

6.19 Portsmouth Avenue Flexible Zoning Overlay District

6.19.1 Purpose and Intent: The purpose of the Portsmouth Avenue Flexible Zoning Overlay District is to allow an alternative permitting process that results in a more efficient and effective design review process, to inspire more flexibility in site, building, landscape, and lighting design, and to create incentives for improvements within the district boundaries.

6.19.2 District Boundaries: The Portsmouth Avenue Flexible Zoning Overlay District includes all properties within the C1 and C2 districts from the intersection of High Street and Portsmouth Avenue north along Portsmouth Avenue to the Exeter Town Line.

6.19.3 Authority and Applicability: Under the enabling authority granted by NH RSA 674:21, the Planning Board may grant a Conditional Use Permit (CUP) to an applicant who wishes to build outside of the required limitations set forth in Zoning Ordinance Article 4.4 Schedule III Density and Dimensional Regulations, specifically the maximum height and minimum yard setbacks. Note: all other regulatory requirements as outlined in Article 4.4 Schedule III Density and Dimensional Regulations apply unless the applicant is granted a variance by the ZBA.

6.19.4 Process: The Applicant who wishes to request a CUP, shall be provided with the *“Portsmouth Avenue Flexible Zoning Guidelines, Point System and Evaluation”* as set forth in the then applicable Site Plan Review and Subdivision Regulations. These documents will provide guidance to the Applicant in outlining design elements that range from least preferred to most desired in multiple aspects of design. Aspects of design not covered in these documents are covered in existing zoning and site plan review and subdivision regulations. Applicants will still go through Exeter’s technical review process. The Planning Board shall provide a point system evaluation which will guide an effort by both Planning Board and applicant to approach a mutually desired outcome.

6.19.5 Conditional Use Permit: The Planning Board may grant a Conditional Use Permit to the Applicant who has met the conditions as detailed in the *Portsmouth Avenue Flexible Zoning Guidelines, Point System and Evaluation* and reached an acceptable total point score as determined by the Planning Board.