

CITY OF LACONIA

In the Year of our Lord two thousand and nineteen

AN ORDINANCE AMENDING CHAPTER 235, ZONING

The City of Laconia ordains:

That the ordinances of the City of Laconia, as amended, be and are further amended in Chapter 235, as follows:

235-17 Wetlands Conservation and Water Quality (WC) Overlay District.

E (2) Exceptions. Buffers on property within the ~~Downtown Riverfront District~~ **shoreline frontage on the Winnepesaukee River from the Messer Street Bridge to the river's entrance to Lake Winnisquam** may be reduced to 15 feet, provided that a conditional use permit is granted and the following standards from Subsection I(2)(a), (c), (e), (f), (g) and (h). Standards for the granting a conditional use permit, are met. The applicant shall further demonstrate that the overall development of the site improves the current water quality of stormwater discharge.

235-22.3 Definitions

INFILL REHAB AND REUSE — Any vacant building on a lot or parcel within zoning districts of C, P, CR, DR, ~~BCI~~ and **UC**, where at least 80% of the land within a three-hundred-foot radius of the site has been developed and where water, sewer, streets, schools and fire protection are already provided and the property has been remodeled, interior and exterior, other than ordinary repair, and used for constructive activity.

235-30 Multiple uses on a lot of record.

Multiple uses on a single lot of record are permitted in the P, CR, C, **UC**, ~~BC, BCI~~, I, IP and AI Districts provided that all other provisions and standards within this chapter are met.

235-32 Minimum lot size.

D. Buildable land area, residential. Each lot developed for single-family or two-family residential development shall have a minimum of 20,000 square feet of buildable land area where on-site septic or water supply are permitted and will be utilized. Lots served by municipal water and sewer shall meet the following square footage requirements for buildable land area: [Amended 3-23-1998 by Ord. No. 03.98.03]

- (1) RR1 and RR2: 6,000;
- (2) RS and SFR: 4,500;
- (3) RG, RA, P, CR, C, and **UC**: 3,000;
- ~~(4) BC and BCI: 1,500.~~
- ~~(5) DR: exempt.~~

235-35 Minimum setback requirements.

C. Exceptions for developed areas. In the RS, SFR, RG, RA, P, ~~BC, BCI~~, CR and ~~DR~~ **UC** Districts where vacant lots of record exist as of the date of this chapter adoption, the minimum setback may be the average of the setbacks of the existing dwellings or buildings on the immediately adjacent lots.

F. Building setbacks in the ~~Downtown Riverfront (DR)~~ **Urban Commercial (UC)** District. In addition to the setbacks as prescribed in Table II, Dimensional Requirements the following additional standards shall apply:

235-36 Green Space.

B. ~~Downtown Riverfront~~ **Urban Commercial** District, special standards. Green space shall be a minimum of ~~25%~~ **20%** as prescribed by the Table of Dimensional Requirements. However, land dedicated to and developed for nonmotorized public access and use, including but not limited to patios, squares and walkways, etc., may be substituted for up to 50% of the green space required even though the surface treatment is other than as defined by this chapter for green space.

235-40. Residential uses. B. Cluster Developments

(6)(g)[2][b] RG, ~~DR~~, **UC**, RA and CR Districts: minimum width of 50 feet with a waiver permitted to 25 feet.

235-42. Nonresidential uses.

E. (3) ~~Downtown Riverfront~~ **Urban Commercial** District, special standards. Landscaping plans submitted for property ~~in the DR~~ **with shoreland frontage on the Winnepesaukee River in the UC** District shall respect the riverfront and the view of the property from and across the river, as well as the view from the street. All existing vegetation, especially mature trees, shall be maintained on the property during the development review process. Tree cutting restrictions under § 235-19, Shoreland Protection Overlay District, apply in the ~~DR~~ **UC** District.

H. ~~Downtown Riverfront District~~ **Urban Commercial District**, special restrictions. These restriction refer to uses as marked with an asterisk in Table I, Table of Permitted Uses.

H (b) [1] Flea/Farmer's market: Flea/Farmer's markets are limited to indoor use only **and not allowed at all on waterfront lots.**

H (e) [1] Commercial parking garage or lot **and long term vehicle storage**: permitted on nonwaterfront lots only.

H (f) [1] Power generation facility: limited to hydropower only **on waterfront lots.**

J. Research and development. Any research and development establishment located in ~~P, DR, UC or C BC or BCI~~ is prohibited from engaging in any form of animal testing or research, chemical processing or processes creating chemical wastes.

235-43 Nonresidential accessory uses.

E. Storage containers.

(1) In the CR, **UC** and C District, storage containers shall be limited to those a maximum of eight feet in height and shall be obstructed from view, both from the street and adjacent properties and from water views by the provisions of a year-round screen. The screen may consist of enclosures, fences, earth or landscaping or any combination thereof that provides a year-round screen.

(2) In the IP, I and AI Districts, storage containers shall meet the minimum requirements as set forth above for CR, **UC** and C Districts when such containers are visible from nonindustrial districts.

235-45 Applicability

B. Exemption from parking requirements.

(2) Within the ~~Downtown Riverfront~~ **Urban Commercial** District, all development and changes in use shall provide parking in one of the following ways:

C. Changes in use of existing building in commercial districts (~~P~~, C, CR, ~~BGI, BC,~~ and **DR UC**). In any commercial district, changes of use in building existing as of January 1, ~~1996~~ **2019**, and which do not result in an increase in the total gross floor area of the building shall not be required to develop additional off-street parking areas for uses in the building, provided that the number of existing parking spaces and loading areas serving the building are maintained and any nonconformity is not increased. In addition to the above conditions, where the green space requirements are conforming and additional parking can be accommodated, the site shall be designed to accommodate the greatest number of parking spaces and loading areas up to the total number required by the ordinance for the proposed use.

235-48. Design requirements.

E. Setbacks.

(2) Nonresidential districts (~~P, BC, BGI,~~ **UC**, C, CR, ~~DR,~~ IP, I and AI). Parking areas for nonresidential and multifamily residential uses in nonresidential districts shall be located no closer than 10 feet from a boundary of a residential district or the boundary of a residential lot. A fence, evergreen landscaping, landscaped earth berm or a combination of these devices or other appropriate materials shall be designed to create a year-round visual barrier of at least five but not more than eight feet in height. Except where driveways are shared, no driveway shall be located closer than five feet to a side or rear property line.

235-54. Design, construction and maintenance.

B. ~~Downtown Riverfront District.~~ Signs within the **DR Commercial Core Parking Overlay District** shall be constructed of natural materials, including wood, masonry, stone, metal or other material that resembles a natural material. Sign design shall be complimentary to the architectural style of the building and be similar to signage that respects the historical period of the structure.

This Ordinance amendment shall take effect upon its passage.

Edward Engler, Mayor

Passed and approved this ____ day of _____ 2019.

Cheryl Hebert, City Clerk