



PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
Council Chambers A, Keene City Hall
January 8, 2025
6:00 PM

A. AGENDA ITEMS

1. Keene Downtown Group - Request to Use City Property - Ice and Snow Festival - February 1, 2025
2. Sign Code Modifications Requested by Mayor Kahn
3. Ordinance O-2024-19-A Relating to Building Height in the Commerce District
4. Rules of Order - Section 15. - Voting and Conflict of Interest

B. MORE TIME ITEMS

1. Councilor Robert Williams - Policy on the Discharge of Fireworks
2. Relative to Residential Parking Requirements
Ordinance O-2024-20-A
3. Relating to Side and Rear Setbacks in the Downtown Edge Zone
Ordinance O-2024-24-A
4. Relating to Licenses and Permits
Ordinance O-2024-18

NON PUBLIC SESSION

ADJOURNMENT

January 15, 2024
Mayor Jay Kahn
Keene City Council
3 Washington Street
Keene, NH 03431

Dear Mayor Kahn and City Council,

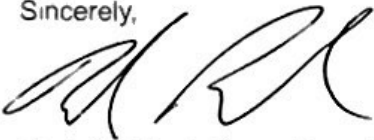
On behalf of the Keene Downtown Group I ask the City of Keene to grant a license for the 22nd annual Keene Ice & Snow Festival to be held on Saturday, February 1, 2025.

The Keene Downtown Group is a 501c6 all volunteer organization that has hosted the Keene Ice & Snow Festival as well as other community events such as the Keene Art Walk and The Keene Music Festival.

The Keene Ice & Snow Festival provides a free day of family fun in mid-winter. Scheduled activities include, a children's train ride, a snow slide, free hot chocolate at 12 participating downtown merchants, a scavenger hunt, campfire smores, character actors, face painting, a sugar on snow station and art from 12 ice carvers whose sculptures are illuminated to shine like christmas tree bulbs into the evening

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Rebillard', with a stylized, cursive script.

Mark Rebillard, Keene Downtown Group Chair
PO Box 80
Keene, NH 03431
[REDACTED]



September 30, 2024

Dear Councilors,

I am writing to request an amendment to the City's prohibition on animated signs that would permit "Blade Signs" in Industrial Zones. Most important to the current prohibition defined in Keene's Land Development Code Article 10.3 is that the sign "does not interfere with travel or maintenance of the public right of way." While the current prohibition makes sense in a commerce and residential zones, I believe this prohibition is overly restrictive when applied to an industrial zoned property. I ask that the Council add an exception for blade signs at industrial zoned properties and help the City's manufacturers recruit the personnel necessary to grow and sustain their businesses.

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. Kahn'.

Jay Kahn
Mayor

Cc: City Manager Dragon
City Attorney Mullins
City Clerk Little

10.3 PROHIBITED SIGNS

The signs in Table 10-2 shall be prohibited in every zoning district, unless noted otherwise in this Article.

Table 10-2: Prohibited Signs

Prohibited Sign Types	Exceptions
Abandoned / Nonapplicable	Monument Signs are allowed
Sign with a sign face area > 200 sf	-
Sign erected or attached to Central Square common or Railroad Square	The temporary use of handheld signs is allowed.
Animated Sign	Revolving Barber Poles 4-ft high by 1-ft wide or less (may be internally illuminated & mounted on the business frontage) 1 flag / tenant frontage that is 15-sf or less, removed at closing, attached to a wall, and does not interfere with travel or maintenance of the public right of way.
Channel Letter Signs & Reverse Channel Letter Sign	Allowed in BGR, DT-C, DT-G, DT-L, DT-E, CL, COM, CP, HC, I, IP, NB
Internally illuminated Sign	Allowed in BGR, DT-C, DT-G, DT-L, DT-E, CL, COM, CP, HC, I, IP, NB
Electrically Activated Changeable Copy Signs	-
Fluorescent Sign	-
Obscene Sign (per NH RSA 571-B:1)	-
Balloon Sign	Allowed as a Temporary Sign
Off-premises Sign	Allowed if permitted by state law
Reflectorized Sign	-
Roof Sign	May be mounted on architectural projections (e.g. canopies), eaves, or mansard facades
Snipe Sign	-

10.4 STANDARDS FOR ALL SIGNS

10.4.1 Placement and Location

- A.** Each sign shall be located on the same site as the subject of the sign.
- B.** No sign, other than signs placed by agencies of government with appropriate jurisdiction, shall encroach upon or over a public right-of-way without approval from City Council.
- C.** No sign shall cover any portion of any building wall opening or project beyond the ends or top of the building wall to which it is affixed.

10.4.2 Construction and Maintenance

- A.** No sign shall be erected, constructed, relocated, or otherwise maintained such that it does any of the following.
 - 1.** Obstructs the free and clear vision of motorists or pedestrians in their travels.
 - 2.** Causes distraction to motorists on adjacent public rights-of-way.
 - 3.** Obstructs, interferes with, or may be confused with any government sign, restrictive sign, directional sign or other authorized traffic sign, signal, or device.
 - 4.** Uses a revolving beacon.
 - 5.** Obstructs any ingress/egress, inhibits light and ventilation, or constitutes a fire hazard.
- B.** All signs and sign structures, including supports, braces, guys, and anchors, shall be kept in good repair and appearance in accordance with the provisions of this Article, and shall comply with all applicable construction standards, codes and regulations.

10.4.3 Sign Area

- A. Max Sign Face Area.** The maximum allowance for sign face area is included in Table 10-3 for wall-mounted signs, and Table 10-4 for freestanding signs, unless otherwise noted in this Article.



CITY OF KEENE

In the Year of Our Lord Two Thousand and _____ Twenty Four

AN ORDINANCE Relating to Amendments to the Land Development Code, Building Height in the
Commerce District

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

That Chapter 100 of the Code of Ordinances of the City of Keene, the Land Development Code, as amended, is further amended as follows:

1. That Section 5.1.4 “Height” of Article 5 “Max Stories Above Grade” be amended as follows:
 - a. Max Stories Above Grade* 2 ~~3~~
 - b. ~~With an additional 10-foot front and side building setback, or a building height stepback of at least 10 feet. Stepback must occur above the ground floor.~~
 - c. ~~With an additional 20-foot front and side building setback, or a building height stepback of at least 20 feet. Stepback must occur above the ground story and no higher than the third story.~~
2. That Section 5.1.4 “Height” of Article 5 “Max Building Height” be amended as follows:
 - a. Max Building Height* 35 ~~42~~ **ft**
 - b. ~~With an additional 10-foot front and side building setback, or a building height stepback of at least 10 feet. Stepback must occur above the ground floor.~~
 - c. ~~With an additional 20-foot front and side building setback, or a building height stepback of at least 20 feet. Stepback must occur above the ground story and no higher than the third story.~~
3. That Section 5.1.4 “Height” of Article 5 be amended to include a new footnote as follows:
 - a. ***See Use Standard 8.3.1.C.2.c for additional height allowances for “Dwelling, Multifamily.”**
4. That Section 8.3.1 “Residential Uses” of Article 8, subsection C.2 Dwelling, Multi-Family Use Standards be amended to include a new subsection “c” as follows:
 - a. **In the Commerce District, up to 6 stories or 82 ft of height is permitted so long as the ground floor along the street primary frontage shall be tenantable commercial space. Dwelling units shall be permitted on the ground floor behind the tenantable commercial space if this use standard is utilized. An additional 15-foot front building setback or a building height stepback of at least 15 feet shall be required. The stepback must occur above the ground floor and no higher than the fourth story. If directly abutting a single family or two-family use, a 50ft side and/or rear building setback from the common property line shall be required.**

Jay V. Kahn, Mayor

SECTION 15. VOTING AND CONFLICT OF INTEREST.

Every Councilor present when a vote is required shall state their vote except when the Councilor has a conflict of interest in the matter under consideration. A Conflict of interest shall be defined to exist when a proposed action, decision, or discussion ("Issue/Item") presented to the City Council for consideration, would affect the Councilor's special interest ("Special Interest"). pecuniary or personal interests. A pecuniary interest is any private financial interest, whether in the form of money, property or other commercial or financial consideration, the primary significance of which is an economic gain to the Councilor which is not otherwise available to the public generally ("Pecuniary Interest"). A personal interest is any interest of a Councilor in the outcome of an Issue which would provide a financial benefit to any individual, group, or organization in which the Councilor has an interest, and which would (or could be reasonably perceived to) inhibit the impartial judgment of, or decision on, the Issue by the Councilor ("Personal Interest"). Membership in an organization generally, and not in a leadership capacity, shall not be considered a Personal Interest. A Special Interest shall be defined as follows:

Any financial or non-financial personal interest in the outcome of an Issue that is the subject of official activity, distinct from and greater than the interests of the public at large:

- (i) A financial interest exists where a City Councilor or Household Member, or a person or organization, whether nonprofit or for profit, by which the City Councilor is employed, or from which the City Councilor receives compensation, to act as the person's or organization's agent or advocate, could stand to gain or lose anything of material value as a result of the official activity.
- (ii) A non-financial personal interest exists where a City Councilor or Household Member has a substantial interest in the welfare of an organization, whether nonprofit or for profit, by virtue of holding a position with a fiduciary responsibility, such as a board member, trustee, or director ("Substantial Interest").
- (iii) A City Councilor or Household Member's ownership of securities of a publicly traded corporation shall not be construed to constitute a Special Interest in matters that may affect the corporation unless the City Councilor or Household Member serves as an officer, board member, trustee or director of the corporation or owns more than one percent of the outstanding securities of the corporation.

Substantial Interest in an organization shall include any of the following factors:

- A i. The person founded the organization;
- ii. The person is a substantial contributor to the organization;
- iii. The person's compensation is primarily based on revenues derived from activities of the organization, or of a particular department or function of the organization, that the person controls;
- iv. The person has or shares authority to control or determine a substantial portion of the organization's capital expenditures, operating budget, or compensation for employees;
- v. The person manages a discrete segment or activity of the organization that represents a substantial portion of the activities, assets, income, or expenses of the organization, as compared to the organization as a whole; or
- vi. The person owns a controlling interest (measured by either vote or value) in a corporation, partnership, or trust or other entity.

A ~~Conflict~~ Special Interest of interest shall be deemed to exist when any person living in the same domicile as the Councilor's (excluding persons with a leasehold interest) and who shares a common economic interest in the expenses of daily living with the Councilor, including but not limited to a spouse, parent, or child 18 years of age or older, or other member of the Councilor's immediate family living in the same household ("Immediate Family/Household Member") has a Pecuniary Interest/Special Interest in a proposed Issue. A Councilor with a conflict of interest- Special Interest on a Council agenda shall file with the City Clerk the written particulars of the conflict of interest- Special Interest for inclusion on the Council agenda. If the conflict- Special Interest becomes known to a Councilor during a meeting, the Councilor should immediately disclose the particulars of the conflict of interest- Special Interest. The question of whether or not a ~~conflict~~Special Interest exists will then be decided by a majority vote of the Councilors present. The Councilor who may have a ~~conflict~~Special Interest of interest shall not

vote on the question of the existence of the ~~conflict~~Special Interest of interest. When a ~~C~~onflict Special Interest of interest is determined by the City Council to exist, the member having the ~~conflict~~Special Interest shall be prohibited from participating in the discussion and the vote on the Issue. Except at a duly noticed public hearing, or a public meeting, in which the public is allowed to speak, no Councilor having a ~~conflict~~Special Interest of interest may discuss the Issue in which he or she has a ~~conflict~~Special Interest with any other Councilor in any other place or any other time. If a Councilor with a ~~conflict~~Special Interest of interest wishes to speak at a public hearing, or in a public meeting, the Councilor shall do so from the audience section of the meeting.

Any Councilor having reasonable grounds to believe that another Councilor has a ~~conflict~~Special Interest of interest may raise the issue on his or her own motion. The Mayor shall also be subject to the Rule ~~on~~on Conflict of Interest notwithstanding whether or not the Mayor is entitled to vote on an Issue. The question of whether or not a Conflict of Interest exists is subject to debate. The question will then be decided by the Council as set forth above.

The Mayor and Councilors shall file with the City Clerk in January of each year a Statement of Special Interests on a form prepared for that purpose by the City Clerk. The Statement of Special Interests shall identify for the Mayor and for each Councilor and for each ~~other person in the Immediate Family Household Member~~ the person's employer, and ~~for the Mayor and for each Councilor,~~ any board, commission, organization, association, or other entity in which the Mayor and Councilor ~~or Household Member has a Substantial Interest. is a member of, and whether or not the person holds a leadership position in that organization.~~ The Statement of Special Interests shall be available in the Office of the City Clerk for public inspection.

(Amended 6-5-1975, 4-15-1976, 4-20-1978, 4-17-1980, 6-18-1981, 8-2-1984, 4-18-1991, 2-17-2005, 6-5-2008, 1-18-2018, 6-18-2020, 4-7-2022)