

Article 104: RURAL RESIDENTIAL DISTRICT

(Amended 03/08/2005, 03/14/2006, 03/08/2011, 03/12/2013, 03/10/2015, 03/13/2018, 03/12/19, 03/10/2020, 03/08/2022)

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. To eliminate confusion, the following lots that were split between zones are now entirely zoned Rural Residential:

Tax Map U-8: 12
Tax Map U-10: 35
Tax Map R-9: 1-4, 1-5, 1-6, 80
Tax Map R-13: 6
Tax Map R-19: 10 *(Amended 3/8/22)*
Tax Map R-22: 8,39
Tax Map R-26: 1-2
Tax Map R-30: 40B, 40C, 40D
Tax Map R-32: 1-10, 2, 8
Tax Map R-33: 21, 30

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 (two-family homes, accessory dwelling units, apartments), and incidental uses.
(Amended 3/10/2015) In the case of Accessory Dwelling Units, the standards found in Article 206 apply. (Amended 3/13/2018)
- K. Agriculture, farms and farming (Amended 3/12/19)

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. (amended 3/12/2019)
- 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. When commercial use is taking place on property in the Rural Residential District that abuts residential use, 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. (Amended 3/10/2020)
- 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 108.13 (“Height”), 108.10 (“Lot coverage”), and 108.15 (“Signs”) shall apply to such lots instead.
- 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 Article 109.14, 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.