

November 6, 2023

Mayor Bouley & Members of the City Council,

In the following pages I am submitting a request to add three definitions to the city ordinances along with additional verbiage for two existing definitions. The definitions I would like to add are for: extended stay hotels, tourist cabins and to define transient. The existing definition of "hotel or motel", I believe, could be further defined as there are distinct differences between the two.

I appreciate you taking the time to review this request. While I hope it will all be added, it is by no means an "all or nothing" proposal. I hope you find this request to be reasonable.

Thank you for your time and consideration,

Casey DeStefano

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Concord City Clerk's Office
41 Green Street
Concord, NH 03301

Bonenfant, Janice

From: Casey DeStefano <CDeStefano@c21nh.com>
Sent: Monday, November 6, 2023 12:43 PM
To: * City Clerk
Subject: Re: City Council agenda
Attachments: City of Concord ordinance changes.pdf

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Concord, New Hampshire - Code ... TITLE IV - ZONING CODE CHAPTER 28 - ZONING ORDINANCES GLOSSARY

VERSION: SEP 28, 2023 (CURRENT)

28-5-53 - Solar Collection Systems

- ARTICLE 28-6 - SIGN REGULATIONS
- ARTICLE 28-7 - ACCESS, CIRCULATION, PARKING AND LOADING
- ARTICLE 28-8 - NONCONFORMING LOTS, USES AND STRUCTURES
- ARTICLE 28-9 - ADMINISTRATION AND ENFORCEMENT
- ARTICLE 28-10 - AMENDMENTS

GLOSSARY

APPENDIX A - APPLICATION FEES FOR THE ZONING BOARD OF ADJUSTMENT (ZBA)

APPENDIX B - LIST OF ARTERIAL STREETS

APPENDIX C - LIST OF COLLECTION

Department of Transportation in Title 49 of the Code of Federal Regulations, as amended.

Heliport. A site for the landing and taking off of helicopters and vertical takeoff and landing (VTOL) vehicles, including all necessary passenger and cargo facilities, fueling, and emergency service facilities.

Historic Property. Any property that (a) is listed individually on the National or State Registers of Historic Places; (b) has a preliminary determination by the Secretary of the Interior as meeting the requirements for individual listing in the National or State Registers; (c) is a contributing property within a local, state or National Register historic district; or (d) is a local historic land mark as designated by the Heritage Commission.

Hotel or Motel. A type of lodging facility that is a commercial establishment containing rooming units for transient lodging which routinely provides additional services such as restaurants, meeting rooms and recreational facilities serving both guests and lodgers as well as the general public.

Impervious Surface. Surfaces within a lot which do not absorb water, consisting of all buildings, structures, parking areas, driveways, roads, sidewalks, and any area paved with concrete, brick, asphalt, or other similar material.

Inn. A type of lodging facility that is a commercial establishment containing rooming units for transient lodging which may provide meeting space and food service for guests and lodgers.

Junk. Any iron, steel, and other old or scrap ferrous or nonferrous material; glass, rags, paper products; rubber products; plastic products; two or more unregistered motor vehicles for use on the highways which are not stored within a structure nor capable of passing a state motor vehicle safety inspections, or used parts and materials of motor vehicles, the quantity of which shall be equal in bulk to two or more vehicles.

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Looking to further define hotel/motel according to Webster's Dictionary:

Proposed additional verbiage for **Hotel**: an establishment that provides lodging and usually meals, entertainment and various personal services for the public

Proposed additional verbiage for **Motel**: an establishment which provides lodging & parking in which rooms are usually accessible from an outdoor parking area

At the Zoning Board Meetings on 8.3.22 and 10.12.22, ZBA members expressed that adding the following definitions to the ordinances could be beneficial. An extended stay hotel already exists in Concord.

Add a definition for extended stay hotels. It is not defined in Webster's, however according to Law Insider it can be defined as:

Proposed definition for **Extended Stay Hotel**: any structure consisting of one or more buildings, with more than five dwelling units. A commercial establishment providing lodging for a fee for guests, generally marketed to long-term visitors on a temporary basis, which contain furnishings and facilities for sleeping, bathing, food preparation and cooking. Kitchen facilities within individual units may include, but are not limited to, counters, refrigerators, stoves, and ovens.

Add a definition for tourist cabins. It is not defined in Webster's, however according to Law Insider it can be defined as:

Proposed definition for Tourist Cabin: unit dwelling in which accommodation is provided on a short term or temporary basis to the travelling public. May or may not include plumbing, for kitchen and/or sanitary facilities

Define Transient/Transient Lodging. Transient is not defined in the ordinances; however, it is referenced in the hotel/motel definition. Since it is not defined in the City of Concord ordinances, the default is 2015 IBC definition (below). Because of the IBC definition, in Concord, no person can stay in a hotel/motel past 30 days. Out of the biggest 10 cities in NH, Concord is the only one which restricts how long someone is able to stay in a hotel/motel.

Proposed definition of Transient: passing through or by a place with only a temporary stay

2015 International Building Code (IBC)

Upgrade to Premium

Third Version: Oct 2015

APPENDIX E SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS

Technical requirements for items herein shall comply with this code and I.L.C. A111.1.

SECTION E101 GENERAL

SECTION E102 DEFINITIONS

SECTION E103 ACCESSIBLE ROUTE

SECTION E104 SPECIAL OCCUPANCIES

SECTION E105 OTHER FEATURES AND FACILITIES

SECTION E106 TELEPHONES

SECTION E102 DEFINITIONS

E102.1 General.

The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions.

CLOSED-CIRCUIT TELEPHONE. A telephone with a dedicated line such as a house phone, courtesy phone or phone that must be used to gain entrance to a facility.

MAILBOXES. Receptacles for the receipt of documents, packages or other deliverable matter. Mailboxes include, but are not limited to, post office boxes and receptacles provided by commercial mail receiving agencies, apartment houses and schools.

TRANSIENT LODGING. A building, facility or portion thereof, excluding inpatient medical care facilities and long-term care facilities, that contains one or more dwelling units or sleeping units. Examples of transient lodging include, but are not limited to, resorts, group homes, hotels, motels, dormitories, homeless shelters, halfway houses and social service lodging.

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SECTION E102 DEFINITIONS

(B5) TILE, STRUCTURAL CLAY. A hollow masonry unit composed of burned clay, shale, fire clay or mixture thereof, and having parallel cells.

(F) TREES, BULK STORAGE OF. Storage of trees where the area available for storage exceeds 20,000 cubic feet (566 m³).

(A) TOWNHOUSE. A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to roof and with open space on at least two sides.

(F) TOXIC. A chemical falling within any of the following categories:

1. A chemical that has a median lethal dose (LD₅₀) of more than 50 milligrams per kilogram, but not more than 500 milligrams per kilogram of body weight when administered orally to albino rats weighing between 200 and 300 grams each.
2. A chemical that has a median lethal dose (LD₅₀) of more than 200 milligrams per kilogram, but not more than 1,000 milligrams per kilogram of body weight when administered by continuous contact for 24 hours (or less if death occurs within 24 hours) with the bare skin of albino rabbits weighing between 2 and 3 kilograms each.
3. A chemical that has a median lethal concentration (LC₅₀) in air of more than 200 parts per million, but not more than 2,000 parts per million by volume of gas or vapor, or more than 2 milligrams per liter but not more than 20 milligrams per liter of mist, fume or dust, when administered by continuous inhalation for 1 hour (or less if death occurs within 1 hour) to albino rats weighing between 200 and 300 grams each.

TRANSIENT. Occupancy of a dwelling unit or sleeping unit for not more than 30 days.

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