

**Proposed Zoning Amendments
City of Portsmouth, NH**

The following amendments are proposed to the City of Portsmouth Zoning Ordinance relating to Article 4, Article 5A, and the Zoning Map. The amendments to Article 4 and the Zoning Map include modifying the location and boundaries of the North End Incentive Overlay District and the Downtown Overlay District, modify Building Height area requirements, and re-zoning selected properties from Character District 5 to Character District 4 and Character District 4-L1. In addition, amendments are proposed to Article 5A Incentive Overlay District requirements to require granting of a conditional use permit by the Planning Board.

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 a portion of the property located at 361 Hanover Street at Assessors Tax Map 138, Lot 63 that fronts on Hanover Street from the Downtown Overlay District, re-zone this same portion from Character District 5 to Character District 4-L1, and re-zone the remaining portion that fronts on Foundry Place to Character District 4.

- B. 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 re-zone the property at 89-99 Foundry Place at Assessors Tax Map 138, Lot 62 and the property at 126 Bridge Street at Assessors Tax Map 125, Lot 16 from Character District 5 to Character District 4.

- C. Article 4, Section 10.421.10 – DISTRICT LOCATION AND BOUNDARIES of the Zoning Ordinance of the City of Portsmouth, the City of Portsmouth Zoning Map 10.5A21B – BUILDING HEIGHT STANDARDS be amended to remove the property located at 66 Rock Street at Assessors Tax Map 138, Lot 61 from the Downtown Overlay District and the North End Incentive Overlay District.

- D. Article 5A, Section 10.5A21.10 – CONTENTS OF REGULATING PLAN and the City of Portsmouth Zoning Map 10.5A21B – BUILDING HEIGHT STANDARDS MAP be amended to add a building height area of 2-3 stories (40' max) along the entirety of Foundry Place.

- E. Article 5A, Section 10.5A21.10 – CONTENTS OF REGULATING PLAN and the City of Portsmouth Zoning Map 10.5A21B – BUILDING HEIGHT STANDARDS MAP be amended to change the building height area along the entirety of Hill Street from 2-4 stories (50' max) to 2-3 stories (40' max).

The proposed amendments to Article 5A, Section 5A46 are as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

F. In Section 5A46 – INCENTIVE OVERLAY DISTRICTS amend as follows:

The Incentive Overlay Districts are designated on Map 10.5A21B. In such areas, **a conditional use permit may be granted by the Planning Board for** certain specified development standards ~~to~~ may be modified as set forth in Section 10.5A46.10 below, if the development provides community space or workforce housing in accordance with Section 10.5A46.20, as applicable. **In granting a conditional use permit, the Planning Board may modify specific standards set forth in Sections 10.5A46.10 and requirements listed in 10.5A46.20.**

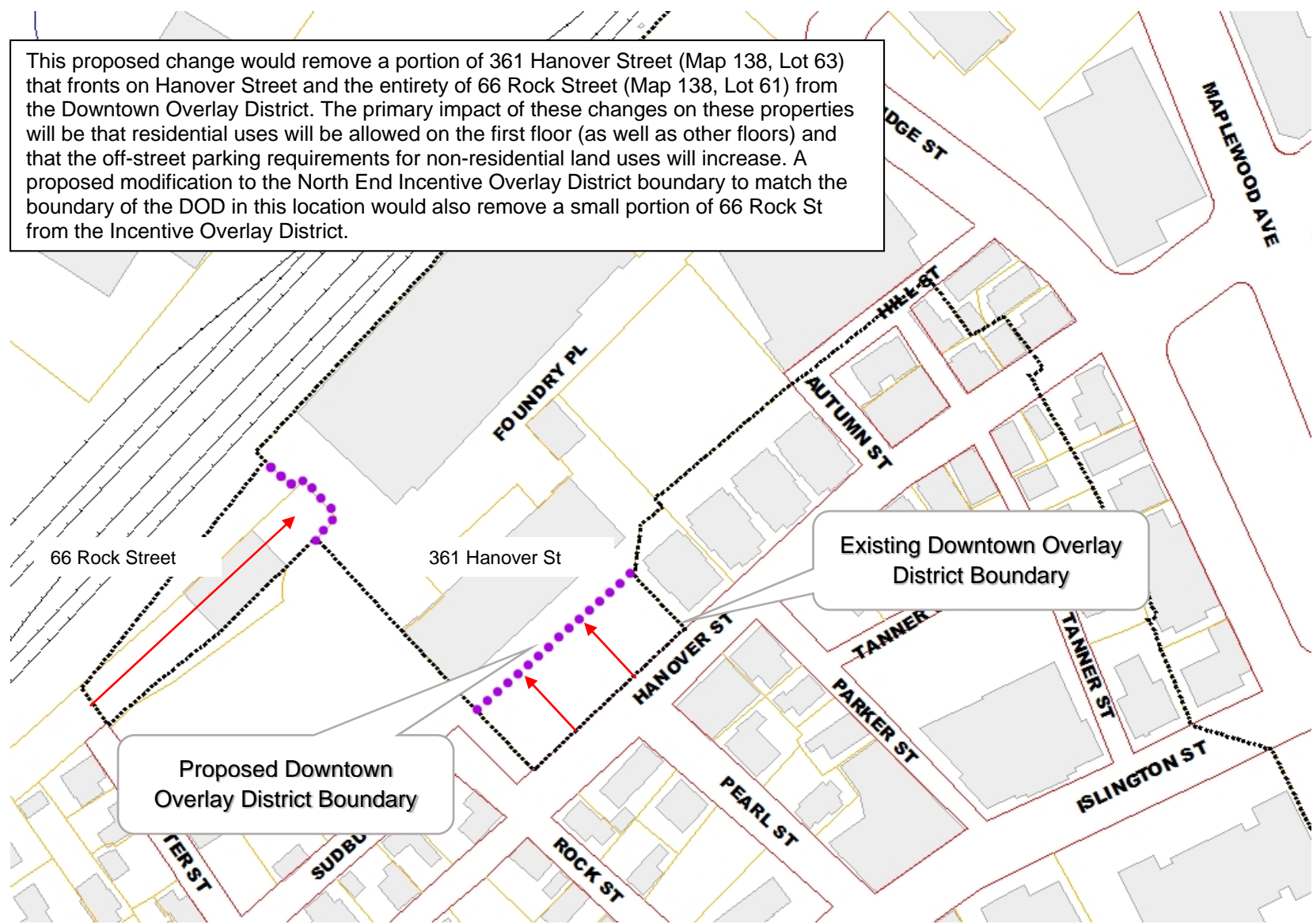
G. In Section 5A46 – INCENTIVE OVERLAY DISTRICTS, insert a new subsection as follows:

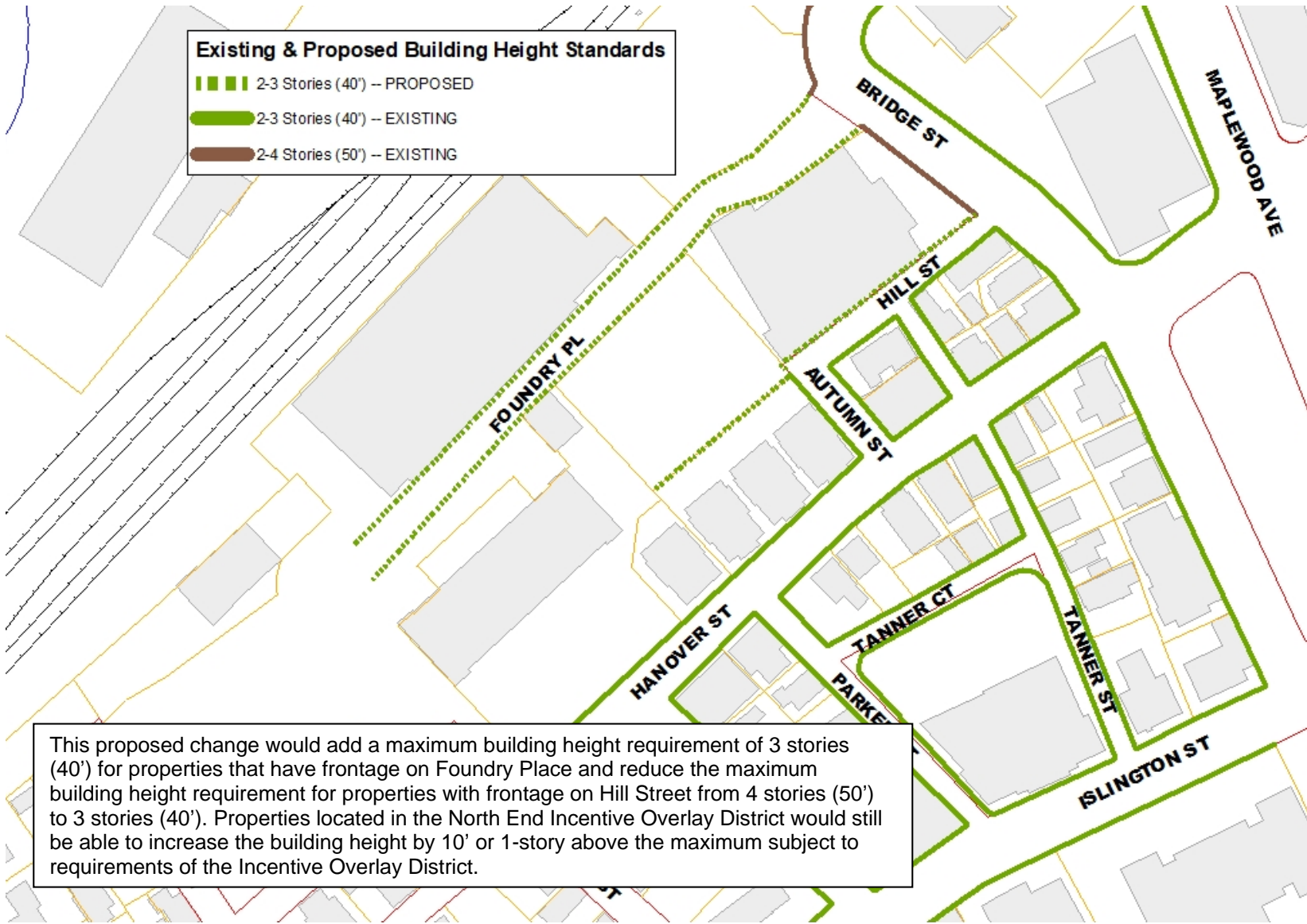
10.5A46.30 Planning Board Findings for Granting of a Conditional Use Permit for Incentives:

10.5A46.31 The proposed project (and any conditions of approval) satisfies the requirements in 10.5A46.20;

10.5A46.32 The proposed project is consistent with the purpose and intent set forth in 10.5A11.

This proposed change would remove a portion of 361 Hanover Street (Map 138, Lot 63) that fronts on Hanover Street and the entirety of 66 Rock Street (Map 138, Lot 61) from the Downtown Overlay District. The primary impact of these changes on these properties will be that residential uses will be allowed on the first floor (as well as other floors) and that the off-street parking requirements for non-residential land uses will increase. A proposed modification to the North End Incentive Overlay District boundary to match the boundary of the DOD in this location would also remove a small portion of 66 Rock St from the Incentive Overlay District.





This proposed change would re-zone the properties at 126 Bridge St, 89-99 Foundry Pl, and the portion of 361 Hanover St that fronts on Foundry Pl from CD-5 to CD4 and the portion of 361 Hanover St that fronts on Hanover St from CD-5 to CD4-L1. The primary impact of these changes would be a reduction in the maximum building footprint/coverage for the properties in the proposed CD-4 and a significant reduction in building footprint/coverage requirements and limiting of land uses to office and residential only for the portion in the CD4-L1. All of the properties proposed to be re-zoned to CD4 are located in the North End Incentive Overlay District and would still be able to increase the building coverage up to 30,000 sf subject to the requirements of the Incentive Overlay District. Properties labeled in red are the proposed properties for re-zoning.

