



**ORDINANCE**  
**Number 2019-002**

**Amend Article VI, District Provisions in the Central Business and  
Traditional Overlay Districts to allow Residential Uses Above the First  
Floor**

WHEREAS, Section 5.1 of the Town Charter designates the Town Council as the governing and legislative body of the Town, and pursuant to Section 6.1, the Council shall legislate by ordinance; and

WHEREAS, a goal of the Planning Board is to review and update portions of the Zoning Ordinance, and

WHEREAS, the Planning Board has reviewed zoning designations in the downtown area in order to spur economic development in the Downtown; and


WHEREAS, the Planning Board has held the requisite public hearing and voted to recommend this amendment to the Town Council;

NOW, THEREFORE, THE TOWN OF DERRY ORDAINS that the Derry Zoning Ordinance is hereby amended as follows: Article VI, District Provisions, Section 165-33.B.5.b.iii, Central Business District and Section 165-49.B.1b, Traditional Business Overlay District to allow residential use above the first floor.

This Ordinance shall take effect thirty days after its adoption.

Adopted: April 2, 2019

Attest:

  
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Neil F. Wetherbee, Council Chair

Date: 4-2-19

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Daniel Healey, Town Clerk

Date: 4/2/19