

**Multifamily Dwellings in Residential and Mixed Residential Districts and Character Districts 4–Limited;
 Multiple Dwellings, Principal Buildings and Principal Uses on a Lot in General Residence C and Mixed Residential Districts and Character Districts 4–Limited; and
 Multiple Dwelling Units on a Lot in General Residence and Mixed Residential Districts and Character Districts 4–Limited
 DRAFT – October 17, 2019**

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 10 — Zoning Ordinance, be amended as follows:

- A. Amend Section 10.440, Table of Uses – Residential, Mixed Residential, Business and Industrial Districts, as follows (deleted text in ~~strike~~through, inserted text in **bold**, remaining text unchanged):

Use	GRA GRB	GRC	MRO CD4-L1	CD4-L2	MRB
1.50 Multifamily dwelling					
1.51 3 or 4 dwelling units	S CU	P	P	P	P
1.52 5 to 8 dwelling units	N	S CU	P CU	P CU	P CU
1.53 More than 8 dwelling units	N	N	N	N	N

- B. Amend Section 10.513, One Dwelling Per Lot, as follows (deleted text in ~~strike~~through, inserted text in **bold**, remaining text unchanged):

10.513 ~~One Dwelling Per Lot~~ Multiple Dwellings, Principal Buildings and Principal Uses on a Lot in Residential and Mixed Residential Districts

10.513.10 In a Rural, Single Residence A or B, or General Residence A or B district, ~~N~~no more than one free-standing dwelling or other principal building or use shall be built on any lot ~~in a Rural, Single Residence A or B, or General Residence A or B district~~ except where specifically exempted by other provisions of this Ordinance.

10.513.20 In a General Residence C district (GRC), a Mixed Residential district (MRO, MRB), or a Character District 4-Limited (CD4-L1, CD4-L2), not more than one free-standing dwelling or other principal building shall be built on a lot unless authorized by the Planning Board through the granting of a conditional use permit in accordance with Section 10.730.

C. Insert a new Section 10.730 as follows:

10.730 Multiple Dwellings or Principal Buildings or Uses on a Lot in General Residence C and Mixed Residential Districts and Character Districts 4-Limited

In a General Residence C district (GRC), Mixed Residential district (MRO, MRB), or Character District 4-Limited (CD4-L1, CD4-L2), the Planning Board may grant a conditional use permit to allow more than one dwelling, principal building or principal use on a lot, subject to the following provisions and limitations.

10.731 In order to be eligible to apply for a conditional use permit under this section, the lot and all proposed buildings shall comply with all dimensional standards of the zoning district.

10.732 Before granting a conditional use permit to allow more than one dwelling, principal building or principal use on the lot, the Planning Board shall make the following findings:

10.732.10 The design and layout of buildings on the site will be consistent with the established character, scale, massing and density of the surrounding neighborhood.

10.732.20 The buildings, uses and accessory off-street parking areas will maintain a compatible relationship to adjacent properties in terms of location and design, and will not significantly reduce the privacy of adjacent properties.

10.732.30 Developing multiple buildings on the lot will be equally or more beneficial to the neighborhood than subdividing the lot to accommodate multiple dwellings or providing a similar number of

dwelling units in a larger two-family or multifamily dwelling.

10.733 In issuing a conditional use permit to allow more than one dwelling on a lot, the Planning Board may require that the area between each such free-standing dwelling and the street on which the lot has frontage shall be free of any structures. For example, the Board may require that one free-standing dwelling not be located behind another dwelling or behind an accessory building such as a garage.

D. Insert a new Section 10.817 as follows:

10.817 Multiple Dwelling Units on a Lot in General Residence and Mixed Residential Districts and Character Districts 4–Limited

The Planning Board may grant a conditional use permit to allow a total of 3 or 4 dwelling units on a lot in a General Residence A or B district (GRA, GRB), or a total of between 5 and 8 dwelling units on a lot in a General Residence C district (GRC), Mixed Residential district (MRO, MRB) or Character District 4–Limited (CD4-L1, CD4-L2), subject to the following provisions and limitations.

10.817.10 In order to be eligible to apply for a conditional use permit under this section, the lot and all proposed buildings shall comply with all dimensional standards of the zoning district.

10.817.20 Before granting a conditional use permit under this section, the Planning Board shall make the following findings:

10.817.21 The design and layout of dwelling(s) will be consistent with the established character, scale, massing and density of the surrounding neighborhood.

10.817.22 The dwelling(s) and accessory off-street parking areas will maintain a compatible relationship to adjacent properties in terms of location and design, and will not significantly reduce the privacy of adjacent properties.