CU	CU	CU	CU	CU
VIII. USES ACCESSORY TO AN ALLOWED NON-RESIDENTIAL USE													
Drive-through facility accessory to a financial institution	X	X	X	X	CU	CU	X	CU	X	X	X	CU	CU
Caretaker apartment within a non-residential use	X	X	X	X	X	P	P	P	CU	CU	CU	CU	CU
Accessory buildings and structures	P	P	P	P	P	P	P	P	P	P	P	P	P
Restaurant or cafeteria accessory to a nonresidential use	X	X	X	X	CU	CU	CU	CU	CU	CU	CU	CU	CU
IX. USES ACCESSORY TO ANY ALLOWED USE													
Off street parking on the lot to serve the allowed use	P	P	P	P	P	P	P	P	P	P	P	P	P
Structured parking	X	X	X	X	P	P	P	P	P	P	P	P	P
Surface parking	P	P	P	P	P	P	P	P	P	P	P	P	P

Notes

1. For the use “Mixed use with residential (office/retail down, multiunit residential up),” see the definition. The layout of uses within the building or lot may also be specified by zone in Article XII, including some flexibility allowed by conditional use in the Central Business District under Development Standards
2. The use is permitted only on lots of 3 acres or greater. Roosters are permitted only in the Rural District.
3. In the Central Business District the use is permitted only on rooftops.