

CITY OF CONCORD

In the year of our Lord two thousand and eighteen

AN ORDINANCE amending the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-2, Zoning Districts and Allowable Uses, Article 28-5, Supplemental Standards and the Glossary

The City of Concord ordains as follows:

SECTION I: Amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-2, Zoning Districts and Allowable Uses, Section 28-2-4, Allowable Principal and Accessory Uses in Zoning Districts, Paragraph J, Table of Principal Uses, by amending Use # C-5, Privately owned outdoor recreation facility including golf courses, tennis courts, or swimming pools, and Use # C-7, Campgrounds and youth camps, as follows:

TABLE OF PRINCIPAL USES

		BASE DISTRICTS																DEVELOPMENT DESIGN and SUPPLEMENTAL STANDARDS		
		Residential						Commercial				Performance				Other				
PRINCIPAL USES		open space	medium density	single family	neighborhood	down town	high density	neighborhood	general	urban	highway	central business	gateway	opportunity corridor	office park	civic	institutional		industrial	urban transit
Use #	Use Category and Description	RO	RM	RS	RN	RD	RH	CN	CG	CU	CH	CBP	GW	OC	OP	CV	IS	IN	UT	
C	SERVICES—ENTERTAINMENT AND RECREATION																			
1	Concert halls or	-	-	-	-	-	-	-	P	P	P	P	P	P	-	P	-	-	-	Section 28-5-12

	indoor theaters																			
2	Dance or music school or studio	-	-	-	-	-	SE	-	P	P	P	P	P	P	-	P	P	-	SE	
3	Commercial indoor recreational facility including bowling alleys, billiards halls, and similar uses	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-	
4	Privately owned indoor health and fitness center	-	-	-	-	-	SE	-	P	P	P	P	P	P	P	P	P	P	-	
5	Privately owned outdoor	CU	CU	-	-	-	-	-	-	-	-	-	-	P	P	-	CU	-	-	Section 28-5-13

	r recreat ional facilitie s[y includi ng golf course s, tennis courts, or swimm ing pools]																		
6	Publicl y owned indoor or outdoo r recreat ional facility	P	P	P	P	P	P	P	-	P	-	P	-	P	-	P	P	-	P
7	Camp grounds and youth camps	CU	CU	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
																			Section 28-5-13

SECTION II: Amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-2, Zoning Districts and Allowable Uses, Section 28-2-4, Allowable Principal and Accessory Uses in Zoning Districts, Paragraph J, Table of Principal Uses, by amending Use #G-3, Bed and Breakfast, as follows:

TABLE OF PRINCIPAL USES

		BASE DISTRICTS																DEVELOPMENT DESIGN and SUPPLEMENTAL STANDARDS		
		Residential						Commercial				Performance				Other				
PRINCIPAL USES	Use Category and Description	open space	medium density	single family	neighborhood	down town	high density	neighborhood	general	urban	highway	central business	gateway	opportunity	office park	civic	institutional		industrial	urban transit
Use #		RO	RM	RS	RN	RD	RH	CN	CG	CU	CH	CBP	GW	OC	OP	CV	IS	IN	UT	
G		SERVICES—LODGING AND MEETING FACILITIES																		
1	Hotels or motels	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	Section 28-5-16
2	Inn	-	-	-	-	-	SE	-	P	P	P	P	P	P	P	P	CU	-	-	Section 28-5-16
3	Bed and breakfast	CU	CU	-	SE	SE	SE	P	-	-	-	-	-	-	-	P	P	-	SE	Section 28-5-16
4	Conference,	-	-	-	-	-	-	-	-	P	-	P	P	P	P	-	-	-	-	

trade, or conve ntion center																				
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SECTION III: Amend the CODE OF ORDINANCES, Title IV, Zoning Code, Chapter 28, Zoning Ordinance, Article 28-5, Supplemental Standards, Section 28-5-13, Campgrounds and Youth Camps, as follows:

28-5-13 – Campgrounds, ~~and~~ Youth Camps *and Outdoor Recreational Facilities*.

- (a) *Permit Requirements.* A conditional use permit shall be required for *development, construction and expansion or alteration of campgrounds, ~~and~~ youth camps and outdoor recreational facilities, with the exception of proposed outdoor recreation facilities in the OFP and OCP Districts, where these uses are permitted by right.* The requirements of this Section shall be in addition to the requirements of Section 28-9-4(b), Conditional Use Permits, of this ordinance.
- (b) *Minimum Development Requirements.* All campgrounds, ~~and~~ youth camps *and outdoor recreational facilities* shall be subject to the following requirements:
 - (1) Adequate provision shall be made for access for emergency equipment by means of exclusive emergency ~~accessways~~ *access ways*, private drives of a width sufficient to allow emergency equipment to pass on-coming vehicles, or by other means as deemed acceptable by the Chief of the Concord Fire Department;
 - (2) If available, municipal water service shall be provided to all campgrounds, ~~and~~ youth camps *and outdoor recreational facilities*. If municipal water service is not available, campgrounds, ~~and~~ youth camps *and outdoor recreational facilities* shall be served by a private well for its exclusive use, and copies of approvals, as applicable, from the New Hampshire Department of Environmental Services (NHDES)-Water Division (WD), shall be submitted as part of the conditional use permit process;
 - (3) If available, municipal sanitary sewer service shall be provided to all campgrounds, ~~and~~ youth camps *and outdoor recreational facilities*. If municipal sanitary sewer service is not available, sanitary sewage disposal shall be by means of subsurface waste disposal systems or other such systems as approved by the New Hampshire Department of Environmental Services (NHDES)-Water Division (WD), and evidence of such approval shall be submitted as part of the conditional use permit process; and
 - (4) All non-municipal utilities, both those existing on the tract and those proposed to serve a campground *or* youth camp shall be placed underground. *All proposed non-municipal utilities to serve an outdoor recreational facility shall be placed underground, however such requirement shall not apply to existing utilities.* Such

utilities include but are not limited to electricity, telephone, gas, cable television, and fiber optic cable.

(c) *Design Standards for Campgrounds and Youth Camps.* Campgrounds and youth camps shall be subject to the following design standards:

- (1) A minimum area of twelve hundred (1,200) square feet shall be provided for each camping site. Individual sites shall be graded so as to be free from mud or standing surface water;
- (2) Each campground or youth camp shall be located on a tract that is a minimum of ten (10) acres in size;
- (3) The density shall not exceed fifteen (15) camping sites per acre of buildable land area; **and**
- (4) There shall be a minimum separation, consistent with the Building and Fire Codes, between all buildings including cabins, bunkhouses, toilet and shower facilities, and buildings used for common purposes such as dining, recreational, storage, and administrative facilities. ~~]; and]~~

~~[(5) In order that adjacent land uses be visually and physically separated, a buffer area shall be observed along the perimeter of a tract of land proposed for development as a campground or youth camp, and no camping sites, buildings, or parking facilities may be located within this buffer. The minimum width of the buffer shall be one hundred (100) feet. The Planning Board may permit streets and utilities to cross through the buffer, and may allow certain outdoor recreational facilities within the buffer, provided that such improvements are compatible with adjacent land uses and do not diminish the purpose of the buffer. The buffer shall incorporate existing natural features of the tract to the greatest extent possible. Existing vegetation including significant large trees shall be preserved, and the Planning Board may require landscape materials to be integrated with the existing vegetation in order to provide effective screening on a year round basis between the development tract and adjacent land uses.]~~

(d) *Additional Standards for Certain Campgrounds.* Those campgrounds which include sites and facilities intended to accommodate recreational vehicles shall also comply with provisions of Chapter 29.1, Recreational Vehicle Park Code, of the Code of Ordinances. Where there are conflicts between the provisions of Chapter 29.1 and this Section, the higher standard or greater restriction shall govern.

(e) *Development Standards for Outdoor Recreational Facilities.* ***Outdoor recreational facilities shall be subject to the following standards:***

- (1) All outdoor recreational facilities shall have the primary access to and from a collector or arterial street, or if the primary access is not from a collector or arterial street the Planning Board may require submission of a traffic study to show the street is suitable for the proposed traffic generated by the outdoor recreational use.***
- (2) Outdoor recreational facilities shall not generate noise that is unreasonably audible from any dwelling not on the property nor shall any odor, light or dust related to***

the recreational activity be unreasonably perceptible beyond the boundaries of the property. The Planning Board may further limit the hours of operation and noise levels.

(3) Outdoor recreational facilities shall not be established on lots that do not meet the minimum lot size or frontage requirements as defined under Section 28-4-1(h), Table of Dimensional Regulations.

(4) The construction of accessory buildings and structures are permitted but the building or structure must be incidental and subordinate to the outdoor recreational activity. Buildings and structures existing at the time of the adoption of this ordinance may be used in conjunction with the outdoor recreational use. Temporary structures such as tents are permissible in compliance with life safety and fire requirements.

(f) Buffer Requirements for Campgrounds, Youth Camps and Outdoor Recreational Facilities. In order that adjacent land uses be visually and physically separated, a buffer area shall be observed along the perimeter of a tract of land proposed for development or expansion of a campground, youth camp or outdoor recreational facility and no camping sites, buildings, or parking facilities may be located within this buffer. The minimum width of the buffer shall be one hundred (100) feet for the RO District and fifty (50) feet for the RM District. The Planning Board may permit streets and utilities to cross through the buffer, and may allow certain outdoor recreational facilities within the buffer, provided that such improvements are compatible with adjacent land uses and do not diminish the purpose of the buffer. The buffer shall incorporate existing natural features of the tract to the greatest extent possible. Existing vegetation including significant large trees shall be preserved, and the Planning Board may require landscape materials to be integrated with the existing vegetation in order to provide effective screening on a year-round basis between the development tract and adjacent land uses.

SECTION IV: Amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Glossary, by adding the following defined term:

***Outdoor Recreational Facilities.** Recreational facilities that are operated as a business where the activities are not primarily conducted within a building. Such facilities may be open to the general public or operated as a private membership club. Outdoor recreation facilities include, but are not limited to, golf courses, driving ranges, swimming pools, open air courts and playing fields, open air event facilities, archery ranges, playgrounds, or hiking areas. Open air event facilities may include weddings, receptions and other similar events in an existing agricultural building or structure regardless of whether all or part of the activity occurs within that building or structure.*

SECTION V: This Ordinance shall take effect upon its passage.

Explanation: Matter added to the current ordinance appears in *bold italics*.
Matter removed from the current ordinance appears in [brackets and ~~struck through~~].