

CITY OF CONCORD

In the year of our Lord two thousand and twenty

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 Article 28-7 Access, Circulation, Parking and Loading

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 Principle and Accessory Uses in Zoning Districts, Subsection (j), Table of Principal Uses by adding the following uses by right and reference to supplemental standards 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	downtown	high density	neighborhood	general	urban	hwy	central business	gateway	opportunity corridor	office park	civic	institutional	industrial		urban transit
Use #	Use Category and Description	R O	R M	R S	R N	R D	R H	C N	C G	C U	C H	C BP	G WP	OC P	OF P	CV P	IS	IN	U T	
I	RESTAURANTS, EATING, AND DRINKING PLACES																			
1	Restaurant occupying up to 5,000 square feet of gross floor area with no drive-through service or entertainment							C U	P	P	P	P	P	P			C U			

2	Restaurant with no drive-through service and with or without entertainment										P	P	P	P	P	P							Section 28-5-12
3	Restaurant with drive-through service										P	P	P		P	P							Section 28-5-12; 28-5-17

SECTION II: Amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-5, Supplemental Standards, Section 28-5-17, Certain Uses in the Opportunity Corridor Performance (OCP) District as follows:

(a) Retail Trade within the Opportunity Corridor Performance District shall be permitted on tracts in the following locations:

1. ~~[(a)]~~ The portion of the OCP District which lies easterly of Storrs Street between Loudon Road and Water Street;
2. ~~[(b)]~~ The OCP District on East Street in Penacook; and
3. ~~[(c)]~~ The OCP District on Foundry Street in East Concord.

(b) *Restaurants with drive-through service shall be a permitted use on tracts within the Opportunity Corridor Performance (OCP) District meeting the following requirements:*

1. *All drive-through stacking spaces shall comply with the standards set forth in Sections 28-7-2(e), 28-7-4 and 28-7-7(d) of this ordinance; and*
2. *Direct pedestrian access from the public street to the restaurant building shall be provided without crossing parking areas, drive aisles, or any other vehicle-accessible area.*

SECTION III: Amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-7, Access, Circulation, Parking and Loading, Section 28-7-4, Requirements for Stacking Spaces for Drive-Through Facilities, by amending as follows:

Stacking spaces for uses incorporating drive-through services shall be located on the same lot as the principal use, shall not interfere with other required parking and loading spaces or access aisles to said parking and loading spaces, and shall minimize or avoid conflict with pedestrian circulation and access. The required number of stacking spaces required for individual uses shall be as provided in Section 28-7-2(e), Table of Off-Street Parking Requirements, of this ordinance, and shall be sufficient to insure that no stacking occurs within the right-of-way of any adjacent street. *The Planning Board may grant a Conditional Use Permit, in*

accordance with the requirements of Section 28-9-4(b), to allow for a reduction in the number of required stacking spaces, provided the applicant submits a traffic study or other documentation prepared by a licensed Traffic Engineer sufficiently demonstrating the reduced need and which is acceptable to the City Engineer.

SECTION IV: 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~~].