



CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Matthew R. Walsh, Deputy City Manager – Development

DATE: April 13, 2026

SUBJECT: Zoning Ordinance Amendments – Modifications pertaining to notice of Zoning Board of Adjustment hearings

Recommendation:

1. Accept this report; and,
2. Set the attached Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance by amending Article 28-9, Administration and Enforcement, by amending Section 28-9-3 Decisions by the Zoning Board of Adjustment, 28-9-3(f)(3) Application Procedure for the ZBA, for public hearing on May 11, 2026.

Background:

Notification of Zoning Board of Adjustment public hearings is governed by NH State Law RSA 676:7, as well as the Section 28-9-3(f)(3) of the Zoning Ordinance. The City's ordinance currently has extra requirements for notice beyond the requirements codified in State Statute.

Discussion:

The "Economic and Community Development" section of the City Council's 2026-2027 City priorities includes the following focus area: *"Remove barriers to commercial and residential development through regulatory and administrative reform."* As such, staff is providing the attached proposed zoning amendment.

If adopted, the attached amendment will modify 28-9-3(f)(3) of the Zoning Ordinance to be consistent with NH RSA 676:7. Specifically, this amendment will allow for the City to issue notice to abutters 5 days prior to hearing (rather than 10 days currently), as well as send notice only to those parties that are defined as an "abutter" by NH RSA 672:3 (thus eliminating the requirement to notify all property owners within 300' of the subject parcel unless they meet the definition of "abutter" as defined by the aforementioned statute). Both changes help to make the notification process more efficient. The amendment also codifies use of "verified mail" as defined by RSA 21:53.

Copies of the aforementioned statutes are attached.

Summary:

These are housekeeping amendments which will align the City's ordinance and processes with State Law.