

**Proposed Zoning Amendments
Creation of a Gateway Neighborhood Mixed Use Residential District (G3)
City of Portsmouth, NH**

The following amendments are proposed to the City of Portsmouth Zoning Ordinance relating to Article 4, Article 5B, and the Zoning Map. The amendments would create a new Gateway Neighborhood Mixed Use Residential (G3) zoning district for properties currently located in the Gateway Neighborhood Mixed Use Center (G2) District along Chase Drive, Cutts Avenue, and between Kearsarge Way and Interstate 95. Properties directly impacted by these proposed amendments are 200 Chase Drive (Tax Map 210 Lot 2), 373 Cutts Avenue (Tax Map 210 Lot 5), 393 Cutts Avenue (Tax Map 210 Lot 4), 411 Cutts Avenue (Tax Map 210 Lot 3), and off Kearsarge Way (Tax Map 218 Lots 22, 24, 25, 28, 29, 30, 32, 33, 34, 38, 39).

The proposed Zoning Map amendments are as follows:

- A. Article 4, Section 10.421.10 – DISTRICT LOCATION AND BOUNDARIES of the Zoning Ordinance of the City of Portsmouth and the City of Portsmouth Zoning Map be amended to remove properties currently zoned Gateway Neighborhood Mixed Use Center district (G2) and located on Chase Drive, Cutts Avenue, and between Kearsarge Way and Interstate 95 and re-zone to the newly created Gateway Neighborhood Mixed Use Residential district (G3).

The proposed amendments to Article 4 and Article 5B are as follows:

- A. Article 4, Section 10.410 – ESTABLISHMENT AND PURPOSE OF DISTRICTS insert the following under Mixed Use Districts:

District	Purpose
Gateway Neighborhood Mixed Use Residential	G3
	The purpose of this district is to facilitate a range of residential and limited mixed use development at a pedestrian scale with moderate density providing new housing choices and convenient services that benefit nearby residents.

B. Article 4, Section 10.440 -- TABLE OF USES insert a new column for use in the G3 district (P=Permitted, S=Special Exception, CU= Conditional Use Permit, N=Prohibited):

Use	G3
1. Residential Uses	
1.10 Single family dwelling	P
1.20 Accessory dwelling unit	CU N
1.21 Attached	
1.22 Detached	
1.25 Garden Cottage	N
1.30 Two-family dwelling	P
1.40 Townhouse	P
1.50 Multifamily dwelling	P P P
1.51 3 or 4 dwelling units	
1.52 5 to 8 dwelling units	
1.53 More than 8 dwelling units	
1.60 Conversion of a building existing on January 1, 1980, with less than the required minimum lot area per dwelling unit specified in Article 5	N N N N
1.61 To 2 dwelling units	
1.62 To 3 or 4 dwelling units	
1.63 To 5 to 8 dwelling units	
1.64 To more than 8 dwelling units	
1.70 Live/work unit	P
1.80 Manufactured housing park	N
1.90 Planned unit development (PUD)	N N
1.91 Open space PUD	
1.92 Residential density incentive PUD	
2. Institutional Residence or Care Facilities	
2.10 Assisted living facility	N N
2.11 Assisted living center	
2.12 Assisted living home	

Use	G3
2.20 Residential care facility	
2.21 5 or fewer residents	S
2.22 More than 5 residents	S
3. Educational, Religious, Charitable, Cultural and Public Uses	
3.10 Place of assembly	
3.11 Religious	S
3.12 Other nonprofit	S
3.20 School	
3.21 Primary or secondary	S
3.30 Post-secondary	S
3.30 Historic preservation building	P
3.40 Museum	N
3.50 Performance facility	
3.51 Indoor performance facility	
3.511 Occupancy up to 500 persons	N
3.512 Occupancy more than 500	N
3.52 Outdoor performance facility	
3.521 Occupancy up to 500 persons	N
3.522 Occupancy more than 500	N
3.60 Cemetery	N
3.70 Club, fraternal or service organization	S
3.80 Municipally operated park and related activities	P
4. Recreational Uses	
4.10 Religious, sectarian or private non-profit recreational use	N
4.20 Cinema or similar indoor amusement use with no live performance	N
4.30 Indoor recreation use, such as bowling alley or arcade	N
4.40 Health club, yoga studio, martial arts school, or similar use	
4.41 Up to 2,000 sq. ft. GFA	P
4.42 More than 2,000 sq. ft. GFA	N
4.50 Outdoor recreation use	P
4.60 Amusement park, water park or theme park	N

Use	G3
5. Office Uses, Non-Medical	
5.10 Professional office	N
5.20 Business office (incl. real estate office)	N
5.30 Financial institution	
5.31 Financial services office	N
5.32 Retail bank	N
5.40 Social service campus	
5.41 Nonresidential	N
5.42 Residential	N
5.50 Media studio	
5.51 Excluding any transmitting antenna tower	N
5.52 Including accessory transmitting antenna tower	N
5.60 Publishing facility or similar electronic production operation	N
5.70 Call Center	N
6. Medical Services and Health Care	
6.10 Hospital	N
6.20 Medical offices and clinics (outpatient only)	N
6.30 Clinics with inpatient care	N
6.40 Ambulatory surgical center	N
6.50 Substance abuse treatment facility	N
6.60 Psychiatric hospital for the criminally insane	N
7. Services, Other Than Health Care	
7.10 Day Care	
7.11 Family day care facility	P
7.12 Group day care facility including private preschool and kindergarten	S
7.20 Personal services	S
7.30 Consumer services such as copy shop, bicycle repair, and pet grooming	S
7.40 Trade, craft and general service establishments, such as shops for plumbers, electricians, painters, paper hangers, upholsterers, sign painters and printers	S
7.50 Veterinary Care	N

Use	G3
7.60 Laundry and dry cleaning establishments	
7.61 Drop-off/pick-up only for items to be dry cleaned or laundered off site	S
7.62 Self-service laundry for use by the general public	S
7.63 Dry cleaning establishment with on-site cleaning facilities.	N
7.70 Undertaking establishment, funeral parlor or mortuary chapel, excluding crematorium	S
8. Retail Trade	
8.10 Convenience goods	
8.11 Convenience `goods 1	
8.111 Hours of operation between 6:00 AM and 11:00 PM	S
8.112 24 hours per day operation	N
8.12 Convenience goods 2	
8.121 Hours of operation between 6:00 AM and 11:00 PM	S
8.122 24 hours per day operation	N
8.30 Retail sales conducted within a building	
8.31 Not marine-related	S
8.32 Marine-related	S
8.40 Shopping center	N
8.50 Retail sales, large format	N
8.60 Fish market	N
8.70 Manufacture of goods sold at retail on the premises, such as crafts, coffee roasting and bakery goods	N
8.80 Sexually oriented business	N
9. Eating and Drinking Places	
9.10 Nightclub or bar	
9.11 Occupant load less than 250	N
9.12 Occupant load from 250 to 500	N
9.13 Occupant load greater than 500	N
9.20 Restaurant, take-out only	S
9.30 Restaurant, fast food	S

Use	G3
9.40 Restaurant, place of public assembly or function room	
9.41 Occupant load less than 50	S
9.42 Occupant load from 50 to 250	N
9.43 Occupant load from 250 to 500	N
9.44 Occupant load greater than 500	N
9.50 Permanently moored vessel used as restaurant or bar , with occupant load less than 250	N
10. Lodging Establishments	
10.10 Boarding house	N
10.20 Bed and breakfast	
10.21 Bed and Breakfast 1	S
10.22 Bed and Breakfast 2	S
10.30 Inn	N
10.40 Hotel or motel	
10.41 Up to 125 rooms	N
10.42 126 to 250 rooms	N
10.42 251 to 500 rooms	N
10.43 More than 500 rooms	N
10.50 Conference hotel	N
10.60 Conference center	N
11. Motor Vehicle-Related Uses	
11.10 Sales, renting or leasing of passenger cars and light trucks, motorcycles, tractors, snowmobiles and small power equipment (e.g., lawnmowers), including accessory repair services	N
11.20 Motor vehicle service station, motor vehicle repair or washing facility for passenger cars and light trucks	N
11.30 Sales, rental, leasing, distribution, and repair of trucks over 10,000 lb gross vehicle weight (GVW), recreational vehicles, marine craft or manufactured housing, and related equipment	N
11.40 Impound lot (principal or accessory use)	N
11.50 Truck fueling facility	N
11.60 Truck terminal	N

Use	G3
12. Marine Craft Related Uses	
12.10 Boat landings, boat docks, boathouses and associated marine uses	
12.11 Non-commercial	N
12.12 Fishing boat landing 1	N
12.13 Fishing boat landing 2	N
12.20 Marina	
12.21 With no repair, servicing or fueling facilities	N
12.22 With repair, servicing or fueling facilities	N
12.30 Repair of commercial marine craft and marine-related structures	N
12.40 Landside support facility for commercial passenger vessel	N
13. Wholesale Trade, Warehousing and Distribution	
13.10 Wholesale use	
13.11 Not marine-dependent	N
13.12 Marine-dependent	N
13.20 Wholesale sales devoted to, and in the same establishment as, a permitted retail use	
13.21 Occupying up to 20% of gross floor area of establishment	N
13.22 Occupying 21% to 40% of gross floor area of establishment	N
13.30 Wholesale lumber yards, lumber and contractor sales	
13.31 Not marine-dependent	N
13.32 Marine-dependent	N
13.40 Warehousing or distribution of non-flammable, non-hazardous materials, not classified as a high hazard use	
13.41 Not marine-dependent	N
13.42 Marine-dependent	N

Use	G3
14. Industrial Uses	
14.10 Light industry	
14.11 Not marine-dependent	N
14.12 Marine-dependent	N
14.20 Research and development	
14.21 Not marine-dependent	N
14.22 Marine-dependent	N
14.30 Food processing	
14.31 Not including seafood processing	N
14.32 Including seafood processing	N
14.40 Electronics manufacturing	N
14.50 General manufacturing	
14.51 Not marine-dependent	N
14.52 Marine-dependent	N
14.60 Biological or chemical laboratory	
14.61 Not marine-dependent	N
14.62 Marine-dependent	N
14.70 Recycling facility or recycling plant	
14.80 High hazard use, including other uses listed in this section but not including uses described in 14.90	N
14.90 Storage (other than normal accessory use), processing, disposal, or transfer of petroleum, petrochemicals, natural gas and liquid petroleum products, coal, alcohol, wood pulp, solid or liquid waste, junk or hazardous waste as classified by Federal or State law	N
15. Transportation and Utilities	
15.10 Public or private transformer station, substation, pumping station or automatic telephone exchange, not including any business office, storage yard or storage building	
15.11 Essential to service the area in which it is located	S
15.12 Providing community-wide or regional service	N

Use	G3
15.20 Heliport or helipad	
15.21 Helipad, as an accessory use to a permitted hospital use	N
15.22 Heliport	N
16. Wireless Telecommunications Facilities	
16.10 Satellite dish receiver 42 inches or less in diameter:	
16.11 Building-mounted, maximum height less than or equal to 4 feet from the roof surface	P
16.12 Ground-mounted, complying with all yard requirements for the district	P
16.20 Satellite dish receiver more than 42 inches in diameter:	
16.21 Building-mounted, maximum height less than or equal to 4 feet from the roof surface	P
16.22 Ground-mounted, complying with all yard requirements for the district	P
16.30 Whip antenna not more than 30 feet in height	S
16.40 Other wireless telecommunications facility not included above	N
17. Agricultural Uses	
17.10 Farm, not including the keeping of farm animals	N
17.20 Keeping of farm animals	N
18. Temporary Uses	
18.10 Construction trailer	P
18.20 Temporary structure	
18.21 Up to 30 days	P
18.22 31 to 90 days	S
18.23 91 to 180 days	N
18.24 More than 180 days	N
18.30 Manufactured housing not on a foundation, as temporary replacement housing for a dwelling on the same lot destroyed by natural causes, provided that there is an active building permit for rebuilding the destroyed dwelling	
18.31 Up to 180 days	P
18.32 More than 180 days	S

Use	G3
18.40 Carts or trailers, including outdoor display area, used for the seasonal sale of dry goods, Christmas trees, flowers, fruits, vegetables, seasonal products and prepared food	N
19. Accessory Uses	
19.10 Accessory use to a permitted principal use, but not including any outdoor storage	P
19.20 Home occupation	
19.21 Home occupation 1	P
19.22 Home occupation 2	P
19.30 Concessions and services located within the principal building	P
19.40 Drive-through facility, as accessory use to a permitted principal use	N
19.50 Outdoor dining or drinking area, as accessory use to a permitted principal use	CU
20. Accessory Storage	
20.10 Indoor storage of motor vehicles or boats as an accessory use	P
20.20 Outdoor storage of registered motor vehicles owned by residents of the premises or business. Such vehicles may include only one commercial vehicle, which shall be limited to no more than 2 axles and 6 wheels.	P
20.30 Outdoor storage for not more than 9 consecutive months of boats owned by residents of the property:	
20.31 Not more than one motorboat or sailboat longer than 12 feet	P
20.32 Any number of (a) motorboats or sailboats up to 12 feet in length, or (b) hand-powered craft (canoes and kayaks) without restriction as to length	P
20.40 Outdoor storage of lobster traps, lobster buoys and associated rope	P
20.50 Outdoor storage of raw or partially finished material	
20.51 Not marine-dependent	N
20.52 Marine-dependent	N

Use	G3
20.60 Outdoor storage of machinery, equipment and vehicles	
20.61 Not marine-dependent	N
20.62 Marine-dependent (other than allowed by 20.30 or 20.40 above)	N

C. Revise Article 5B, Section 10.5B34 – BUILDING TYPES STANDARDS to specify the building types and associated lot and building dimensional standards permitted in the Gateway Neighborhood Mixed Use Districts by amending as follows:

- 1) 10.5B34.10 Cottage
Add “PERMITTED DISTRICTS – G1, G2, G3”
- 2) 10.5B34.20 Paired House
Add “PERMITTED DISTRICTS – G1, G2, G3”
- 3) 10.5B34.30 Gateway Townhouse
Add “PERMITTED DISTRICTS – G1, G2, G3”
- 4) 10.5B34.40 Apartment Building
Add “PERMITTED DISTRICTS – G1, G2, G3”
- 5) 10.5B34.50 Live/Work Building
Change to “Small Mixed Use Building”
Add “PERMITTED DISTRICTS – G1, G2, G3”
Update references to Live/Work Building throughout Zoning Ordinance as needed
- 6) 10.5B34.60 Small Commercial Building
Add “PERMITTED DISTRICTS – G1, G2”
- 7) 10.5B34.70 Large Commercial Building
Add “PERMITTED DISTRICTS – G1, G2”
- 8) 10.5B34.80 Mixed Use Building
Change to “Large Mixed Use Building”
Add PERMITTED DISTRICTS – G1, G2”
Update references to Large Mixed Use Building throughout Zoning Ordinance as needed
- 9) 10.5B34.90 Flex Space/Fabrication Building
Add “PERMITTED DISTRICTS – G1, G2”
- 10) 10.5B34.100 Community Building
Add “PERMITTED DISTRICTS – G1, G2, G3”

D. Revise Article 5B, Section 10.5B42 – DEVELOPMENT SITE STANDARDS to specify the development site types and associated standards permitted in the Gateway Neighborhood Mixed Use Districts by amending as follows:

- 1) 10.5B42.10 Pocket Neighborhood Development
Add “PERMITTED DISTRICTS – G1, G2, G3”
- 2) 10.5B42.20 Mixed Use Development
Add “PERMITTED DISTRICTS – G1, G2”
Add footnote clarifying that small commercial building, large commercial building, large mixed use building, and flex space/fabrication building types are not permitted in G3 District.
- 3) 10.5B42.30 General Residential Development
Add “PERMITTED DISTRICTS – G1, G2, G3”
- 4) 10.5B42.40 General Commercial Development
Add “PERMITTED DISTRICTS – G1, G2”

E. Revised Article 5B, Section 10.5B71 RESIDENTIAL DENSITY by adding requirements for the G3 district to the Residential Density tables in Sections 10.5B71.10 and Section 10.5B71.20 as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

Dwelling Units Per
Acre

Building Type	Gateway Corridor (G1)		Gateway Center (G2)		Gateway Residential (G3)	
	P	CU	P	CU	P	CU
Cottage	NR	NR	NR	NR	NR	NR
Paired House	NR	NR	NR	NR	NR	NR
Apartment Building	16	24	16	24	16	20
Gateway Townhouse	16	24	16	24	16	20
Small Mixed Use Live/Work Building	16	24	16	24	12	16
Large Mixed Use Building	16	24	16	24	NA	NA

P = Permitted

CU = Conditional Use Permit under the provisions for Density Bonuses in Section 10.5B72

NR = No requirement, NA = Not Allowed

Dwelling Units Per
Acre

Development Sites	Gateway Corridor (G1)		Gateway Center (G2)		Gateway Residential (G3)	
	P	CU	P	CU	P	CU
Pocket Neighborhood	16	20	12	16	12	16
Mixed Use Development	20	36	20	36	NA	NA
General Residential Development	20	36	20	36	16	20

P = Permitted

CU = Conditional Use Permit under the provisions for Density Bonuses in Section 10.5B72

NA = Not Allowed