

## AGENDA

### COMMITTEE ON BILLS ON SECOND READING

**November 26, 2007**  
**Aldermen Duval, Lopez,**  
**Gatsas, Garrity, Pinard**

**Immediately following Spl. BMA Public Hearing**  
**Aldermanic Chambers**  
**City Hall (3<sup>rd</sup> Floor)**

1. Chairman Duval calls the meeting to order.
2. The Clerk calls the roll.
3. Ordinance Amendments:

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by expanding the Residential Parking Permit Zone #6 in Section 70.55(D) (6) to include Mechanic Street, north side, between Elm Street and Canal Street.”

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester; 70.57 by revising Sections (1) and (5) to reflect current operating practices for hours of operation; and adding new Sections (7) and (8) to add the current daily maximum charge and a lost chip fee.”

**Gentlemen, what is your pleasure?**

4. Zoning Ordinance Amendment:

“Amending the Zoning Ordinance of the City of Manchester by revising the requirements for the Neighborhood Business District (B-1) to provide more flexibility in uses allowed, dimensional requirements and parking.”

**Gentlemen, what is your pleasure?**

5. If there is no further business, a motion is in order to adjourn.

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety, Health and Traffic respectfully advises, after due and careful consideration, that it has approved Ordinance Amendment:

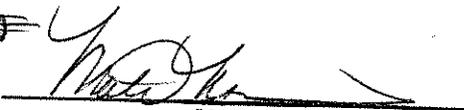
“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by expanding the Residential Parking Permit Zone #6 in Section 70.55(D)(6) to include Mechanic Street, north side, between Elm Street and Canal Street.”

and recommends that it be referred to the Committee on Bills on Second Reading for technical review.

*(Unanimous vote.)*

At a meeting of the Board of Mayor and Aldermen  
held Nov. 7, 2007 on a motion of Ald. O'Neil  
duly seconded by Ald. Pinard the report  
of the Committee was accepted and its recommendations

(adopted) ~~(denied)~~

  
\_\_\_\_\_  
City Clerk  


Respectfully submitted,



Clerk of Committee

City of Manchester  
New Hampshire

In the year Two Thousand and Seven

AN ORDINANCE

"Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by expanding the Residential Parking Permit Zone #6 in Section 70.55(D)(6) to include Mechanic Street, north side, between Elm Street and Canal Street."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (**bold**). Sections of the following chapters that remain unchanged appear in regular type.

§ 70.55 RESIDENTIAL PERMIT PARKING.

(D) *Residential Parking Permit Zones.* The following areas are hereby designated as the Residential Parking Permit Zones:

- (6) Residential Parking Permit Zone #6. Area bounded on the west by the west side of Elm Street, on the north by the south side of Bridge Street, on the east by the east side of Chestnut Street and on the south by the north side of Merrimack Street, **also to include 41 Mechanic St.** Residents within this district shall not be issued a residential parking permit to park within the District. Residents within the district to the north of the north side of Amherst Street shall be issued a permit to park in Residential Parking Permit Zone (2)(b). Residents within the district to the south of the south side of Amherst Street shall be issued a permit to park in Residential Parking Permit Zone (1).

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety, Health and Traffic respectfully advises, after due and careful consideration, that it has approved Ordinance Amendment:

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester; 70.57 by revising Sections (1) and (5) to reflect current operating practices for hours of operation; and adding new Sections (7) and (8) to add the current daily maximum charge and a lost chip fee.”

and recommends that it be referred to the Committee on Bills on Second Reading for technical review.

*(Unanimous vote.)*

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held Nov. 7, 2007 on a motion of Ald. O'Neil  
duly seconded by Ald. Pinard the report  
of the Committee was accepted and its recommendations

(adopted) ~~(denied)~~

  
\_\_\_\_\_  
City Clerk  
*Hepburn*

Respectfully submitted,

*L. R. Bernier*

Clerk of Committee

# City of Manchester New Hampshire

In the year Two Thousand and Seven

## AN ORDINANCE

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester; 70.57 by revising Sections (1) and (5) to reflect current operating practices for hours of operation; and adding new Sections (7) and (8) to add the current daily maximum charge and a lost chip fee.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend the Code of Ordinances by inserting new language as bolded (**bold**). All other sections to the above referenced ordinance will remain unchanged.

### § 70.57 PARKING RATES:

Except as otherwise ordered by the Board of Mayor and Aldermen, rates shall be charged for parking in city-owned facilities and on-street as follows:

- (A) Parking garage rates:
- (1) Hourly rate \$0.50 per hour 6:00 a.m. to ~~6:00~~ **10:00** p.m.  
Monday through ~~Saturday~~ **Friday** excluding holidays  
Victory Garage
  - (2) Monthly rate \$70.00 for 6:00 a.m. to 7:00 p.m.  
Monday through Friday excluding holidays  
Victory Garage, 1155 Elm Street, Wall Street Garage
  - (3) Monthly rate \$75.00 - 24 hours per day  
Monday through Saturday excluding holidays  
(includes posted civic center event times)  
Victory Garage
  - (4) Prepay rate after 6:00 p.m.  
Monday through Saturday excluding holidays  
Victory Garage - \$3.00 per vehicle
  - (5) Validation Program 6:00 a.m. to ~~8:00~~ **10:00** p.m.  
(including civic center Event Parking), three hour limit  
Victory Garage (Validating tickets available to retailers at a cost of \$0.25 per ticket. Each ticket good for one hour free parking.)
  - (6) Civic Center Event Parking Fees - (to be posted for Civic Center Events)
    - (a) Victory Garage - \$3.00 prepay,  
Monday through Friday Early Bird Special  
4:00 p.m. - 6:00 p.m. arrival time;  
\$5.00 prepay Monday through Friday after 6:00 p.m.,  
Saturday/Sunday starting two hours prior to event

**City of Manchester**  
**New Hampshire**

*In the year Two Thousand and Seven*

**AN ORDINANCE**

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester; 70.57 by revising Sections (1) and (5) to reflect current operating practices for hours of operation; and adding new Sections (7) and (8) to add the current daily maximum charge and a lost chip fee.”

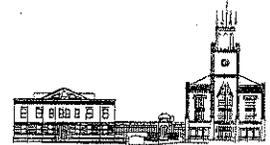
BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- (7) **Lost Chip Fee - \$6.00 for the daily maximum rate and \$10.00 for replacement of the lost chip. Total fee of \$16.00**
- (8) **Daily Maximum Rate - \$6.00**



# CITY OF MANCHESTER

## Planning and Community Development



Robert S. MacKenzie, AICP  
Director

Planning  
Community Improvement Program  
Growth Management

Staff to:  
Planning Board  
Heritage Commission  
Millyard Design Review Committee

**IN BOARD OF MAYOR & ALDERMEN**

**DATE: November 7, 2007**

**ON MOTION OF ALD. DeVries**

**SECONDED BY ALD. O'Neil**

**VOTED TO refer to Bills on Second Reading  
and public hearing on 11/26/2007**

*[Handwritten signature]*  
CITY CLERK

October 26, 2007

Honorable Members of the Board of Mayor and Aldermen  
City Hall  
One City Hall Plaza  
Manchester, New Hampshire 03101

*re: Proposed Changes to the Neighborhood Business District of the Zoning Ordinance*

Honorable Board Members:

As we have begun neighborhood revitalization efforts, it has become clear that the Zoning Ordinance pertaining to Neighborhood Business Districts needs to be changed. The current zoning provisions do not move towards the vision of revitalized neighborhoods and in fact may discourage small business reinvestment in these areas. As such, the proposed revisions are designed to encourage small business growth and to create a vision of walkable neighborhood centers that provide needed services to these areas. They have been reviewed by our staff and with the Building Department. In addition to the proposed ordinance, I have included a summary of the proposal.

The next step would be to schedule a public hearing and referral to the Committee on Bills on Second Reading.

If you have any questions, I will be available at your meeting.

Sincerely,

*[Handwritten signature of Robert S. MacKenzie]*

Robert S. MacKenzie, AICP  
Director of Planning and Community Development

C: Building Department  
Planning Board  
City Solicitor

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One City Hall Plaza, Manchester, New Hampshire 03101  
Phone: (603) 624-6450 Fax: (603) 624-6529  
E-mail: [planning@ManchesterNH.gov](mailto:planning@ManchesterNH.gov)  
[www.ManchesterNH.gov](http://www.ManchesterNH.gov)

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by revising the requirements for the Neighborhood Business District (B-1) to provide more flexibility in uses allowed, dimensional requirements and parking".

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by revising the requirements for the Neighborhood Business District (B-1) to provide more flexibility in uses allowed, dimensional requirements and parking as follows:

Amend Article 5, Use Regulations, Table 5.10 by making the following changes in the column under B-1:

- In A2. Single family attached (townhouse) dwellings, change "--" to "P";
- In D7. Small scale assembly, fabrication and craftsmen businesses with no outside storage or machinery, change "--" to "P"; and add "8.13" in the Supplementary column;
- In D8. Artisans Lofts including living and working facilities in the same unit for craftsmen and artisans, change "--" to "P";
- In F2. Split this row in two with the following:
  - F2-1 "Furniture and major appliance stores greater than 8,000 square feet" leaving the same designations as the current F2 section;
  - F2-2 "Furniture and major appliance stores up to 8,000 square feet" with designations identical as F2-1 except change "--" to "P" under the column B-1;
- In F5. Sales of general goods and merchandise within an establishment of up to 8,000 square feet, change "CU" to "P";
- In G1. Restaurant of up to 5,000 square feet (under establishments serving alcoholic beverages), change "CU" to "P";
- In H-1-1. Banking, financial, real estate and insurance offices, change "CU" to "P";
- In H-1-2. Other business and professional offices, change "CU" to "P";
- In H-3-2. Bed and breakfast, change "CU" to "P";
- In H-4-1. Theaters, cinemas, concert halls, change "--" to "P";
- In H-5-2. Indoor health and fitness center, pool, gym or membership recreation center, change "CU" to "P";
- In J2. Private Elementary or Secondary school, change "--" to "P";
- In J5. Cultural facilities, such as museums and libraries, change "--" to "P";
- In J8. Membership fraternal and social organizations and clubs, change "--" to "P".

Amend Article 5, Use Regulations, Table 5.11 Accessory Uses by making the following changes in the column under B-1:

- In L1. Accessory dwelling within a single family detached residence, change "--" to "P";
- In L4. Accessory retail or consumer use in a multifamily dwelling, change "--" to "SE".

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# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by revising the requirements for the Neighborhood Business District (B-1) to provide more flexibility in uses allowed, dimensional requirements and parking".

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

Amend Article 6, Dimensional Regulations, Table 6.07 by making the following changes in the row of B-1:

Under Front Setback (feet), change "10" to "--";  
Under Rear Setback (feet), change "15" to "10";  
Under Floor Area Ratio, change ".5" to "2".

Amend Article 8, Supplementary Regulations for Specific Uses, Subsection 8.01 by adding a "B-1" in the last row of the table so that it reads: "R-3, CBD, and B-1";

Amend Article 9, Sign Regulations, Subsection 9.07 Signs Prohibited Under this Ordinance by deleting in F the following phrase: "...protrude above the sills of the windows above the first story,..." and insert in its place "...larger than eight (8) feet in height..."; and adding a new subsection I. to read as follows:

"I. Signs on the building blocking windows."

Amend Article 10, Off-Street Parking and Loading Requirements by making the following changes:

Subsection 10.02 A. Areas and buildings subject to parking requirements, by adding "Neighborhood Business District" so that it reads: "In any district except the Central Business District and the Neighborhood Business District (B-1),...".

Subsection 10.02 C. by deleting the subsection and inserting in its place:

"C. Districts exempt from parking requirements. All development and changes in use in the CBD and the B-1 districts shall be exempt from the requirements for providing off-street parking and loading of this Article. Additional parking limitations apply as indicated in Section 10.07."

Subsection 10.02 D2. by deleting "B-1".

Subsection 10.02 D3. by deleting "B-1".

Subsection 10.07 by adding a new J (and renumbering the current J to K) to read as follows:

# City of Manchester New Hampshire

*In the year Two Thousand and Seven*

## AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by revising the requirements for the Neighborhood Business District (B-1) to provide more flexibility in uses allowed, dimensional requirements and parking".

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,  
as follows:

"J. Parking limitations in the B-1 District. For newly constructed buildings in the B-1 District, there shall be no parking in the front yard of the building."

Subsection 10.09 A. Non-residential districts, by adding: "Except in the B-1 District as described in Subsection 10.07 J,....: at the beginning of the first sentence of the subsection.

SECTION II. Resolve this ordinance shall take effect upon passage.

# Summary of Proposed Changes to the Neighborhood Business Zoning District

As the City has been working to revitalize some of the City's older neighborhoods, it has become clear that the Neighborhood Zoning District regulations within the Zoning Ordinance have become outdated and actually discourages the growth of small businesses in the B-1 zoning district. A series of changes are proposed to the allowed uses, dimensional regulations, sign regulations and parking regulations.

It is the intent of these changes to encourage the establishment and growth of small neighborhood businesses, encourage the improvement of buildings and therefore the tax base of these areas, provide a variety of services for the surrounding residential neighborhoods and to make these districts more walkable.

## *Highlights of the Changes include:*

1. Adds 14 new uses which would become "by right" in the Zoning Ordinance including such items as Artisan Lofts, Craftsman businesses, small furniture and appliance stores, Sale of general goods, restaurants up to 5,000 square feet serving alcoholic beverages, Theaters, Bed and Breakfast lodging, cultural facilities, membership and social clubs, and real estate and insurance offices.
2. Adds two new accessory uses including: accessory dwelling within a single family residence, and accessory retail or consumer use in a multifamily building.
3. Changes the dimensional requirements such as: eliminating front yard requirements, reducing rear yard requirements, and increasing the Floor Area Ratio of developments.
4. Allows for expanded use of projecting business signs.
5. Eliminates the requirement for off-street parking within the district.
6. Limits parking in the front yard of the building so that it remains pedestrian friendly.

“Amending the Zoning Ordinance of the City of Manchester by revising the requirements for the Neighborhood Business District (B-1) to provide more flexibility in uses allowed, dimensional requirements and parking”.

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“I. Signs on the building blocking windows.”

Amend Article 10, Off-Street Parking and Loading Requirements by making the following changes:

Subsection 10.02 A. Areas and buildings subject to parking requirements, by adding “Neighborhood Business District” so that it reads: “In any district except the Central Business District and the Neighborhood Business District (B-1),...”.

Subsection 10.02 C. by deleting the subsection and inserting in its place:

“C. Districts exempt from parking requirements. All development and changes in use in the CBD and the B-1 districts shall be exempt from the requirements for providing off-street parking and loading of this Article. Additional parking limitations apply as indicated in Section 10.07.”

Subsection 10.02 D2. by deleting “B-1”.

Subsection 10.02 D3. by deleting “B-1”.

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“J. Parking limitations in the B-1 District. For newly constructed buildings in the B-1 District, there shall be no parking in the front yard of the building.”

Subsection 10.09 A. Non-residential districts, by adding: “Except in the B-1 District as described in Subsection 10.07 J,.....: at the beginning of the first sentence of the subsection.

SECTION II. Resolve this ordinance shall take effect upon passage.

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