

Article 104: RURAL RESIDENTIAL DISTRICT

(Amended 03/08/2005, 03/14/2006)

- 104.1 RURAL RESIDENTIAL DISTRICT.** The Rural Residential District shall include the whole town with the exception of the Historic Districts, the Single Family Residential District, the Single Family Residential-Agricultural District, the Industrial Zone and any adopted Commercial Zone.
- 104.2 PURPOSE:** The district is primarily intended for business-professional offices and residential use, limiting the size, scale and expansion of neighborhood commercial uses in order to minimize traffic volumes and congestion, and other adverse impacts on the neighborhoods in which said establishments are located.
- 104.3 PRE-EXISTING USE:** Non-conforming uses legally in existence prior to the enactment of this ordinance may be continued, maintained, repaired and improved, unless and until such use becomes an imminent hazard to public health and safety. Non-conforming uses may not be expanded or changed to other non-conforming uses; however, non-conforming uses on lots with frontage on NH Route 125 may be expanded or changed, so long as any expansion complies with the provisions of Article 104.5 of this ordinance, any change of use complies with Article 104.4 of this ordinance, and all expansions or changes of use comply with all other terms of this ordinance.
- 104:4 PERMITTED USES:**
- A.** Professional offices including doctors, dentists, lawyers, engineers, architects and such other uses normally considered as general business offices.
 - B.** Churches.
 - C.** Educational establishments.
 - D.** Funeral Homes.
 - E.** Child Day Care Facilities.
 - F.** Barber and Beauty Shops.
 - G.** General service and repair shops (non-automotive) such as for jewelry, clocks, radios, televisions, computers,

electronics, small appliances, bicycle repair and services of a similar nature.

- H. Antique Shop
- I. Home occupation as described in Kingston’s Home Occupation Ordinance.
- J. Single family and/or two dwellings and incidental uses.

104:5 Structure/Dwelling Regulations:

- A. Building Height: No structure in this District shall be greater than 30 feet in height.
- B. Outside Storage: No outside storage or display of any kind is permitted within this district. Exception: Sale of seasonal items such as Christmas trees, pumpkins, vegetables and the like.
- C. Commercial building area (footprint) shall not exceed 2,500 square feet except by special exception. .This regulation does not apply to land exempted under 104.4.I.
- D. Signs shall be in accordance with the Kingston Home Occupation Ordinance.
- E. Setbacks and Buffering:
 - 1. Front: New buildings shall be set back 30 feet from the nearest existing or proposed public right-of-way.
 - 2. Side and Rear: New buildings shall be set back 20 feet from the side and rear lot lines. Between commercial and residential uses, a 50-foot vegetated buffer shall be suitably planted and permanently maintained; plantings will be no less than 50% evergreen for year-round screening. Additional setbacks may be required for compliance with other applicable regulations and ordinances, including but not limited to, Wetlands, Shoreland, and Aquifer Protection.
- F. A minimum contiguous frontage of 200 feet on a Class V or better highway is required.
- G. Must comply with all other Town of Kingston ordinances and regulations.
- H. Planning Board review and approval is required for all commercial and multi-family developments and subdivisions.

- I. The provisions of Articles 104.5.A (“ Building Height”), 104.5.C (“ Commercial building area”), and 104.4.D (“ Signs”) shall not apply to lots with frontage on NH Route 125; however, the provisions of Articles 108.12 (“ Height”), 108.9 (“ Lot coverage”), and 108.14 (“ Signs”) shall apply to such lots instead.
- J. Special Exception shall meet the following standards:
 - 1. No detriment to property values in the vicinity or change in the essential characteristics of any area including residential neighborhoods or business and industrial districts on account of the location or scale of buildings and other structures, parking area, access ways, odor, smoke, gas, dust or other pollutant, noise, glare, heat, vibration or unsightly outdoor storage or equipment, vehicles or other materials.
 - 2. No creation of traffic safety hazard or substantial increase in the level of traffic congestion in the vicinity.
 - 3. No excess demand on municipal services including, but not limited to: water, sewer, waste disposal, police, fire protection and schools.
 - 4. No hazard to the public or adjacent property on account of potential fire, explosion or release of toxic materials.
 - 5. Notification of the hearing will be provided to the Planning Board, Conservation Commission and Board of Selectmen.

If the Special Exception is granted, formal site plan review by the Planning Board is required.

- 104.6** The use of land in the Rural Residential District is limited only by conformance with the provisions of this ordinance.
- 104.7** For those retail uses permitted by right in the Rural Residential zone which sell sexually explicit goods and paraphernalia but do not meet the 25% thresholds outlined in Section 3.10.13.2, such goods and paraphernalia shall be located either behind a counter, or in a separate room or enclosure where citizens under the age of 18 are not allowed to enter. Such sexually explicit goods and paraphernalia must be located so that the materials in question are not within view of minors or readily visible to children.