

AGENDA

COMMITTEE BILLS ON SECOND READING

April 20, 2009
Aldermen Osborne, DeVries,
M. Roy, Pinard, Murphy

5:00 P.M.
Aldermanic Chambers
City Hall (3rd Floor)

1. Chairman Osborne calls the meeting to order.
2. The Clerk calls the roll.
3. Ordinance Amendment:

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester Section 70.54 Permit Parking in Lieu of Coin Deposit and Parking Districts by adding Plaza Drive to District 27; add District 30 Granite Street Lot; and correct clerical errors.”

If the Committee so desires, a motion is in order that the ordinance amendment ought to pass.

4. Ordinance Amendments:

“Amending the Zoning Ordinance of the City of Manchester by deleting the references to “Building Department” of “Planning Department” and replacing all with the name “Planning and Community Development Department”.”

“Amending the Zoning Ordinance of the City of Manchester by deleting the references to “Building Commissioner” and “Planning Director” and replacing both with “Director of Planning and Community Development Department”.”

If the Committee so desires, a motion is in order that the ordinance amendments ought to pass.

5. Rezoning Ordinance Amendment:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential Two Family District (R-2), including portions of two lots, Tax Map TPK1, Lot 61 (3 Master Street) and Tax Map TPK1, Lot 69 (800 Second Street). The intent being that the entirety of these two lots would be in the B-2 District.”

If the Committee so desires, a motion is in order to refer to public hearing with a date to be determined by the City Clerk.

TABLED ITEM

A motion is in order to remove any item from the table.

6. Ordinance Amendment:

“Amending Chapter 33: Human Resources of the Code of Ordinances of the City of Manchester by adding a new Section 33.100 Residency Requirements thereby establishing a requirement of residency within the city of Manchester for City Officers and Department Heads.”

(Note: The Committee has requested additional information to come from the City Solicitor's office. Tabled 12/01/08)

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

City of Manchester New Hampshire

In the year Two Thousand and Nine

AN ORDINANCE

“Amending 70.54 Permit Parking in Lieu of Coin Deposit and Parking Districts of the Code of Ordinances of the City of Manchester by adding Plaza Drive to District 27; adding District 30 Granite Street Lot; and correction clerical errors.”

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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**) and deleting existing language as ~~struck through~~. Portions of the following sections that remain unchanged appear in regular type.

§ 70.54 PERMIT PARKING IN LIEU OF COIN DEPOSIT AND PARKING DISTRICTS.

(A) The other provisions of §§ 70.76 through 70.82 of this chapter notwithstanding, vehicles may be lawfully parked in compliance with the requirements of this section, provided that the permit issued pursuant to this section is displayed by being hung from the rear view mirror or fully visible on the passenger side of the dashboard of said vehicle.

(B) In accordance with policies and procedures as are approved by the Committee on Traffic and Public Safety, the Parking Manager or his/her designee is hereby authorized to issue parking permits at monthly fees, or school semester fees under contractual arrangement, as prescribed herein. Such permits shall allow parking in lieu of the deposit of the required coin in any metered parking space unless otherwise posted or in any parking space designated by posting "Permit Parking Only" located in any of the following districts during the times prescribed:

Parking District	Monthly Permit Rate Established
8:00 a.m. to 5:30 p.m. Monday through Friday Downtown On-Street - area to include 10 hour metered spaces east of Canal Street, excluding Elm Street	\$45.00
5:30 p.m. to 10:00 p.m. Monday through Friday, and Saturday 8:00 a.m. to 10:00 p.m. Civic Center Event decal - any 10-hour meter in all districts not otherwise posted	\$35.00
8:00 a.m. to 5:30 p.m. Monday through Friday Other Parking Lots - Hartnett Lot Middle Street Lot Pearl Street Lot Pine Street Lot	\$50.00

City of Manchester New Hampshire

In the year Two Thousand and Nine

AN ORDINANCE

“Amending 70.54 Permit Parking in Lieu of Coin Deposit and Parking Districts of the Code of Ordinances of the City of Manchester by adding Plaza Drive to District 27; adding District 30 Granite Street Lot; and correction clerical errors.”

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

8:00 a.m. to 5:30 p.m. Monday through Friday \$75.00
1155 Elm Street Garage

24 hours, 7 days per week Rines Center Parking Only
Rines Center (1528 Elm Street)
area to include the Rines Center parking lot and garage. Parking restricted to Rines Center employees and visitors only.

8:00 a.m. to ~~8:00~~ 5:30 p.m. Monday through Friday

District 20 \$45.00

Area: Commercial Street both sides, bounded on the north by Canal Street and on the south by Arms Street. Dow Street both sides easterly from Commercial Street to the railroad tracks. Bedford Street east side from Kidder Street to a point 272 feet southerly.

District 21 \$45.00
UNH Student rate by semester \$25.00

Area: Bedford Street both sides, bounded on the north by a point 272 feet south of Kidder Street and on the south by a point 855 north of Pleasant Street; Spring Street both sides bounded on the east by Bedford Street and on the west by Commercial Street; Commercial Street both sides bounded on the north by Arms Street and on the south by Waumbec Street; Arms Street, both sides bounded by Commercial Street on the east and Stark Street on the south; Stark Street both sides, bounded by Commercial Street to the east, and Mungalls Street to the west; Arms Lot, Arms extension Lot, Arms Outer Lot and Bedford Lot.

District 22 \$45.00

Area: Bedford Street both sides bounded by a point 855 feet north of Pleasant Street and Granite Street to the south; Commercial Street, both sides bounded by Waumbec Street to the north and Granite Street to the south; Phillippe Cote Street both sides bounded by Commercial Street at each end; Textile Court south side from Commercial Street to the dead end; Pleasant Street, both sides bounded by Bedford Street to the east, Commercial Street to the west; (to be added) North State Street, Mulsey Street and Payson Street.

City of Manchester New Hampshire

In the year Two Thousand and Nine

AN ORDINANCE

“Amending 70.54 Permit Parking in Lieu of Coin Deposit and Parking Districts of the Code of Ordinances of the City of Manchester by adding Plaza Drive to District 27; adding District 30 Granite Street Lot; and correction clerical errors.”

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

District 23 \$45.00

Area: South Bedford Street west side bounded on the north by Depot Street and on the south to the dead-end; South Commercial Street both sides bounded on the north by Granite Street and on the south by South Bedford Street

District 24 \$45.00

Area: Myrna lot	Per-Hour	Rate
	0-1	\$.75
	1-2	\$1.50
	2-3	\$2.25
	3-4	\$5.25
	4-5	\$8.25
	5-6	\$11.25
	6-7	\$14.25
	7-8	\$17.00 Daily Maximum

District 25 \$45.00

Area: Seal-Tanning Lot

No permit issued under the authority of this section shall be valid in any other metered space or in any other area. No permit shall be issued for a period in excess of one year. The permits authorized by this section shall not entitle the holders thereof to either priority or guaranteed parking.

District 26 (8am-8pm Zone)

Elm Street from West Auburn Street to Bridge Street; Kosciuszko Street; Lowell Street from Elm Street to Chestnut Street; Concord Street from Elm Street to Chestnut Street; Amherst Street from Elm Street to Chestnut Street; Hanover Street from Elm Street to Chestnut Street; Manchester Street from Elm Street to Chestnut Street; Merrimack Street from Elm Street to Chestnut Street; Central Street from Elm Street to Chestnut Street; West Auburn Street from Canal Street to Elm Street; Depot Street from Canal Street to Elm Street; Old Granite Street from Canal Street to Elm Street; West Central Street; West Merrimack Street from Canal Street to Elm Street; Franklin Street from Pleasant Street to Market

City of Manchester New Hampshire

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AN ORDINANCE

“Amending 70.54 Permit Parking in Lieu of Coin Deposit and Parking Districts of the Code of Ordinances of the City of Manchester by adding Plaza Drive to District 27; adding District 30 Granite Street Lot; and correction clerical errors.”

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

Street; Middle Street from Canal Street to Franklin Street; Market Street from Canal Street to Franklin Street.

District 27 (\$.75 per Hour Zone)

8:00 a.m. to 8:00 p.m. Monday through Friday:

Elm Street from West Auburn Street to Bridge Street; Kosciuszko Street; Lowell Street from Elm St. to Chestnut Street; Concord Street from Elm Street to Chestnut Street; Amherst Street from Elm Street to Chestnut Street; Hanover Street from Elm Street to Chestnut Street; Manchester Street from Elm Street to Chestnut Street; Merrimack Street from Elm Street to Chestnut Street; Central Street from Elm Street to Chestnut Street; West Auburn Street from Canal Street to Elm Street; Depot Street from Canal Street to Elm Street; Old Granite Street from Canal Street to Elm Street; West Central Street; Pleasant Street from Canal Street to Elm Street; West Merrimack Street from Canal Street to Elm Street; Franklin Street from Pleasant Street to Market Street; Middle Street from Canal Street to Franklin Street; Market Street from Canal Street to Franklin Street;

8:00 a.m. to 5:30 p.m. Monday through Friday:

Stark Street from Canal Street to Elm Street; Mechanic Street from Canal Street to Elm Street; Spring Street from Canal Street to Elm Street; Pleasant Street from Canal Street to Elm Street; **Plaza Drive from Spring Street to Mechanic Street.**

District 28 (Arena Event Zone)

Elm Street from West Auburn Street to Valley Street; Willow Street from Cedar Street to Lake Avenue; West Auburn Street from Elm Street to Pine Street; Lake Avenue from Elm Street to Pine Street; Chestnut Street from West Auburn Street to Merrimack Street; Cedar Street from Chestnut Street to Pine Street; Spruce Street from Chestnut Street to Pine Street; Central Street from Chestnut Street to Pine Street; Pine Street from Lake Avenue to Merrimack Street.

District 29 (Stadium Event Zone)

South Bedford Street; Bedford Street from Granite Street to Middle Street; South Commercial Street; Commercial Street from Granite Street to Stark Street;

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

Phillippe Cote Street; Pleasant Street from Commercial Street to Bedford Street; Textile Court.

District 30

\$45.00

Area: Granite Street Lot

II. These ordinances shall take effect upon passage.

**City of Manchester
New Hampshire**

In the year Two Thousand and Nine

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by deleting the references to “Building Department” or “Planning Department” and replacing all with the name “Planning and Community Development Department”.”

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

SECTION I. “Amending the Zoning Ordinance of the City of Manchester by deleting the references to “Building Department” or “Planning Department” and replacing all with the name “Planning and Community Development Department” as follows:

Article 13.03 Imposition of public capital facilities impact fee. Subsection (A) - Replace “Building Department” with “Planning and Community Development Department”

Article 13.05 Payment of Fees. - Replace “Building Department” with “Planning and Community Development Department”

Article 14.03 Application Procedure for the Zoning Board of Adjustment. Subsections (C) (G) - Replace “Planning Department” with “Planning and Community Development Department”

Article 16.03 Procedure for Consideration of a Proposed Amendment. Subsections (B), (C), (F), (G) - Replace “Planning Department” with “Planning and Community Development Department”

SECTION II. This Ordinance shall take effect upon its passage.

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AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by deleting the reference to “Building Commissioner” and “Planning Director” and replacing both with “Director of Planning and Community Development”.”

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

SECTION I. “Amending the Zoning Ordinance of the City of Manchester by deleting the reference to “Building Commissioner” and “Planning Director” and replacing both with “Director of Planning and Community Development” as follows:

Article 3.03 Definition of Terms. Commissioner: Delete the definition in its entirety.

Article 4.02 Official Zoning Maps Subsection (B). Replace “Planning Director” with “Director of Planning and Community Development”.

Article 5.05 Administrative Classification of uses not specified or change in use. Subsections (A), (B), (C), (D). Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 7.01 Amoskeag Millyard Mixed Use District (AMX) Subsection (D). Replace “Planning Director” and “Building Commissioner” with “Director of Planning and Community Development”.

Article 7.03 Floodplain (F) District Subsections (C), (D). Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 7.05 Historic Districts Subsections (C), (D). Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 7.07 Airport Approach Overlay District Subsection (B). Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 8.10 Excavation of Earth Materials Subsections (H), (I) Replace “Commissioner” with “Director of Planning and Community Development”.

Article 9.02 Permit Required for Signs. Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 10.02 Applicability Subsection (D). Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 10.03 Number of parking spaces required Subsection (C). Replace “Building Commissioner” with “Director of Planning and Community Development”.

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AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by deleting the reference to “Building Commissioner” and “Planning Director” and replacing both with “Director of Planning and Community Development”.”

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

Article 10.06 Dimensional Requirements Subsection (C) Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 10.07 Parking and loading area design standards Subsections (B), (E). Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 10.08 Driveway location and design standards Subsections (A), (C). Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 10.09 Limited Use of Yard Areas for Parking Subsection (B). Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 11.02 Determination of non-conformity Subsection (A). Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 11.03 Non-conforming lots Subsection (A). Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 11.05 Non-conforming structures Subsection (C). Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 13.03 Imposition of Public Capital Facilities Impact Fee Subsection (A). Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 14.02 Powers and Duties of the ZBA Subsection (A). Replace “Commissioner” with “Director of Planning and Community Development”.

Article 14.03 Application Procedure for the ZBA Subsection (G). Replace “Commissioner” with “Director of Planning and Community Development”.

Article 15.01 Powers and Duties of Building Commissioner. Subsections (A), (B), (C). Replace “Building Commissioner” with “Director of Planning and Community Development”.

Article 15.02 Permits Required Subsections (A), (B), (C). Replace “Building Commissioner” with “Director of Planning and Community Development”.

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AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by deleting the reference to “Building Commissioner” and “Planning Director” and replacing both with “Director of Planning and Community Development”.”

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

Article 15.04 Violations Subsections (A), (B), (C), (D). Replace “Building Commissioner”
with “Director of Planning and Community Development.”

SECTION II. This Ordinance shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Nine

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential Two Family District (R-2), including portions of two lots, Tax Map TPK1, Lot 61 (3 Master Street) and Tax Map TPK1, Lot 69 (800 Second Street). The intent being that the entirety of these two lots would be in the B-2 District.”

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 extending the General Business District (B-2) into an area currently zoned Residential Two Family District (R-2), including portions of two lots, Tax Map TPK1, Lot 61 (3 Master Street) and Tax Map TPK1, Lot 69 (800 Second Street). The intent being that the entirety of these two lots would be in the B-2 District, and being more particularly bounded and described as follows:

Beginning at a point on the centerline of the intersection of Master Street and Hill Street;

Thence, northwesterly along the centerline of Master Street to a point being the zone boundary line of the B-2 (General Business) zone district and the R-2 (Residential Two Family) zone district, approximately 138 feet;

Thence, northeasterly along the zone boundary line of the B-2 (General Business) zone district and the R-2 (Residential Two Family) zone district to a point forming a corner angle of the B-2 and the R-2 zone district boundary line, as these zone district boundary lines existed prior to this amendment, said point being located on a parcel Tax Map TPK1, Lot 69 (800 Second Street), approximately 80 feet;

Thence, southeasterly along the zone boundary line of the B-2 (General Business) zone district and the R-2 (Residential Two Family) zone district, as this zone district boundary lines existed prior to this amendment, to a point on the property line of Tax Map TPK1, Lot 61, approximately 141 feet;

Thence, southwesterly along the property line of Tax Map TPK1, Lot 61 and the centerline of Hill Street to a point, approximately 83 feet, said point also being the point of beginning.

Said description to include portion of Tax Map TPK1, Lot 61 (3 Master Street) and Tax Map TPK1, Lot 69 (800 Second Street), and portions of the public right-of-way associated with Master Street and Hill Street, such area consisting of approximately 11,263 square feet of private and public land, to be rezoned from R-2 (Residential Two Family) to B-2 (General Business) zone district, after this amendment.

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

City of Manchester New Hampshire

In the year Two Thousand and Eight

AN ORDINANCE

“Amending Chapter 33: Human Resources of the Code of Ordinances of the City of Manchester by adding a new Section 33.100 Residency Requirements thereby establishing a requirement of residency within the city of Manchester for City Officers and Department Heads.”

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

- I. Amend the Code of Ordinances by adding new language in Chapter 33 Human Resources as bolded (bold). Sections of the following chapter that remain unchanged appear in regular type.

City Officers and Department Heads

§ 33.100 RESIDENCY REQUIREMENTS.

- (A) The Board of Mayor and Aldermen has determined that emergency situations require that **City Officers and Department Heads as defined by the City Charter be near to their place of employment for the public good.**
 - (B) All City Officers and Department Heads as defined by the City Charter shall reside within the boundaries of the city of Manchester within 180 days of their appointment, except as otherwise provided in this ordinance.
 - (C) The provisions of this ordinance relating to residency shall not apply to City Officers or Department Heads as defined by the City Charter who reside outside of the City of Manchester as of the effective date of these provisions.
- II. This ordinance shall take effect upon passage.