

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:

- A. All-Terrain Vehicle/Off Highway Recreational Vehicle Facility
- B. Airport, private
- C. Airport, commercial
- D. Heliport
- E. Drive-through facilities other than as an accessory to a financial institution as set forth in the table below
- F. Junkyard
- G. Cemetery
- H. 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 2 or more dwelling units (not including accessory dwelling unit - detached and accessory dwelling unit - attached) 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 multi-unit residential use; or
4. from a single-family residential use to a multi-unit 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 1	Central Business 2	Professional Office (PO)	Church Hill (CH)	Courthouse (C)	Coe' s Corner (CC)	Office Research - Route 108 (OR)	Mixed Use and Office Research (MUR)	Office Research Light Industry	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	P
Excavation and/or mining	CU	X	X	X	X	X	X	X	X	X	X	X	X	X
II. AGRICULTURAL USES (See Article XX.1)														
Principal Uses														
Agricultural Sales, Commercial	P	SE	SE	P	P	P	P	P	P	P	P	P	P	P
Aquaculture	P	X	X	SE	X	X	X	X	X	P	P	P	P	P
Bees, keeping of	P	X	X	SE	P ³	P ³	P	P	P	P	P	P	P	P
Crop Cultivation	P	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	P
Forestry	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Fur-bearing animals, keeping of	P ²	X	X	X	X	X	X	X	X	X	P ²	P ²	P ²	P ²

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Goats and sheep, keeping of	P ²	X	X	SE ²	X	X	X	X	X	P ²	P ²	P ²	P ²	P ²
Horses, keeping of	P ²	X	X	SE ²	X	X	X	X	X	P ²	P ²	P ²	P ²	P ²
Kennel	CU	X	X	CU	X	X	X	X	X	X	CU	X	CU	X
Livestock – large, keeping of	P ²	X	X	SE ²	X	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	X	P ²	P ²	P ²	P ²	P ²
Rabbits, keeping of	P	X	X	SE	P	P	P	P	P	P	P	P	P	P
Reuse of existing agricultural building (See Article XX)	CUA	X	X	CUA	X	X	X	X	X	X	P	P	P	P
Swine, keeping of	CU ²	X	X	CU ²	X	X	X	X	X	CU ²	CU ²	CU ²	CU ²	CU ²
Temporary sawmill (See Article XX)	P	P	P	P	X	X	X	X	X	X	P	P	P	P
Uses Accessory to Residential Uses														
Aquaculture	P	P	P	P	X	X	X	X	X	P	P	P	P	P
Bees, keeping of	P	P	P	P	X	X	P	P	P	P	P	P	P	P
Chickens and Turkeys, keeping of	P	P	P	P	X	X	X	X	X	P	P	P	P	X

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Residence, single-family	P	P	P	P	X	X	P	P	X	X	X	CU	CU	X
Residence, duplex	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Residence, multi-unit	X	X	X	X	X	X	P	P	P	X	X	X	X	X
Residence, multi-unit complex	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Senior housing, single-family	P	P	P	P	X	X	X	P	X	P	CU	CU	CU	CU
Senior housing, duplex	P	P	P	P	X	X	X	P	X	CU	CU	CU	CU	CU
Senior housing, multi-unit	P	P	P	P	CU	CU	P	P	P	CU	CU	P	CU	CU
Senior Care facility	P	X	CU	P	X	X	X	P	P	P	P	P	P	P
Student Rental	X	X	X	X	P	P	P	P	P	X	X	X	X	X
Uses Accessory To Any Residential Use														
Accessory structure	P	P	P	P	X	X	P	P	P	P	P	P	P	P
Day care home (See Article XX)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Home occupation-1	P	P	P	P	X	X	P	P	P	P	P	P	X	X

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Home occupation-2	P	X	X	P	X	X	CU	CU	X	P	P	P	X	X
Uses Accessory To a Single-family Residential Use														
Accessory dwelling unit - attached (See Article XX)	P	P	P	P	X	X	P	P	X	X	X	P	P	X
Accessory dwelling unit - detached (See Article XX)	P	X	X	P	X	X	P	P	X	X	X	P	P	X
Short-term rental	SE	SE	SE	SE	P	P	P	P	P	P	SE	SE	SE	X
IV. INSTITUTIONAL USES														
Principal Uses														
Art center	X	X	X	X	P	P	X	P	P	CU	X	X	X	X
Day care center (See Article XX)	P	X	X	P	P	P	P	P	P	P	P	P	P	P
Club	X	X	X	X	P	P	X	CU	CU	CU	X	X	X	X
Community center	X	X	X	X	P	P	P	CU	P	CU	CU	CU	CU	CU

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Educational facility	X	X	X	X	CU	CU	P	CU	P	X	X	CU	CU	CU
Fraternity/sorority house	X	X	X	X	CU	CU	CUA	X	X	X	X	X	X	X
Hospital	X	X	X	X	X	X	X	X	X	X	X	CU	CU	X
Library	X	X	X	X	P	P	P	P	P	P	P	X	X	X
Museum	CU	X	X	CU	P	P	P	P	P	CU	X	X	CU	CU
Religious use/facility	CU	CU	CU	CU	CU	CU	P	P	X	CU	CU	X	X	X
V. RECREATIONAL USES														
Principal Uses														
Golf course	CU	X	X	CU	X	X	X	X	X	X	X	X	X	X
Recreational facility, indoor	X	X	X	X	X	X	X	X	X	X	P	P	P	P
Recreational facility, outdoor	CU	X	X	CU	X	X	X	X	X	CU	CU	CU	CU	CU
Recreational playing fields, outdoor	P	P	P	P	X	X	X	X	X	CU	P	P	P	CU

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VI. UTILITY & TRANSPORTATION USES														
Principal Uses														
Parking garage	X	X	X	X	CU	CU	X	X	X	X	X	X	X	X
Parking lot	X	X	X	X	CU	CU	X	X	CU	X	X	X	X	X
Public utility facility	CU	X	X	CU	X	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	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	P
Solar Uses:														
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	P
• Freestanding	P	P	P	P	X	X	P	P	P	P	P	P	P	P

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Solar PV Parking Canopy-accessory use to parking lot (See Article XX)	X	X	X	X	P	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	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	P
VII. COMMERCIAL & INDUSTRY USES														
Principal Uses														
Animal care	CU	X	X	CU	X	X	X	X	X	X	CU	CU	CU	CU
Boatyard	X	X	X	CU	X	X	X	X	X	X	X	X	X	P
Car wash	X	X	X	X	X	X	X	X	P	X	X	X	X	X

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Conference center	X	X	X	X	CU	CU	P	CU	P	P	CU	X	X	CU
Financial institution	X	X	X	X	P	P	P	CUA	P	X	X	X	CU	CU
Funeral homes	X	X	X	X	X	X	P	X	P	CU	X	X	X	X
Hotel	X	X	X	X	P	P	P	CU	P	CU	CU	CU	CU	CU
Inn	P	X	X	P	CUA	CUA	CUA	CUA	CUA	CUA	CUA	CUA	X	X
Manufacturing, light	X	X	X	X	P	P	P	P	P	P	P	P	P	P
Marine sales and service	X	X	X	CU	X	X	X	X	X	X	X	X	X	P
Mixed Use with residential (office/retail down, multi-unit residential up) (See Note 1)	X	X	X	X	P	CU	X	X	X	X	X	X	X	X
Motor vehicle gas station	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Motor vehicle service facility	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Motor vehicle sales facility	X	X	X	X	X	X	X	X	P	X	X	X	X	X
Office	X	X	X	X	P	P	P	P	P	P	P	P	P	P
Restaurant	X	X	X	X	P	P	X	P	P	X	X	X	X	X
Retail store, medium	X	X	X	X	P	P	X	CU	P	X	X	X	X	X

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IX. USES ACCESSORY TO ANY ALLOWED USE														
Caretaker apartment	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Off street parking on the lot to serve the allowed use	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Parking garage	X	X	X	X	P	P	P	P	P	P	P	P	P	P
Parking lot	P	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, multi-unit 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.