



CITY OF CONCORD

New Hampshire's Main Street™
Community Development Department

REPORT TO THE PLANNING BOARD

FROM: AnneMarie Skinner, City Planner

DATE: September 4, 2025

SUBJECT: Ordinance amending the CODE OF ORDINANCES, Title IV, Zoning Code, Chapter 28, Zoning Ordinance, Glossary; Article 28-2, Zoning Districts and Allowable Uses; Section 28-2-4(k), Table of Accessory Uses; and Article 28-5, Supplemental Standards, Section 28-5-9 Child Day Care Facilities.

Recommendation

Accept this report and recommend that City Council move forward with the amendment.

Discussion

In 2024, RSA 674:16 was amended by House Bill 1567 (2024) to allow family or group family child care as an accessory use to any primary residential use and shall not be subject to local site plan review in any zone where a primary residential use is permitted. With that 2024 legislation, it is necessary to update the City's zoning ordinance as follows:

- Revise the accessory use table to allow family-based child day care facilities by right as accessory to any principal residential use in any district;
- Revise the accessory use table to allow non-family-based child day care facilities by special exception in the Open Space Residential, Medium Density Residential, Single Family Residential, Neighborhood Residential, Downtown Residential, High Density Residential, Neighborhood Residential, and Urban Transitional Districts; by right in the Civic Performance and Institutional Districts; and prohibit in all other districts;
- Revise the definition of child day care facility and add definitions for the types of child day care facilities to match RSA 170-E:2; and
- Update the language in the supplemental standards Section 28-5-9 to be consistent with state statute.