



Due to the COVID-2019 State of Emergency, the Planning, Licenses and Development Committee will be holding its meeting remotely using the web-based program, Zoom. Members of the public will be able to access this public meeting through a variety of options, described below. If you encounter any issues accessing this meeting, please call 603-757-0622 during the meeting. To access the meeting online navigate to *Zoom.us* and enter the Webinar ID #885 0983 4564. To listen via telephone call 877 853 5257 and enter the Webinar ID #885 0983 4564. When the meeting is open for public comment, callers may press *9 if interested in commenting or asking questions.

**PLANNING, LICENSES AND
DEVELOPMENT COMMITTEE
AGENDA
Council Chambers A
April 21, 2021
7:00 PM**

Kate M. Bosley, Chair
Mitchell H. Greenwald, Vice Chair
Philip M. Jones
Gladys Johnsen
Catherine Workman

1. Darren Humphrey/Trax Club - Request to Use City Property and Serve Alcohol - Sidewalk Cafe
2. Brewbakers Cafe - Request to Serve Alcohol on City Property - Sidewalk Cafe
3. Danya Landis/Machina Arts - Requesting Permission to Erect a Parklet in Parallel Parking Spaces - Outdoor Dining
4. Concerned Citizens of Cheshire County - Efficacy of Face Coverings
5. Discussion: Keene Ordinance - Wearing of Face Coverings
6. Relating to Land Development Code and Downtown Zoning
7. Relating to Chapter 46 Licenses and Permits - Social Service and Congregate Care Ordinance O-2021-04

MORE TIME ITEMS:

- A. Terry Clark – Relating to Small Wireless Facility Deployments in Public Rights-of-Way

Non Public Session
Adjournment



City of Keene
Transmittal Form

April 20, 2021

TO: Planning, Licenses and Development Committee

FROM: Darren Humphrey

THROUGH: Patricia A. Little, City Clerk

ITEM: 1.

SUBJECT: Darren Humphrey - Request to Use City Property and Serve Alcohol - Sidewalk Cafe

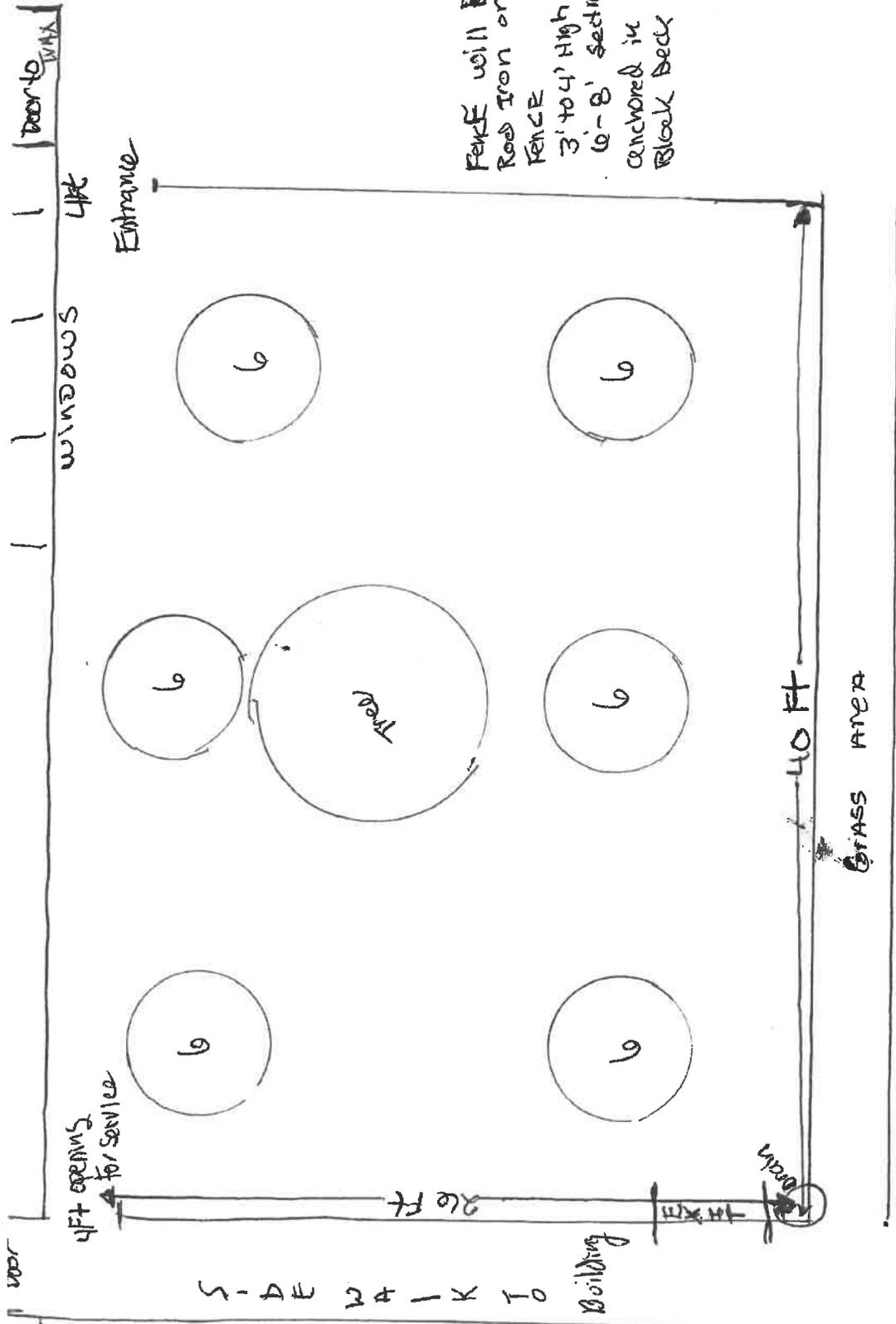
ATTACHMENTS:

Description

Communication_Humphrey

BACKGROUND:

At the request of the Committee, Mr. Humphrey submitted a scaled plot plan to reflect his intended use of City property.



BIKE PATH



City of Keene
Transmittal Form

April 8, 2021

TO: Mayor and Keene City Council

FROM: Jeff Murphy

THROUGH: Patricia A. Little, City Clerk

ITEM: 2.

SUBJECT: Brewbakers Cafe - Request to Serve Alcohol on City Property - Sidewalk Cafe

COUNCIL ACTION:

In City Council April 15, 2021.

Referred to the Planning, Licenses and Development Committee.

ATTACHMENTS:

Description

Communication_Brewbakers

BACKGROUND:

Mr. Murphy is requesting permission to serve alcohol on City property associated with the administratively issued Sidewalk Café License for his location on Emerald Street.

April 6th, 2021

To Mayor Hansel and the Keene City Council,

I am writing in request for approval to serve alcohol on property adjacent to the city sidewalk on the corner of Emerald and Wilson Streets. My business, Brewbakers Cafe, has outdoor seating with frontage on both streets. Seating is mostly on the building property, however, part of the pathway extends onto city property. We hold a NH beverage license with approval to serve outdoors. We have 8 tables outside and clear delineation by rope and stanchions for the patio area.

Thank you,

A handwritten signature in black ink, appearing to read "Jeff Murphy". The signature is stylized and includes a large, sweeping loop that extends to the right and then curves back down and left.

Jeff Murphy



City of Keene
Transmittal Form

April 8, 2021

TO: Planning, Licenses and Development Committee

FROM: Danya Landis/Machina Arts

ITEM: 3.

SUBJECT: Danya Landis/Machina Arts - Requesting Permission to Erect a Parklet in Parallel Parking Spaces - Outdoor Dining

ATTACHMENTS:

Description

Communication_Landis

BACKGROUND:

Danya Landis, of Machina Arts, is requesting permission for a long-term patio permit. She currently has a temporary license. She is looking to build a parklet that allows for serving alcoholic beverages in the parallel parking spaces on Court Street.

[April 8th, 2021]

Dear Honorable Mayor Hansel and City Council:

Machina Kitchen and ArtBar, located at 9 Court Street in downtown Keene, requests permission for a long-term patio permit (we currently have a temporary license) to build a parklet that allows for serving alcoholic beverages. This past year there has been one word that stuck in our minds, adaptation. Because of this we are thinking outside the box and adapting our space to fit our needs and the wants of our customers. Even though restrictions are loosening regarding COVID-19, many people will prefer outside seating indefinitely. The impact outdoor seating made on our business last year was significant and we likely wouldn't be open today if it had not been for that opportunity. Beyond that, we believe that our patio made Court Street more inviting, lively, beautiful, and a more walkable space.

Last year, the city generously bagged four parking spots in front of our restaurant. This made it possible for us to have six 6-person tables and four 4-person tables in the public right of way (area marked in blue in the below photo). Blocking off these spots was necessary because the sidewalk in front of Machina is narrow and obstructed by several light posts and mature trees.

Left image: showing the location of the tables and parking spots / Right image: Our patio last season



We are the only active restaurant in downtown Keene that has such a challenging space for outdoor seating. Our sidewalk is narrowed by the trees and light posts and we do not have the space to have a deck on the side or rear of our building (both are private property owned by the church). Building a parklet in the parallel parking spaces will expand our seating, create a more enjoyable dining experience, beautify Court Street and eliminate the concern of the public pulling into the reserved parking spaces. Parklets are common in cities and allow restaurants to have flexible outdoor seating options. They have also been used to provide green space or public benches. Creative solutions, like parklets, have helped restaurants adapt to COVID-19 restrictions and encourage active and vibrant downtowns.

For inspiration, here are some fun options for parklets that have been created in other cities:



Now for the exciting part- Machina would like to create our own parklet within three parking spots in front of our restaurant at 9 Court Street!

Capacity: We plan to have five 6-person tables and four 4-person tables amounting in forty-six outdoor seats. We currently have capacity for ninety people inside the restaurant (without COVID-19 restrictions). Our bathroom configuration allows for a combined indoor/outdoor capacity of up to 150-persons.

Ground: The parklet will have a wooden deck, flush with the curb, that will allow for proper drainage and creates a smooth transition from the sidewalk to the parklet. The walking space between the curb and the building is eleven feet. The seating will start six feet away from the building to allow for handicap accessible public walking space on the sidewalk.

Base: The base of the fence will be heavy pressure treated lumber that will run the entire length of the fence. This will ground and hold the parklet from moving and support the fence. The nine-inch base will create transition between the deck and the road that is similar to the existing 6-inch sidewalk. The fence surrounding the parklet will be anchored to the deck.

Fence: The fence will be constructed using eight-foot tall 4x4 pressure treated posts, supporting either side of the 8-foot-long fence sections (made from painted plywood). Posts will have knee braces that connect to the framework adding extra support. The patio will be well lit with automatic LED lighting and reflective tape on the outside of the fence for visibility as well as cement planters in front of the fence facing Main Street.

Structure: Our parklet will be designed to be easily assembled and disassembled and will not affect the current city infrastructure. We have hired Landis Carpentry to design and build our parklet. They are a local professional contracting business that has experience with building houses and foundations. This section of Court Street has a twenty-five miles per hour speed limit and our parklet will be clearly visible from oncoming traffic in either direction.

Diagrams

Visual of parklet in space



Distance between the start of the parklet and the corner of Main St

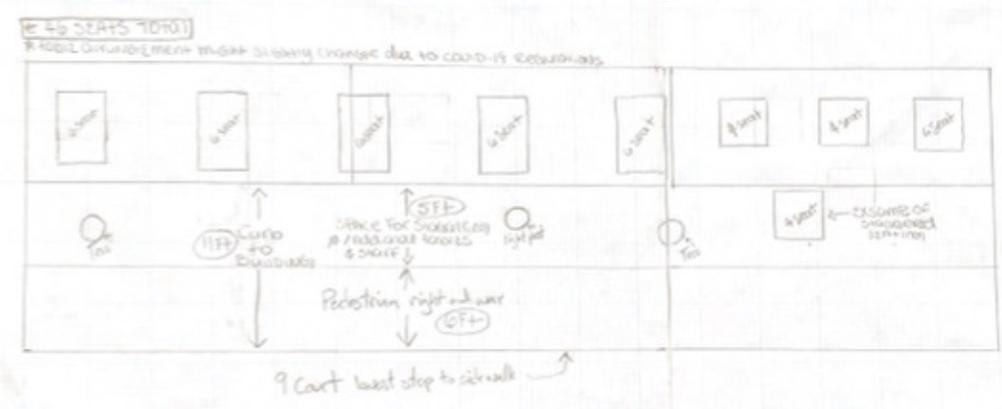


Distance of parklet from the intersection of Court St and Vernon St

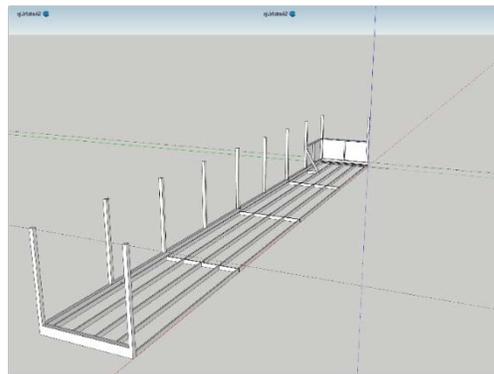
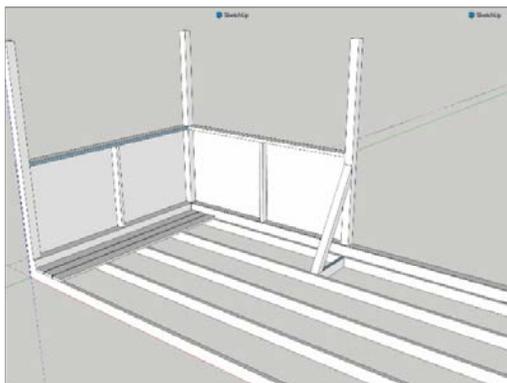
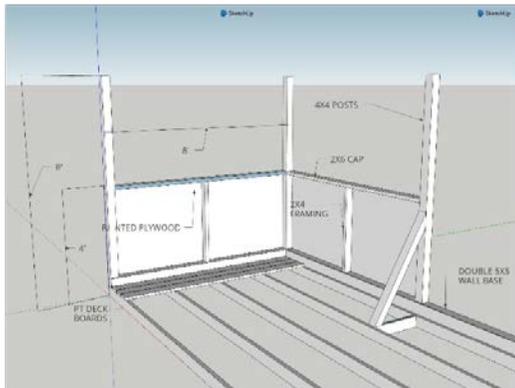


Diagrams cont.
Created by Landis Carpentry

Top view of parklet in relation to building & objects



Left image: dimensions of the structure (shown incomplete) / Right image: Top view of the full structure (shown incomplete)

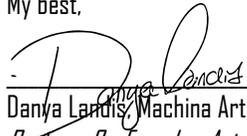




We are incredibly grateful for your attention and consideration of our request. We are very invested in making our city an amazing space for all to thrive and we believe the allowance of our restaurant to create this parklet will only add to the beauty and vibrance of our city as well as help our business grow and prosper.

I am happy to address any questions or concerns- I welcome you to call or email me.

My best,


Danya Landis, Machina Arts LLC
Partner, Co-Founder, Art Director
Direct: (603) 205-0135
Email: danya@machinaarts.org

04/8/2021

Date



City of Keene
Transmittal Form

April 13, 2021

TO: Mayor and Keene City Council

FROM: Johanna Laurie, John-Michael Dumais, & Rebecca Montrone

THROUGH: Patricia A. Little, City Clerk

ITEM: 4.

SUBJECT: Concerned Citizens of Cheshire County - Efficacy of Face Coverings

COUNCIL ACTION:

In City Council April 15, 2021.

Referred to the Planning, Licenses and Development Committee.

ATTACHMENTS:

Description

Communication

BACKGROUND:

This communication is from three individuals who have identified themselves as "Concerned Citizens of Cheshire County." They are requesting an opportunity to present to the City Council the "often ignored" Science of the efficacy of face coverings.

Concerned Citizens of Cheshire County

Mayor Hansel and Keene City Council
Keene NH USA

April 12, 2021

It has been over a year since pandemic restrictions began, and is now going on 9 months or more of local and state restrictions, including mask-wearing.

Many other states and localities have suspended such restrictions, recognizing that the pandemic projections as well as the efficacy of restrictions were both wildly overstated and the dangers of such measures were overlooked.

As Keene City Council reconsiders its policies regarding the pandemic, we would like the opportunity to present before the Council for about 15 minutes, preferably in a public forum, to discuss the often-ignored science and the city's policy going forward.

Kindly respond to Johanna at 603-354-3475 or joc.laurie@gmail.com.

Thank you,

Johanna Laurie
John-Michael Dumais
Rebecca Montrone

The image shows three handwritten signatures in black ink. The top signature is 'Johanna Laurie', the middle is 'John-Michael Dumais', and the bottom is 'Rebecca Montrone'. The signatures are written in a cursive style.



CITY OF KEENE

Ordinance O-2020-09-A

Twenty

In the Year of Our Lord Two Thousand and

Relating to the Wearing of Face Coverings

AN ORDINANCE

Be it ordained by the City Council of the City of Keene, as follows:

That the City Code of the City of Keene, New Hampshire, as amended, is hereby further amended by adding a new Article VIII, "Wearing of Face Coverings," to Chapter 66, entitled "PUBLIC CONDUCT" as follows:

Section 66-170. Statement and Intent.

- a) COVID-19 has been determined to be a virulent infectious disease threatening the public health and welfare of the country, and including residents in the City of Keene; and
- b) Infectious diseases such as COVID-19 are caused by germs, such as viruses, bacteria, and parasites; and
- c) Some diseases, including COVID-19, are transmitted from person to person very easily through respiratory droplets produced by sneezing and talking; and
- d) Public Health Officials have determined that it is possible for an infected individual to transmit certain diseases without exhibiting any symptoms; and
- e) The best means of slowing the spread of a virus is through minimizing close personal contact with individuals in a public environment, social distancing, covering the mouth and nose by wearing a **proper face covering in a proper manner**, and proper hand washing; and
- f) For optimal protection, the safe use of face coverings also requires the wearer to maintain proper hand hygiene by frequently handwashing with soap and water or hand sanitizer for at least twenty (20) seconds; and
- g) The wearer of the face covering can prevent the spread of disease by not touching the face, nose, or eyes with unwashed hands, not touching the outside of the face covering, and by keeping a distance of at least six (6) feet between from others; and
- h) The City Council for the City of Keene desires to minimize the threat to public health posed by the spread of communicable disease such as COVID-19 within the community,

Section 66-171. ~~Recommendations~~Requirements.

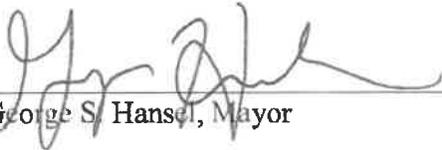
- a) Employees of businesses, while performing their duties, are ~~encouraged~~ **required** to wear a face ~~covering over~~ **covering completely covering** their mouth and nose **at all times** when interacting with the public, ~~and whenever they are within six (6) feet of a co-worker or a customer unless a barrier approved by the City Health Official provides sufficient separation.~~
- b) Members of the public entering any business **for any purpose**, including any outdoor area where business is conducted, ~~work site, or government building, are encouraged~~ **are required** to wear a face covering, ~~such as a fabric mask, scarf, or bandana over~~ **completely covering** their nose and mouth **while conducting their business; provided however, that members of the public shall not be required to wear a face covering while actually seated at a restaurant table.**
- ~~e) Members of the public entering a restaurant for the purpose of picking up food for take-out or any other purpose are encouraged to wear a face covering over their mouth and nose.~~
- c) Residents, visitors, and members of the public entering or present ~~at~~ **within** a ~~commercial building~~ **residential apartment** complex of ~~greater than~~ **containing** ~~two~~ **three or more residential (2)** units are ~~encouraged~~ **required** to wear a face covering over their nose and mouth while in the interior common areas, **including but not limited to foyers, stairwells and elevators (“Common Areas”)** **unless social distancing of six (6) feet can be maintained. This requirement shall also apply to any business having such Common Areas, notwithstanding the number of business units within the business complex.**
- d) As used herein, “business” is defined as any place, premises, or location within a premises (“Premises”), operated either for profit or not for profit, which is generally open to, or accessible to the public, and into which the public is invited for the purpose of conducting any business customarily provided to the public by the business, including but not limited to retail stores, restaurants, banks, fitness centers, personal care facilities, food banks, grocery stores, thrift stores, theaters, City of Keene public facilities, and public conveyances licensed by the City of Keene; provided, however, that “business” shall not include any home occupation or business located ancillary to, or entirely within a private residence.
- e) As used herein “face covering” means a covering made of cloth, fabric, **paper** or other soft or permeable materials, without holes, **mesh, or exhaust valves**, that covers ~~only~~ the nose, mouth, and surrounding areas of the lower face. A face covering may be factory made or homemade and improvised from ordinary household materials. **The face covering shall be worn in a manner to completely and continuously cover the mouth and the nose of the wearer when required to be worn. Provided, however, that this provision shall not supersede any**

Personal Protective Requirements that may otherwise apply to employees in any employment context, including, but not limited to health care workers emergency service personnel, public works employees, construction employees, and hazard mitigation employees.

- f) ~~Notwithstanding the above, e~~Children under ten (10) years of age are not generally ~~encouraged~~**required** to wear a face covering, although parents should make their own judgment on such use. ~~A face covering is not recommended for children two (2) years of age or less.~~
- g) A face covering is ~~also not encouraged~~**required** for any person with a medical or developmental condition to whom the wearing of a face covering would pose a threat to their health or safety. **The individual shall not be required to produce documentation or other evidence to verify the condition.** ~~who has been advised that wearing a face covering may pose a risk to the person for health related reasons.~~
- h) **Businesses shall implement adequate measures to notify their employees and the public of the requirements stated by this Ordinance. Such measures may include, but are not limited to the implementation of internal policies and procedures applicable to employees, and the prominent posting of signage both interior and exterior to any Premises subject to this Ordinance that the wearing of a face covering within the Premises is required. Businesses shall deny entry and/or services to any person who declines to wear a face covering after being requested to do so.**
- i) **Notwithstanding any provision of the City Code to the contrary, the penalty under this Ordinance for any member of the public who declines to wear a face covering as required by this Ordinance, after being requested to do so, shall be limited to the denial of entry to, and/or services provided, by the business; provided, however, that any business that violates the requirements of this Ordinance shall be given a verbal warning for a first offense; a written warning for a second offense; a fine of \$100 for any third offense; and a fine of \$250 for any fourth or subsequent offense.**
- j) **Except as otherwise required herein, this Ordinance shall not be interpreted to supersede, alter, revise or amend any requirement, business operation guidance, or recommendations with respect to the public, applicable to any specific business under any Executive Order or guidance issued by the Governor of the State of New Hampshire, or required by any other federal, state, or local government authority having jurisdiction over the business.**
- k) **This Ordinance shall not preclude any business from having requirements to entry, or for the provision of services, related to the COVID-19 State of Emergency that are more restrictive than as stated herein.**

- l) **This Ordinance shall automatically and immediately terminate, without the necessity of further action by the City Council for the City of Keene, upon the termination of the COVID-19 State of Emergency by the Governor of the State of New Hampshire.**

- m) Businesses ~~owners~~ in the City of Keene are **also** encouraged to take the #KeeneSafe business pledge to follow the New Hampshire and federal CDC guidelines to prevent and slow the spread of COVID-19. Information about the Keene Safe Pledge may be obtained at www.keenesafe.com.


George S. Hansel, Mayor

PASSED August 6, 2020

A true copy;

Attest:



City Clerk



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty
Relating to City of Keene Land Development Code

AN ORDINANCE

Be it ordained by the City Council of the City of Keene, as follows:

That the Code of Ordinances of the City of Keene, New Hampshire, as amended, is hereby further amended as follows.

1. Add Chapter 100, "Land Development Code" to the Code of Ordinances, which shall read as presented in the attached document entitled, City of Keene, New Hampshire Land Development Code dated April 2021. This draft document contains amended versions of the City's Zoning Regulations, Subdivision Regulations, Site Plan Regulations, Historic District Regulations, Floodplain Regulations, Public Improvement Standards (referred to as Public Infrastructure Standards), Earth Excavation Regulations, and all related application and review procedures.
2. Remove the following sections of the Code of Ordinances in their entirety.
 - a. Chapter 18. Article V. "Historic Districts"
 - b. Chapter 34. "Environment"
 - c. Chapter 54. "Natural Resources"
 - d. Chapter 70. "Public Improvement Standards"
 - e. Chapter 102. "Zoning"
 - f. Appendix B. Fee Schedule. Chapter 54. "Natural Resources". Article II. "Floodplain"
 - g. Appendix B. Fee Schedule. Chapter 54. "Natural Resources". Article III. "Land Filling and Excavation"
 - h. Appendix B. Fee Schedule. Chapter 70. "Public Improvement Standards"
 - i. Appendix B. Fee Schedule. Chapter 74. "Sign Code"
 - j. Appendix B. Fee Schedule. Chapter 102. "Zoning"
3. Delete the stricken text and add the bolded underlined text in the following sections of the Code of Ordinances.
 - a. Chapter 18. "Building Regulations." Article I. "In General." Sec. 18-2. "Definitions."
*"Lodginghouse shall mean any dwelling for ~~more than four~~ **between 5 and 16** unrelated natural persons, which ~~lets~~ **provides separate rooms for** sleeping accommodations ~~for a fee for a transient or permanent basis, without personal care services, with or without meals, but~~ **and** without separate cooking facilities for individual occupants. A lodginghouse may include separate living quarters for an on-site property manager. For purposes of this **article**, the term lodginghouse shall not include a hotel or motel."*
 - b. Chapter 18. Article III. "Property and Housing Standards." Section 18-259. "Sanitary Facilities."
*"(4) Sanitary facilities, shared facilities—~~Lodging House~~ **Congregate Living Uses**. At least one water closet, lavatory, and bathtub or shower shall be provided for all ~~lodginghouses~~ **congregate living uses, as defined in Chapter 100, Article 8 in the City Code of Ordinances**, for up to four rooms used as bedrooms. All such facilities*

shall be located within the building housing the sleeping rooms. Said facilities shall be accessible from a common hall, passageway, or a room used in common (lounge) and shall be not more than one story removed from any persons sharing such facilities. Such facilities shall not be located in a basement.”

- c. Chapter 18. Article III. “Property and Housing Standards.” Section 18-307. “Determination of the housing standards enforcement officer; issuance of orders, posting of placards.”

“(c) Any dwelling, dwelling unit or lodginghouse congregate living use as defined in Chapter 100, Article 8 of the City Code of Ordinances, which has been determined unfit for human habitation and which has been placarded as such by the housing standards enforcement officer shall be vacated within a reasonable time as required by the housing officer. No owner shall rent to any person for human habitation, and no person shall occupy, any dwelling or dwelling unit which has been determined unfit for human habitation and which has been placarded by the housing officer after the date which the officer has required the dwelling or dwelling unit to be vacated.”

- 4. Add the following language to Chapter 2, Article 5 “Boards and Commissions”, Division 15

“Planning Board,” relating to the powers of the Planning Board with respect to establishing a Minor Project Review Committee.

“(37) [*The Planning Board shall*] have the authority to delegate its site review powers and duties in regard to minor site plans to a committee of technically qualified administrators chosen by the Planning Board from the departments of public works, community development, or other similar departments in the City, in accordance with NH RSA 674:43(III). The process and procedures for this committee, which shall be known as the Minor Project Review Committee, are set forth herein in Article 25 of Chapter 100 of the City Code of Ordinances.”

- 5. Add to Appendix B of the City Code of Ordinances, “Chapter 100. Land Development Code (LDC) Fee Schedule,” which shall read as follows.

“Chapter 100. Land Development Code (LDC) Fee Schedule

§14.3 Sustainable Energy Efficient Development Overlay District Incentive	
Application Fee.....	\$100.00
§22.4 Service Connection Permit	
Engineering Inspection Fees.....	\$55.00 per hour
Residential, Institutional or Commercial Building Service Connection Permit.....	\$15.00
Industrial Building Service Connection Permit.....	\$30.00
§25.3 Zoning Text or Zoning Map Amendment	
Application Fee.....	\$100.00
Published Public Notice Fee.....	\$90.00
§25.4 Land Development Code Amendment	
Application Fee.....	\$100.00
Published Public Notice Fee.....	\$90.00

§25.5 Zoning Variance Application Fee.....	\$100.00
§25.6 Zoning Special Exception Application Fee.....	\$100.00
§25.7 Expansion or Enlargement of a Nonconforming Use Application Fee.....	\$100.00
§25.8 Equitable Waiver of Zoning Dimensional Requirements Application Fee.....	\$100.00
§25.9 Zoning Administrator Written Interpretation Application Fee.....	\$125.00
§25.10 Subdivision Review	
Subdivision Application Fee.....	\$200.00 + \$100.00 per lot
Conservation Residential Development Subdivision Application Fee....	\$200.00 + \$100.00 per lot
Boundary Line Adjustment Application Fee.....	\$100.00 + \$20.00 per lot
Voluntary Merger Application Fee.....	\$100.00 + \$20.00 per lot
Request to extend expiration of conditionally approved subdivision.....	\$25.00 for 1st request, \$50 for each request thereafter
§25.11 Planning Board Advice and Comment Application Fee.....	\$25.00
§25.12 Site Plan Review	
Major Site Plan Application Fee.....	\$250.00 + \$0.05 per sf gross floor area of new construction
Minor Site Plan Application Fee.....	\$250.00 + \$0.05 per sf gross floor area of new construction
Request to modify an approved site plan.....	\$250.00 + \$0.05 per sf gross floor area of new construction
Request to extend expiration of conditionally approved site plan.....	\$25.00 for 1st request, \$50 for each request thereafter
§25.13 Administrative Planning Review Review Fee.....	\$125.00
§25.14 Conditional Use Permit (CUP)	
Telecommunications CUP Application Fee.....	\$300.00
Hillside Protection CUP Application Fee.....	\$100.00
Surface Water Protection CUP Application Fee.....	\$100.00
Congregate Living and Social Services CUP Application Fee.....	\$100.00
Solar Energy System CUP Application Fee.....	\$100.00
§25.15 Historic District Certificate of Appropriateness (COA)	

Major Project Application Fee.....\$50.00
 Minor Project Application Fee.....\$25.00
 Request to modify an approved Major Project COA.....\$50.00

§25.16 Street Access Permit
 Application Fee.....\$50.00

§25.17 Floodplain Development Permit
 Floodplain Development Permit Application Fee.....\$50.00 + \$100 per acre (or portion thereof) of special flood hazard area proposed to be altered

§25.18 Sign Permit
 Applications with a total project cost of \$5,000 or greater).....\$100.00 + \$10.00 per \$1,000 of total project value
 Applications with a total project value less than \$5,000.....\$100.00

§25.19 Earth Excavation Permit
 Application Fee.....\$50.00

Mailed Public Notice:
 Postage for Certified mail.....Current USPS certified mail rate
 Postage for First Class mail.....Current USPS First Class mail rate

Published Notice (*unless otherwise specified in this Land Development Code Fee Schedule, the published public notice fee shall be as specified below*):
 Printing fee for legal advertisement in newspaper.....\$62

Recording Fee:
 Recording Fee.....Current Cheshire County Registry of Deeds Fee, Including LCHIP fee”

Effective Date of this Ordinance: September 1, 2021

 George Hansel, Mayor



CITY OF KEENE

Ordinance O-2020-11-A

In the Year of Our Lord Two Thousand andTwenty.....

Relating to Change of Zone – Downtown Keene Zoning Update

AN ORDINANCE

Be it ordained by the City Council of the City of Keene, as follows:

That the Zoning Map of the City of Keene, as adopted by the Keene City Council on December 15, 1977, as part of Chapter 102 entitled, “Zoning”, of the City of Keene, New Hampshire Code of Ordinances, as amended, be hereby further amended as follows.

1. The following zoning districts shall be established on the City of Keene Zoning Map as presented on the attached map, “O-2020-11 – Proposed Downtown Keene Zoning.”
 - a. Downtown Core (DT-C)
 - b. Downtown Edge (DT-E)
 - c. Downtown Growth (DT-G)
 - d. Downtown Institutional Campus (DT-I)
 - e. Downtown Limited (DT-L)
 - f. Downtown Transition (DT-T)

2. The parcels listed in the below table shall change zoning districts from the zoning district listed in the column labeled “Current Zoning District” to the zoning district in the column labeled “Proposed Zoning District.”

Tax Map Parcel #	Street Address	Current Zoning District	Proposed Zoning District
585028000000000	124 Water St	(BGR) Business Growth & Reuse	(DT-G) Downtown Growth
585027000000000	122 Water St	(BGR) Business Growth & Reuse	(DT-G) Downtown Growth
585008000000000	4 Crossfield St	(CB) Central Business	(DT-T) Downtown Transition
585024000000000	88 Water St	(CB) Central Business	(DT-T) Downtown Transition
585023000000000	84 Water St	(CB) Central Business	(DT-T) Downtown Transition
585025000000000	92 Water St	(CB) Central Business	(DT-T) Downtown Transition
568046000000000	67 Mechanic St	(CB) Central Business	(DT-L) Downtown Limited
568052000000000	57 Mechanic St	(CB) Central Business	(DT-L) Downtown Limited
554097000000000	47 Mechanic St	(CB) Central Business	(DT-L) Downtown Limited
554087000000000	37 Mechanic St	(CB) Central Business	(DT-L) Downtown Limited
554081000000000	27 Mechanic St	(CB) Central Business	(DT-L) Downtown Limited
554082000000000	17 Mechanic St	(CB) Central Business	(DT-L) Downtown Limited
568072000000000	82 Washington St	(CB) Central Business	(DT-L) Downtown Limited

Tax Map Parcel #	Street Address	Current Zoning District	Proposed Zoning District
568071000000000	74 Washington St	(CB) Central Business	(DT-L) Downtown Limited
568070000000000	64 Washington St	(CB) Central Business	(DT-L) Downtown Limited
568069000000000	50 Washington St	(CB) Central Business	(DT-L) Downtown Limited
568056000000000	11 Vernon St	(CB) Central Business	(DT-L) Downtown Limited
568055000000000	1 Elm St	(CB) Central Business	(DT-L) Downtown Limited
568051000000000	31 Vernon St	(CB) Central Business	(DT-L) Downtown Limited
568050000000000	0 Court St	(CB) Central Business	(DT-L) Downtown Limited
568049000000000	49 Court St	(CB) Central Business	(DT-L) Downtown Limited
568054000000000	34 Mechanic St	(CB) Central Business	(DT-L) Downtown Limited
568053000000000	28 Mechanic St	(CB) Central Business	(DT-L) Downtown Limited
568022000000000	34 Court St	(CB) Central Business	(DT-C) Downtown Core
568021000000000	26 Court St	(CB) Central Business	(DT-C) Downtown Core
568020000000000	12 Court St	(CB) Central Business	(DT-C) Downtown Core
568019000000000	33 Winter St	(CB) Central Business	(DT-C) Downtown Core
575047000000000	60 Winter St	(CB) Central Business	(DT-C) Downtown Core
575046000000000	76 Winter St	(CB) Central Business	(DT-C) Downtown Core
575048000000000	55 West St	(CB) Central Business	(DT-C) Downtown Core
575049000000000	33 West St	(CB) Central Business	(DT-C) Downtown Core
568003000000000	37 Central Sq	(CB) Central Business	(DT-C) Downtown Core
568002000000000	38 Central Sq	(CB) Central Business	(DT-C) Downtown Core
568001000000000	43 Central Sq	(CB) Central Business	(DT-C) Downtown Core
575052000000000	48 Central Sq	(CB) Central Business	(DT-C) Downtown Core
575051000000000	50 Central Sq	(CB) Central Business	(DT-C) Downtown Core
575050000000000	19 West St	(CB) Central Business	(DT-C) Downtown Core
568062000000000	23 Central Sq	(CB) Central Business	(DT-C) Downtown Core
568060000000000	7 Court St	(CB) Central Business	(DT-C) Downtown Core
568061000000000	32 Central Sq	(CB) Central Business	(DT-C) Downtown Core
568063000000000	20 Central Sq	(CB) Central Business	(DT-C) Downtown Core
568064000000000	26 Washington St	(CB) Central Business	(DT-C) Downtown Core
568065000001000	32 Washington St	(CB) Central Business	(DT-C) Downtown Core
568066000000000	34 Washington St	(CB) Central Business	(DT-C) Downtown Core
568067000000000	38 Washington St	(CB) Central Business	(DT-C) Downtown Core
568068000000000	40 Washington St	(CB) Central Business	(DT-C) Downtown Core
568057000000000	10 Vernon St	(CB) Central Business	(DT-C) Downtown Core
568058000000000	32 Washington St	(CB) Central Business	(DT-C) Downtown Core
568059000000000	32 Vernon St	(CB) Central Business	(DT-C) Downtown Core
569056000000000	31 Washington St	(CB) Central Business	(DT-C) Downtown Core
568073000000000	3 Washington St	(CB) Central Business	(DT-C) Downtown Core
568074000000000	4 Central Sq	(CB) Central Business	(DT-C) Downtown Core
568075000000000	1 Central Sq	(CB) Central Business	(DT-C) Downtown Core
569057000000000	40 Roxbury St	(CB) Central Business	(DT-C) Downtown Core
575053000000000	2 Main St	(CB) Central Business	(DT-C) Downtown Core

Tax Map Parcel #	Street Address	Current Zoning District	Proposed Zoning District
574006000000000	25 Roxbury St	(CB) Central Business	(DT-C) Downtown Core
574005000000000	37 Roxbury St	(CB) Central Business	(DT-C) Downtown Core
574004000000000	43 Roxbury St	(CB) Central Business	(DT-C) Downtown Core
574001000000000	65 Roxbury St	(CB) Central Business	(DT-C) Downtown Core
574014000000000	92 Church St	(CB) Central Business	(DT-C) Downtown Core
574013000000000	11 Ninety-Third St	(CB) Central Business	(DT-C) Downtown Core
574034000000000	18 Ninety-Third St	(CB) Central Business	(DT-C) Downtown Core
574012001000000	17 Ninety-Third St	(CB) Central Business	(DT-C) Downtown Core
574011000000000	78 Railroad St	(CB) Central Business	(DT-C) Downtown Core
574010000000000	76 Railroad St	(CB) Central Business	(DT-C) Downtown Core
574003000000000	15 Roxbury Plaza	(CB) Central Business	(DT-C) Downtown Core
574002000000000	21 Roxbury Plaza	(CB) Central Business	(DT-C) Downtown Core
574008000000000	0 Church St	(CB) Central Business	(DT-C) Downtown Core
574009000000000	37 Church St	(CB) Central Business	(DT-C) Downtown Core
575055000000000	42 Main St	(CB) Central Business	(DT-C) Downtown Core
575056000000000	64 Main St	(CB) Central Business	(DT-C) Downtown Core
574007000000000	16 Church St	(CB) Central Business	(DT-C) Downtown Core
575054000000000	22 Main St	(CB) Central Business	(DT-C) Downtown Core
574042000000000	0 Railroad St	(CB) Central Business	(DT-C) Downtown Core
575057000000000	82 Main St	(CB) Central Business	(DT-C) Downtown Core
575058000000000	88 Main St	(CB) Central Business	(DT-C) Downtown Core
574041000000000	0 Cypress St	(CB) Central Business	(DT-C) Downtown Core
585007000000000	96 Dunbar St	(CB) Central Business	(DT-C) Downtown Core
585006000000000	88 Dunbar St	(CB) Central Business	(DT-C) Downtown Core
585005000000000	78 Dunbar St	(CB) Central Business	(DT-C) Downtown Core
575059000000000	100 Main St	(CB) Central Business	(DT-C) Downtown Core
575060000000000	102 Main St	(CB) Central Business	(DT-C) Downtown Core
575061000000000	106 Main St	(CB) Central Business	(DT-C) Downtown Core
575062000000000	110 Main St	(CB) Central Business	(DT-C) Downtown Core
574043000000000	12 Eagle Ct	(CB) Central Business	(DT-C) Downtown Core
574040000000000	75 Railroad St	(CB) Central Business	(DT-C) Downtown Core
575006000000000	115 Main St	(CB) Central Business	(DT-C) Downtown Core
575007000000000	101 Main St	(CB) Central Business	(DT-C) Downtown Core
575008000000000	89 Main St	(CB) Central Business	(DT-C) Downtown Core
575011000000000	87 Main St	(CB) Central Business	(DT-C) Downtown Core
575012000000000	81 Main St	(CB) Central Business	(DT-C) Downtown Core
575013000000000	2 Gilbo Ave	(CB) Central Business	(DT-C) Downtown Core
575014000000000	12 Gilbo Ave	(CB) Central Business	(DT-C) Downtown Core
575024000000000	49 Main St	(CB) Central Business	(DT-C) Downtown Core
575025000000000	45 Main St	(CB) Central Business	(DT-C) Downtown Core
575026000000000	35 Main St	(CB) Central Business	(DT-C) Downtown Core
575027000000000	0 Lamson St	(CB) Central Business	(DT-C) Downtown Core
575022000000000	19 Gilbo Ave	(CB) Central Business	(DT-C) Downtown Core

Tax Map Parcel #	Street Address	Current Zoning District	Proposed Zoning District
575023000000000	0 Gilbo Ave	(CB) Central Business	(DT-C) Downtown Core
575038000000000	70 West St	(CB) Central Business	(DT-C) Downtown Core
575037000000000	60 West St	(CB) Central Business	(DT-C) Downtown Core
575036000000000	43 Saint James St	(CB) Central Business	(DT-C) Downtown Core
575035000000000	49 Saint James St	(CB) Central Business	(DT-C) Downtown Core
575034000000000	44 West St	(CB) Central Business	(DT-C) Downtown Core
575033000000000	34 West St	(CB) Central Business	(DT-C) Downtown Core
575028000000000	17 Federal St	(CB) Central Business	(DT-C) Downtown Core
575032000000000	20 West St	(CB) Central Business	(DT-C) Downtown Core
575031000000000	1 Main St	(CB) Central Business	(DT-C) Downtown Core
575030000000000	15 Main St	(CB) Central Business	(DT-C) Downtown Core
575029000000000	27 Main St	(CB) Central Business	(DT-C) Downtown Core
584070000000000	120 Emerald St	(CB) Central Business	(DT-G) Downtown Growth
584069000000000	104 Emerald St	(CB) Central Business	(DT-G) Downtown Growth
584068000000000	80 Emerald St	(CB) Central Business	(DT-G) Downtown Growth
575017000000000	0 School St	(CB) Central Business	(DT-G) Downtown Growth
575016000000000	0 Gilbo Ave	(CB) Central Business	(DT-G) Downtown Growth
584072000000000	85 Emerald St	(CB) Central Business	(DT-G) Downtown Growth
575001000000000	5 Wilson St	(CB) Central Business	(DT-G) Downtown Growth
584073000000000	59 Emerald St	(CB) Central Business	(DT-G) Downtown Growth
575002000000000	6 Wilson St	(CB) Central Business	(DT-G) Downtown Growth
575003000000000	12 Wilson St	(CB) Central Business	(DT-G) Downtown Growth
584074000000000	43 Emerald St	(CB) Central Business	(DT-G) Downtown Growth
575009000000000	20 Commercial St	(CB) Central Business	(DT-G) Downtown Growth
575004000000000	31 Emerald St	(CB) Central Business	(DT-G) Downtown Growth
584075000000000	37 Emerald St	(CB) Central Business	(DT-G) Downtown Growth
575005000000000	7 Emerald St	(CB) Central Business	(DT-G) Downtown Growth
575010000000000	0 Commercial St	(CB) Central Business	(DT-G) Downtown Growth
575015000000000	0 Gilbo Ave	(CB) Central Business	(DT-G) Downtown Growth
575021000000000	0 Gilbo Ave	(CB) Central Business	(DT-G) Downtown Growth
575020000000000	0 Gilbo Ave	(CB) Central Business	(DT-G) Downtown Growth
575019000000000	0 Gilbo Ave	(CB) Central Business	(DT-G) Downtown Growth
575040000000000	100 West St	(CB) Central Business	(DT-G) Downtown Growth
575039000000000	86 West St	(CB) Central Business	(DT-G) Downtown Growth
575041000000000	104 West St	(CB) Central Business	(DT-G) Downtown Growth
574038000000000	158 Water St	(CB) Central Business	(DT-G) Downtown Growth
574039000000000	0 Water St	(CB) Central Business	(DT-G) Downtown Growth
585029000000000	152 Water St	(CB) Central Business	(DT-G) Downtown Growth
585026000000000	0 Water St	(CB) Central Business	(DT-G) Downtown Growth
567001000000000	0 Ashuelot St	(CBL) Central Business Ltd.	(HD) High Density
576014000000000	30 Ashuelot St	(CBL) Central Business Ltd.	(COM) Commerce
576016000000000	29 Ashuelot St	(CBL) Central Business Ltd.	(COM) Commerce

Tax Map Parcel #	Street Address	Current Zoning District	Proposed Zoning District
576017000000000	9 Ashuelot St	(CBL) Central Business Ltd.	(COM) Commerce
576018000000000	189 West St	(CBL) Central Business Ltd.	(COM) Commerce
569059000000000	88 Roxbury St	(CBL) Central Business Ltd.	(DT-T) Downtown Transition
569058000000000	80 Roxbury St	(CBL) Central Business Ltd.	(DT-T) Downtown Transition
584060000000000	147 Main St	(CBL) Central Business Ltd.	(DT-C) Downtown Core
584059000000000	0 Davis St	(CBL) Central Business Ltd.	(DT-C) Downtown Core
584058000000000	21 Davis St	(CBL) Central Business Ltd.	(DT-C) Downtown Core
584061000000000	143 Main St	(CBL) Central Business Ltd.	(DT-C) Downtown Core
584062000000000	133 Main St	(CBL) Central Business Ltd.	(DT-C) Downtown Core
584063000000000	125 Main St	(CBL) Central Business Ltd.	(DT-C) Downtown Core
584064000000000	12 Emerald St	(CBL) Central Business Ltd.	(DT-C) Downtown Core
569065000000000	98 Roxbury St	(CBL) Central Business Ltd.	(DT-E) Downtown Edge
569066000000000	106 Roxbury St	(CBL) Central Business Ltd.	(DT-E) Downtown Edge
569107000000000	103 Roxbury St	(CBL) Central Business Ltd.	(DT-E) Downtown Edge
569108000000000	93 Roxbury St	(CBL) Central Business Ltd.	(DT-E) Downtown Edge
569109000000000	81 Roxbury St	(CBL) Central Business Ltd.	(DT-E) Downtown Edge
574015000000000	100 Church St	(CBL) Central Business Ltd.	(DT-E) Downtown Edge
574016000000000	110 Church St	(CBL) Central Business Ltd.	(DT-E) Downtown Edge
574017000000000	116 Church St	(CBL) Central Business Ltd.	(DT-E) Downtown Edge
574033000000000	115 Church St	(CBL) Central Business Ltd.	(DT-E) Downtown Edge
574036000002000	110 Railroad St	(CBL) Central Business Ltd.	(DT-E) Downtown Edge
574036000000000	0 Railroad St	(CBL) Central Business Ltd.	(DT-E) Downtown Edge
584067000000000	48 Emerald St	(CBL) Central Business Ltd.	(DT-G) Downtown Growth
584066000000000	38 Emerald St	(CBL) Central Business Ltd.	(DT-G) Downtown Growth
584065000000000	32 Emerald St	(CBL) Central Business Ltd.	(DT-G) Downtown Growth
576001000000000	122 West St	(CBL) Central Business Ltd.	(DT-G) Downtown Growth
576002000000000	166 West St	(CBL) Central Business Ltd.	(DT-G) Downtown Growth
576003000000000	172 West St	(CBL) Central Business Ltd.	(DT-G) Downtown Growth
576005000000000	0 Gilbo Ave	(CBL) Central Business Ltd.	(DT-G) Downtown Growth
576004000000000	194 West St	(CBL) Central Business Ltd.	(DT-G) Downtown Growth
574036000000000	0 Railroad St	(CBL) Central Business Ltd.	(DT-G) Downtown Growth
584001000000000	122 Main St	(CBL) Central Business Ltd.	(DT-G) Downtown Growth
585003000000000	10 Dunbar St	(CBL) Central Business Ltd.	(DT-G) Downtown Growth
585002000000000	11 Eagle Ct	(CBL) Central Business Ltd.	(DT-G) Downtown Growth
585004000000000	16 Dunbar St	(CBL) Central Business Ltd.	(DT-G) Downtown Growth
585001000000000	24 Dunbar St	(CBL) Central Business Ltd.	(DT-G) Downtown Growth
585083000000000	36 Marlboro St	(COM) Commerce	(DT-E) Downtown Edge
585084000000000	50 Marlboro St	(COM) Commerce	(DT-E) Downtown Edge
585085000000000	56 Marlboro St	(COM) Commerce	(DT-E) Downtown Edge
585045000000000	84 Marlboro St	(COM) Commerce	(DT-E) Downtown Edge
590086000000000	91 Marlboro St	(COM) Commerce	(DT-E) Downtown Edge
590087000000000	89 Marlboro St	(COM) Commerce	(DT-E) Downtown Edge

Tax Map Parcel #	Street Address	Current Zoning District	Proposed Zoning District
590088000000000	83 Marlboro St	(COM) Commerce	(DT-E) Downtown Edge
590089000000000	71 Marlboro St	(COM) Commerce	(DT-E) Downtown Edge
590090000000000	67 Marlboro St	(COM) Commerce	(DT-E) Downtown Edge
590094000000000	59 Marlboro St	(COM) Commerce	(DT-E) Downtown Edge
590093000000000	57 Marlboro St	(COM) Commerce	(DT-E) Downtown Edge
590095000000000	53 Marlboro St	(COM) Commerce	(DT-E) Downtown Edge
590096000000000	47 Marlboro St	(COM) Commerce	(DT-E) Downtown Edge
585086000000000	33 Marlboro St	(COM) Commerce	(DT-E) Downtown Edge
583027000000000	60 Foundry St	(COM) Commerce	(DT-E) Downtown Edge
583033000000000	0 Emerald St	(COM) Commerce	(DT-E) Downtown Edge
583028000000000	152 Davis St	(COM) Commerce	(DT-E) Downtown Edge
583030000000000	55 Ralston St	(COM) Commerce	(DT-E) Downtown Edge
584042000000000	134 Davis St	(COM) Commerce	(DT-E) Downtown Edge
584043000000000	56 Ralston St	(COM) Commerce	(DT-E) Downtown Edge
584044000000000	66 Ralston St	(COM) Commerce	(DT-E) Downtown Edge
591007000000000	131 Winchester St	(COM) Commerce	(DT-E) Downtown Edge
592037000000000	141 Winchester St	(COM) Commerce	(DT-E) Downtown Edge
592036000000000	147 Winchester St	(COM) Commerce	(DT-E) Downtown Edge
592035000000000	165 Winchester St	(COM) Commerce	(DT-E) Downtown Edge
583029000000000	81 Ralston St	(COM) Commerce	(DT-E) Downtown Edge
592033000000000	185 Winchester St	(COM) Commerce	(DT-E) Downtown Edge
592034000000000	0 Foundry St	(COM) Commerce	(DT-E) Downtown Edge
583026000000000	38 Foundry St	(COM) Commerce	(DT-E) Downtown Edge
592032000000000	195 Winchester St	(COM) Commerce	(DT-E) Downtown Edge
592031000000000	223 Winchester St	(COM) Commerce	(DT-E) Downtown Edge
583034000000000	160 Emerald St	(COM) Commerce	(DT-G) Downtown Growth
583033001001000	0 Emerald St	(COM) Commerce	(DT-G) Downtown Growth
583033001000000	0 Emerald St	(COM) Commerce	(DT-G) Downtown Growth
583032000000000	1 Ralston St	(COM) Commerce	(DT-G) Downtown Growth
583031000000000	19 Ralston St	(COM) Commerce	(DT-G) Downtown Growth
583039000000000	0 Emerald St	(COM) Commerce	(DT-G) Downtown Growth
576007000000000	149 Emerald St	(COM) Commerce	(DT-G) Downtown Growth
575018000000000	0 School St	(COM) Commerce	(DT-G) Downtown Growth
584071000000000	0 Emerald St	(COM) Commerce	(DT-G) Downtown Growth
576006000000000	0 Gilbo Ave	(COM) Commerce	(DT-G) Downtown Growth
585082000000000	196 Main St	(COM) Commerce	(DT-G) Downtown Growth
584003000000000	174 Main St	(COM) Commerce	(DT-G) Downtown Growth
584002000000000	162 Main St	(COM) Commerce	(DT-G) Downtown Growth
585014000000000	17 Dunbar St	(COM) Commerce	(DT-G) Downtown Growth
569015000000000	18 Spring St	(HD) High Density	(DT-T) Downtown Transition
569016000000000	20 Spring St	(HD) High Density	(DT-T) Downtown Transition
569017000000000	30 Spring St	(HD) High Density	(DT-T) Downtown Transition

Tax Map Parcel #	Street Address	Current Zoning District	Proposed Zoning District
569018000000000	38 Spring St	(HD) High Density	(DT-T) Downtown Transition
569019000000000	52 Spring St	(HD) High Density	(DT-T) Downtown Transition
569020000000000	58 Spring St	(HD) High Density	(DT-T) Downtown Transition
569054000000000	47 Spring St	(HD) High Density	(DT-T) Downtown Transition
569053000000000	57 Spring St	(HD) High Density	(DT-T) Downtown Transition
569062000000000	28 Roxbury Ct	(HD) High Density	(DT-T) Downtown Transition
569061000000000	22 Roxbury Ct	(HD) High Density	(DT-T) Downtown Transition
569060000000000	16 Roxbury Ct	(HD) High Density	(DT-T) Downtown Transition
585013000000000	19 Dunbar St	(HD) High Density	(DT-T) Downtown Transition
585012000000000	31 Dunbar St	(HD) High Density	(DT-T) Downtown Transition
585011000000000	41 Dunbar St	(HD) High Density	(DT-T) Downtown Transition
585010000000000	57 Dunbar St	(HD) High Density	(DT-T) Downtown Transition
585009000000000	65 Dunbar St	(HD) High Density	(DT-T) Downtown Transition
585022000000000	74 Water St	(HD) High Density	(DT-T) Downtown Transition
585021000000000	68 Water St	(HD) High Density	(DT-T) Downtown Transition
585020000000000	60 Water St	(HD) High Density	(DT-T) Downtown Transition
585019000000000	54 Water St	(HD) High Density	(DT-T) Downtown Transition
585018000000000	48 Water St	(HD) High Density	(DT-T) Downtown Transition
585017000000000	42 Water St	(HD) High Density	(DT-T) Downtown Transition
585016000000000	32 Water St	(HD) High Density	(DT-T) Downtown Transition
585015000000000	26 Water St	(HD) High Density	(DT-T) Downtown Transition
584057000000000	29 Davis St	(HD) High Density	(DT-T) Downtown Transition
584056000000000	37 Davis St	(HD) High Density	(DT-T) Downtown Transition
584055000000000	47 Davis St	(HD) High Density	(DT-T) Downtown Transition
584052000000000	59 Davis St	(HD) High Density	(DT-T) Downtown Transition
584053000000000	47 Wilson St	(HD) High Density	(DT-T) Downtown Transition
584054000000000	43 Wilson St	(HD) High Density	(DT-T) Downtown Transition
584051000000000	71 Davis St	(HD) High Density	(DT-T) Downtown Transition
584050000000000	75 Davis St	(HD) High Density	(DT-T) Downtown Transition
584049000000000	87 Davis St	(HD) High Density	(DT-T) Downtown Transition
584048000000000	97 Davis St	(HD) High Density	(DT-T) Downtown Transition
584047000000000	107 Davis St	(HD) High Density	(DT-T) Downtown Transition
584046000000000	121 Davis St	(HD) High Density	(DT-T) Downtown Transition
584045000000000	125 Davis St	(HD) High Density	(DT-T) Downtown Transition
591001000000000	283 Main St	(HD) High Density	(DT-I) Downtown Institutional Campus
584006000000000	161 Main St	(HD) High Density	(DT-G) Downtown Growth
584004000000000	27 Winchester St	(HD) High Density	(DT-G) Downtown Growth
584005000000000	199 Main St	(HD) High Density	(DT-G) Downtown Growth
574037000000000	93 Railroad St	(I) Industrial	(DT-G) Downtown Growth
576019000000000	171 West St	(O) Office	(DT-T) Downtown Transition
576024000000000	17 Wilder St	(O) Office	(DT-T) Downtown Transition
576025000000000	151 West St	(O) Office	(DT-T) Downtown Transition

Tax Map Parcel #	Street Address	Current Zoning District	Proposed Zoning District
576026000000000	143 West St	(O) Office	(DT-T) Downtown Transition
576030000000000	129 West St	(O) Office	(DT-T) Downtown Transition
575042000000000	117 West St	(O) Office	(DT-T) Downtown Transition
575045000000000	105 West St	(O) Office	(DT-T) Downtown Transition
575044000000000	86 Winter St	(O) Office	(DT-T) Downtown Transition
568006000000000	41 School St	(O) Office	(DT-T) Downtown Transition
568007000000000	75 Winter St	(O) Office	(DT-T) Downtown Transition
568008000000000	67 Winter St	(O) Office	(DT-T) Downtown Transition
568009000000000	61 Winter St	(O) Office	(DT-T) Downtown Transition
568010000000000	8 Middle St	(O) Office	(DT-T) Downtown Transition
568011000000000	16 Middle St	(O) Office	(DT-T) Downtown Transition
568012000000000	22 Middle St	(O) Office	(DT-T) Downtown Transition
568013000000000	28 Middle St	(O) Office	(DT-T) Downtown Transition
568026000000000	38 Middle St	(O) Office	(DT-T) Downtown Transition
568034000000000	61 Summer St	(O) Office	(DT-T) Downtown Transition
568035000000000	53 Summer St	(O) Office	(DT-T) Downtown Transition
568036000000000	45 Summer St	(O) Office	(DT-T) Downtown Transition
568037000000000	39 Summer St	(O) Office	(DT-T) Downtown Transition
568038000000000	31 Summer St	(O) Office	(DT-T) Downtown Transition
568039000000000	21 Summer St	(O) Office	(DT-T) Downtown Transition
568040000000000	56 Court St	(O) Office	(DT-T) Downtown Transition
568041000000000	70 Court St	(O) Office	(DT-T) Downtown Transition
568042000000000	82 Court St	(O) Office	(DT-T) Downtown Transition
568023000000000	42 Court St	(O) Office	(DT-T) Downtown Transition
568024000000000	18 Summer St	(O) Office	(DT-T) Downtown Transition
568025000000000	37 Middle St	(O) Office	(DT-T) Downtown Transition
568014000000000	29 Middle St	(O) Office	(DT-T) Downtown Transition
568015000000000	33 Center St	(O) Office	(DT-T) Downtown Transition
568016000000000	27 Center St	(O) Office	(DT-T) Downtown Transition
568017000000000	23 Center St	(O) Office	(DT-T) Downtown Transition
568018000000000	17 Center St	(O) Office	(DT-T) Downtown Transition
568048000000000	55 Court St	(O) Office	(DT-T) Downtown Transition
568047000000000	61 Court St	(O) Office	(DT-T) Downtown Transition
568045000000000	73 Court St	(O) Office	(DT-T) Downtown Transition
568044000000000	81 Court St	(O) Office	(DT-T) Downtown Transition
554107000000000	83 Court St	(O) Office	(DT-T) Downtown Transition
554106000000000	91 Court St	(O) Office	(DT-T) Downtown Transition
554085000000000	112 Washington St	(O) Office	(DT-T) Downtown Transition
554084000000000	106 Washington St	(O) Office	(DT-T) Downtown Transition
554083000000000	100 Washington St	(O) Office	(DT-T) Downtown Transition
569001000000000	85 Washington St	(O) Office	(DT-T) Downtown Transition
569013000000000	69 Washington St	(O) Office	(DT-T) Downtown Transition
569014000000000	57 Washington St	(O) Office	(DT-T) Downtown Transition

Tax Map Parcel #	Street Address	Current Zoning District	Proposed Zoning District
590097000000000	222 Main St	(O) Office	(DT-T) Downtown Transition
590098000000000	226 Main St	(O) Office	(DT-T) Downtown Transition
590099000000000	232 Main St	(O) Office	(DT-T) Downtown Transition
590101000000000	238 Main St	(O) Office	(DT-T) Downtown Transition
590100000000000	246 Main St	(O) Office	(DT-T) Downtown Transition
590109000000000	266 Main St	(O) Office	(DT-T) Downtown Transition
590110000000000	272 Main St	(O) Office	(DT-T) Downtown Transition

3. The Gilbo Avenue Design Overlay District and the Downtown Railroad Property Redevelopment Overlay District shall be removed from the Zoning Map.

4. The following parcels shall be removed from the Sustainable Energy Efficient Development (SEED) Overlay District.

- 575010000000000 (0 Commercial St)
- 575009000000000 (20 Commercial St)
- 585008000000000 (4 Crossfield St)
- 574041000000000 (0 Cypress St)
- 584059000000000 (0 Davis St)
- 584058000000000 (21 Davis St)
- 584057000000000 (29 Davis St)
- 584056000000000 (37 Davis St)
- 584055000000000 (47 Davis St)
- 584052000000000 (59 Davis St)
- 584051000000000 (71 Davis St)
- 584050000000000 (75 Davis St)
- 584049000000000 (87 Davis St)
- 584048000000000 (97 Davis St)
- 584047000000000 (107 Davis St)
- 584046000000000 (121 Davis St)
- 584045000000000 (125 Davis St)
- 584042000000000 (134 Davis St)
- 583028000000000 (152 Davis St)
- 585003000000000 (10 Dunbar St)
- 585004000000000 (16 Dunbar St)
- 585014000000000 (17 Dunbar St)
- 585013000000000 (19 Dunbar St)
- 585001000000000 (24 Dunbar St)
- 585012000000000 (31 Dunbar St)
- 585011000000000 (41 Dunbar St)
- 585010000000000 (57 Dunbar St)
- 585009000000000 (65 Dunbar St)
- 585005000000000 (78 Dunbar St)
- 585006000000000 (88 Dunbar St)
- 585007000000000 (96 Dunbar St)
- 585002000000000 (11 Eagle Ct)
- 574043000000000 (12 Eagle Ct)
- 583033000000000 (0 Emerald St)
- 583033001001000 (0 Emerald St)
- 575005000000000 (7 Emerald St)
- 584064000000000 (12 Emerald St)
- 575004000000000 (31 Emerald St)
- 584065000000000 (32 Emerald St)
- 584075000000000 (37 Emerald St)
- 584066000000000 (38 Emerald St)
- 584074000000000 (43 Emerald St)
- 584067000000000 (48 Emerald St)
- 584073000000000 (59 Emerald St)
- 584068000000000 (80 Emerald St)
- 584072000000000 (85 Emerald St)
- 584069000000000 (104 Emerald St)
- 584070000000000 (120 Emerald St)
- 583034000000000 (160 Emerald St)
- 583035000000000 (220 Emerald St)
- 583026000000000 (38 Foundry St)
- 583027000000000 (60 Foundry St)
- 592034000000000 (0 Foundry St)
- 575013000000000 (2 Gilbo Ave)
- 575014000000000 (12 Gilbo Ave)
- 575015000000000 (0 Gilbo Ave)
- 575016000000000 (0 Gilbo Ave)
- 575012000000000 (81 Main St)
- 575057000000000 (82 Main St)
- 575011000000000 (87 Main St)
- 575058000000000 (88 Main St)
- 575008000000000 (89 Main St)
- 575059000000000 (100 Main St)
- 575007000000000 (101 Main St)
- 575060000000000 (102 Main St)
- 575061000000000 (106 Main St)
- 575062000000000 (110 Main St)
- 575006000000000 (115 Main St)
- 584001000000000 (122 Main St)
- 584063000000000 (125 Main St)

- 584062000000000 (133 Main St)
- 584061000000000 (143 Main St)
- 584060000000000 (147 Main St)
- 584006000000000 (161 Main St)
- 584002000000000 (162 Main St)
- 584003000000000 (174 Main St)
- 585082000000000 (196 Main St)
- 584005000000000 (199 Main St)
- 574035000000000 (0 Railroad St)
- 574036000000000 (0 Railroad St)
- 574037000000000 (93 Railroad St)
- 574040000000000 (75 Railroad St)
- 574041000000000 (51 Railroad St)
- 574042000000000 (0 Railroad St)
- 574036000003000 (0 Railroad St)
- 583029000000000 (81 Ralston St)
- 583030000000000 (55 Ralston St)
- 583031000000000 (19 Ralston St)
- 583032000000000 (1 Ralston St)
- 584043000000000 (56 Ralston St)
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- 575017000000000 (0 School St)
- 574039000000000 (0 Water St)
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- 585018000000000 (48 Water St)
- 585019000000000 (54 Water St)
- 585020000000000 (60 Water St)
- 585021000000000 (68 Water St)
- 585022000000000 (74 Water St)
- 585023000000000 (84 Water St)
- 585024000000000 (88 Water St)
- 585025000000000 (92 Water St)
- 585027000000000 (122 Water St)
- 585028000000000 (124 Water St)
- 585029000000000 (152 Water St)
- 574038000000000 (158 Water St)
- 575001000000000 (5 Wilson St)
- 575002000000000 (6 Wilson St)
- 575003000000000 (12 Wilson St)
- 584053000000000 (47 Wilson St)
- 584054000000000 (43 Wilson St)
- 591007000000000 (131 Winchester St)
- 592031000000000 (223 Winchester St)
- 592032000000000 (195 Winchester St)
- 592033000000000 (185 Winchester St)
- 592035000000000 (165 Winchester St)
- 592036000000000 (147 Winchester St)
- 592037000000000 (141 Winchester St)
- 584004000000000 (27 Winchester St)

Effective Date of this Ordinance: September 1, 2021

George Hansel, Mayor



City of Keene
Transmittal Form

April 13, 2021

TO: Mayor and Keene City Council

FROM: Tara Kessler, Senior Planner

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: 7.

SUBJECT: Relating to Chapter 46 Licenses and Permits - Social Service and Congregate Care

COUNCIL ACTION:

In City Council April 15, 2021.

Referred to the Planning, Licenses and Development Committee.

RECOMMENDATION:

To refer O-2021-04 relating to Chapter 46 Licenses and Permits to the Planning, Licenses and Development Committee for a recommendation to City Council.

ATTACHMENTS:

Description

Ordinance O-2021-04

BACKGROUND:

On April 1, 2021, the City Council voted unanimously to recommend that the City Manager introduce an ordinance proposing amendments to Chapter 46 "Licenses and Permits" of the City Code of Ordinances that relate to the establishment of a license requirement for Congregate Living and Social Services uses. Attached to this memorandum is this ordinance (O-2021-04) for a first reading before City Council.

Also attached is the Council Action on this recommendation, which includes background information on the purpose for this Ordinance that was presented at the PLD meeting on March 24.

As was discussed at this meeting, the proposed Land Development Code (O-2020-10A) introduces a category of uses called Congregate Living and Social Services Uses. Some of these uses would be required to obtain and annually maintain an operating license to be issued by a licensing board. The uses that would require such license include Drug Treatment Clinic, Group Home, Large, Group Home, Small, Fraternity/Sorority, Group Resource Center, Homeless Shelter, Lodginghouse, Residential Care Facility, Residential Drug/Alcohol Treatment Facility. Ordinance O-2021-04 proposes amendments to Chapter 46 that would establish this licensing board, as well as the application and review for a Congregate Living and Social Services Licenses. Attached is an excerpt of the proposed Land Development Code that includes the definitions and associated use standards for these uses.

It is proposed that this Ordinance, if adopted, would not take effect until September 1, 2021, which is the same

timeframe proposed for ordinances O-2020-10A and O-2020-11A (related to the proposed Land Development Code and downtown zoning update) to take effect if adopted.



CITY OF KEENE

Ordinance O-2021-04

Twenty One

In the Year of Our Lord Two Thousand and

AN ORDINANCE Relating to Chapter 46 Licenses and Permits

Be it ordained by the City Council of the City of Keene, as follows:

That the Code of Ordinances of the City of Keene, New Hampshire, as amended, is hereby further amended as follows.

I. Add the following section to Article V “Boards and Commissions” to Chapter 2 “Administration” of the City Code of Ordinances:

“Division 24. - Congregative Living and Social Services Licensing Board.

Sec. 2-1111. - Membership.

The congregate living and social services licensing board shall consist of five regular members. At least three of the regular members shall be residents of Keene. One member shall be an administrative official of the City who need not be a resident of the City of Keene. In no instance shall City staff in a code enforcement or law enforcement role serve on this board. One member may be a member of the Planning Board.

Sec. 2-1112. - Terms.

Each regular member of the congregate living and social services licensing board shall be appointed for a term of three years. Except when required to fill vacancies, the terms of regular members shall be staggered so that no more than two appointments occur annually, and the terms of alternate members shall be staggered so that no more than one occurs annually. Vacancies in the board's membership occurring other than through the expiration of a term shall be filled for the remainder of the unexpired term. Regular members may serve up to three consecutive terms.

Sec. 2-1113. - Powers, duties and guidelines.

In accordance with applicable laws and this code, the congregate living and social services licensing board shall have the authority to do the following.

1. Make decisions on applications for congregate living and social services licenses in accordance with Chapter 46 Article X. “Congregative Living and Social Services License.”
2. Suspend, revoke, or make provisional previously approved congregate living and social services licenses in accordance with Section 46-567 of this Code.
3. Shall hear and decide motions to rehear decisions of the board, and to accept, hear and decide appeals to the board taken by any person aggrieved.

II. Amend Chapter 46. Article I. “In General.” Section 46-1. “Definitions.” as follows:

~~“Lodginghouse means any dwelling for more than four persons, which lets sleeping accommodations for a transient or permanent basis, without personal care services, with~~

~~or without meals, but without separate cooking facilities for individual occupants. For purposes of this article the term lodging house shall not include a hotel or motel.~~

III. Amend Chapter 46. Article II. "Licensing Generally." Section 46-63. "Designated licensing officials." as follows:

Lodging house	City council
<u>Congregate Living and Social Services</u>	<u>Congregate Living and Social Services Licensing Board</u>

IV. Amend Appendix B. "Fee Schedule." of the City Code of Ordinances as follows:

~~"§46-593. Lodginghouse license fee.....165.00~~ §46-569. Congregate Living and Social Services license fee.....\$165.00"

V. Replace Chapter 46. Article X. "Lodginghouses" with the full text included below.

"ARTICLE X. CONGREGATE LIVING AND SOCIAL SERVICES LICENSE

Section 46-561. - Applicability.

From and after the effective date of the ordinance from which this article derives no person shall allow or operate any of the following congregated living or social services uses as defined in Chapter 100, Article 8 of the City Code of Ordinances without first having obtained, and having maintained, a congregated living and social services license from the congregated living and social services licensing board (the licensing authority specified in Section 46-63 of this Chapter) for each property location.

1. Drug Treatment Clinic
2. Group Home, Large
3. Group Home, Small
4. Fraternity/Sorority
5. Group Resource Center
6. Homeless Shelter
7. Lodginghouse
8. Residential Care Facility
9. Residential Drug/Alcohol Treatment Facility

Section 46-562. - Application and License Renewal Requirements.

In addition to the application requirements of Division 4 of Chapter 46 of the City Code of Ordinances, the following information shall be required of an applicant for a congregate living and social services license and may be used by the licensing board in evaluation of an application and annual renewal for such license.

1. Description of the property location including street address and tax map parcel number.
2. Description of the client population to be served, including a description of the services provided to the clients or residents of the facility and of any support or personal care services provided on- or off-site.
3. Description of the size and intensity of the facility, including information about: the number of occupants, including residents, clients, staff, visitors, etc.; maximum number of beds or persons that may be served by the facility; hours of operation; size and scale of buildings or structures on the site; and size of outdoor areas associated with the use.
4. For congregate living uses, the average length of stay for residents/occupants of the facility.
5. Name, phone number, and address of the property owner.
6. Name, phone number, and address of a person acting as the operator, if not the owner, who will serve as a point of 24-hour contact for the public and the City.
7. Evidence that all required licenses, permits or authority to operate have been obtained.
8. An operations and management plan, which shall be based on industry standard "Best Management Practices" and, at a minimum, shall address the following.
 - a. A security plan that includes provisions for onsite security including lighting, security cameras, and/or other measures appropriate to provide for adequate health and safety of clients and management.
 - b. A life safety plan that demonstrates compliance with the State Minimum Building Code and Fire Codes.
 - c. Staff training and procedures plan.
 - d. Health and safety plan.
 - e. An emergency response plan that establishes procedures for addressing emergency situations and for coordinating with local emergency service providers.
 - f. A neighborhood relations plan that includes provisions for communicating with adjacent property owners and the City of Keene, including the Keene Police Department.
 - g. Building and site maintenance procedures.
 - h. In addition to the materials listed above, homeless shelters shall be required to submit the following information as part of an operations and management plan.
 - i. Rules of conduct and registration system for guests, including procedures for screening registered sex offenders and for separating individual guests and families with children.
 - ii. Policies and procedures for denying access to the homeless shelter when at maximum capacity or the determination that a person is unsuited for the facility, and how the immediate sheltering needs of individuals who may be turned away from the shelter will be handled.

Section 46-563. - Public Hearing.

Within 30-calendar days of receiving a complete congregate living and social services license application, as determined by the licensing board or their designee, the licensing board shall hold a public hearing on the application. Notice of the date, time and place of the public hearing will be posted in accordance with NH RSA 91-A:2(II).

Section 46-564. - Inspections.

Prior to the issuance of an initial license, and prior to the renewal of an annual license, all appropriate City regulatory and enforcement officers shall make or cause to be made an inspection to determine if all applicable laws, ordinances, codes, permits, rules and regulations have been complied with.

Section 46-565. – Licensing Board Review Procedures.

1. The licensing board shall consider the following criteria when evaluating whether to approve, renew, or deny a congregate living and social services license application.
 - a. The use is found to be in compliance with the submitted operations and management plan, including but not limited to compliance with all applicable building, fire, and life safety codes.
 - b. The use is of a character that does not produce noise, odors, glare, and/or vibration that adversely affects the surrounding area.
 - c. The use does not produce public safety or health concerns in connection with traffic, pedestrians, public infrastructure, and police or fire department actions.
2. The licensing board may require conditions on a license as reasonably necessary to insure compliance with the requirements of this article.
 - a. Failure of any licensee to comply with such conditions shall be considered a violation of the license.
 - b. Such conditions may include restrictions on the operation of the use (e.g. reduced hours of operation, limits on occupancy), and may include limits on the term of the license to a period less than 1-year.
3. The licensing board shall provide notice of its decision on the application in writing to the applicant. In the event that the application is denied, the licensing board shall provide a written statement to the applicant stating the specific reasons for the denial.

Section 46-566. – License Expiration and Renewal.

Licenses issued under this article shall expire in the year following the initial issuance date on the date specified in the list below for the category of use specific to the license; unless, conditions placed on the license require an earlier timeframe for license expiration and renewal. No postponements of the expiration date shall be granted except for good cause shown and as determined by the licensing authority; provided that the license has been applied for prior to the annual expiration date.

1. Residential Care Facility – April 1
2. Residential Drug/Alcohol Treatment Facility – April 1
3. Drug Treatment Clinic – May 1
4. Group Resource Center – May 1
5. Group Home, Large – June 1
6. Group Home, Small – June 1
7. Homeless Shelter – October 1
8. Lodginghouse – November 1
9. Fraternity/Sorority – November 1

Section 46-567. – Provisional License Status, Suspension or Revocation.

1. The licensing board, following notice to the licensee and a public hearing, may place the license on provisional status, or suspend or revoke any license issued under this article after it has been issued, when any one or more of the following grounds are found to exist.
 - a. Fraud, misrepresentation, or false statement contained in the license application.
 - b. Fraud, misrepresentation, or false statement made in the course of carrying on the use for which the license is issued.
 - c. Substantial violations of the terms of Chapter 46.
 - d. Any substantial violation of applicable municipal building, zoning, health, police and fire rules, regulations, and ordinances, and applicable statutes, rules and regulations of the state.
 - e. Any violation of a restriction or condition placed on the license.
 - f. The licensee is determined to be routinely conducting the use in such a manner as to be a substantial or unreasonable nuisance to the public health, safety, or welfare.
 - g. Refusal to permit an inspection by a duly authorized City regulatory or enforcement officer while in the performance of their duties in making such inspections required by this article.

2. Unless the circumstances otherwise justify, the licensing board shall hold a public hearing at the earliest possible date upon a credible allegation submitted in writing that a licensee is not in compliance with the terms of the license or that one or more of the grounds noted in Section 46-567(1) is found to exist.
 - a. Notice to the licensee of the public hearing shall be sufficient if sent by certified mail to the property owner and operator of the facility at the addresses listed on the license application form at least 10 calendar days prior to the public hearing. Such notice shall specify the time and place of the public hearing and shall state the specific purpose of the hearing.
 - b. The licensing board may act in any of the following ways.
 - i. Place the license on provisional status for a definite period of not more than 180-days, as determined by the licensing board. Under a provisional license, the licensee may continue to operate the use under certain conditions as determined by the board, and shall demonstrate that they have either met the conditions and/or have been found by the applicable regulatory or enforcement authority and by the licensing board to be in compliance with the terms of their license and any applicable regulations prior to the expiration of their provisional license status, failing which the licensing board may either suspend or revoke the license.
 - ii. Suspend the license for a definite period, not to exceed 1-year, as determined by the licensing board. Under suspension, the licensee may not operate the use and will not be able to resume operation of the use until any conditions as determined by the board are met and/or the licensee has been found by the applicable regulatory or enforcement authorities and by the licensing board to be in compliance with the terms of their license and any applicable regulations.
 - iii. Revoke the license. Under revocation, the licensee may no longer operate the use. A license that has been revoked shall not be subject to renewal or restoration except that an application for a new license may be presented and acted upon in accordance with this article.
 - c. In making a determination of whether to place a license on provisional status, or to suspend or revoke a license, the licensing board shall consider all of the following factors.
 - i. The circumstances leading to the violation and the owner/operator's history of violations.

- ii. The extent of deviation from the terms and conditions of the issued license and the licensee's approved operation and management plan.
 - iii. The severity of the violation on public health, safety and welfare, including the degree of impact to the clients of the use and/or the surrounding neighborhood or area.
 - iv. The duration and frequency of the violation, and the owner and operator's efforts to comply with the licensing requirements.
3. Following a decision of the licensing board on the license, the licensee shall be notified of the licensing board's decision. Such notice shall state the specific basis for decision, the necessary corrective action to be taken (if applicable), and the effective dates of the provisional license status, suspension or revocation.
4. A congregate living and social services license may be suspended immediately if the licensing authority determines that immediate harm will otherwise occur and the suspension is required to protect public health, safety and welfare.

Section 46-568. Appeal.

1. Motion for Rehearing. For the purposes of this article, any person aggrieved by the decision of the licensing board shall first file a motion for a rehearing to the board within 30 calendar days after the date of the licensing board decision. For purposes of this section, "person aggrieved" includes any license applicant, or any person or entity directly affected by the licensing board decision.
 - a. The motion for rehearing shall fully set forth every ground upon which it is claimed that the decision rendered is unlawful or unreasonable. No ground not set forth in the motion for rehearing shall be urged, relied on, or given any consideration by the City Council on an appeal to the City Council, unless the City Council for specific good cause shown, shall allow the moving person aggrieved to specify additional grounds.
 - b. The licensing board shall deliberate the motion for rehearing within 30 calendar days of the date of the filing of the motion.
 - c. If the licensing board grants a motion for rehearing, the new public hearing shall be held within 30 calendar days of the decision to grant the rehearing and be subject to the procedures as stated in this article.
 - d. If a motion for rehearing is denied by the licensing board, the person aggrieved may appeal to the City Council within 30 calendar days after the date upon which the licensing board voted to deny the motion for rehearing.
 - i. The person aggrieved shall fully set forth in the appeal every ground which the person claimed to the licensing board in the motion for rehearing that the board's decision was unlawful or unreasonable. The appeal shall be filed with the Office of the City Clerk, with a copy of the appeal provided by the person aggrieved to the licensing board.
 - ii. The licensing board shall transfer to the City Clerk the complete record of the proceedings held before the licensing board. The City Clerk shall place the appeal on the City Council agenda, and transmit the record of the licensing board to the City Council.
2. Appeal to City Council. For the purposes of this article, any appeal of a final decision of the licensing board to occur before the City Council shall be in accordance with the process described below.

- a. The City Council shall hold a hearing on the appeal within 30 calendar days of the receipt of the appeal by the City Clerk, unless extended by the City Council for good cause shown.
- b. The burden of proof shall be upon the person aggrieved. All findings of the licensing board upon all questions of fact properly before the City Council shall be considered lawful and reasonable by the City Council. The decision appealed from shall not be denied, modified or vacated by the City Council, except for errors of law, unless the City Council is persuaded that the decision is otherwise unreasonable.
- c. The City Council shall allow the person aggrieved or the person's representative, to present the appeal before the City Council; provided, however, that the City Council shall decide the matter based on the record before it.
- d. The filing of an appeal shall not stay any enforcement proceedings upon the decision appealed from, and shall not have the effect of suspending the decision of the licensing board.
- e. The City Council may deny the appeal and affirm the decision of the licensing board; or vacate the decision complained of in whole or in part and remand the matter to the licensing board for further consideration with a written decision stating the specific basis for the remand. The decision of the City Council shall be final.

Section 46-569. Transferability.

Licenses issued pursuant to this article shall not be transferable or assignable without the prior approval of the licensing board.

Section 46-570. Enforcement.

For the purposes of this article, where compliance with zoning, building, plumbing, electrical and housing codes may be concerned, the enforcement officer shall be the Building and Health Official, and where fire and life safety codes may be concerned, the enforcement officer shall be the Fire Chief.

Section 46-571. Penalties.

Any person who operates a congregate living or social services use listed in Section 46-561 of this article without having first obtained a congregate living and social services license in accordance with this article, or who operates such a use without a valid license, shall be subject to a violation in accordance with City Code, Section 1-15 and subject to a fine of \$250.00 for each day that the violation continues.

Section 46-572. Fee.

The fee for each congregate living and social services license application shall be as set forth in the schedule of fees in Appendix B of the City Code of Ordinances.

Secs. 46-573 - 46-620. - Reserved."

Effective Date of this Ordinance: September 1, 2021

George Hansel, Mayor