

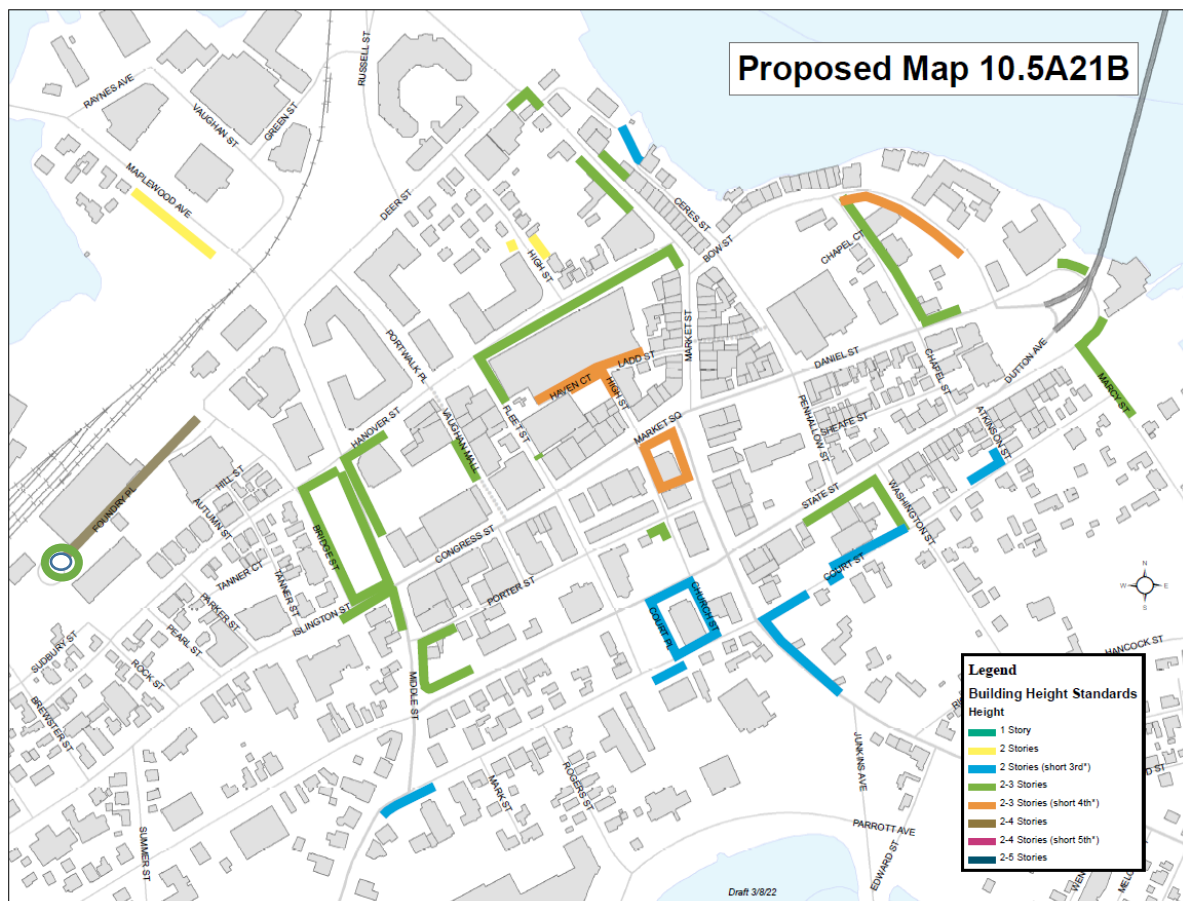
ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

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

Amend Article 5 – Dimensional and Intensity Standards - Section 10.5A21.10: Contents of Regulating Plan as follows (deletions from existing language ~~stricken~~; additions to existing language underlined; remaining language unchanged from existing):

- 1) Amend Section 10.5A21B - Building Height Standards Map as follows:
 - a. Add the following Building Height Standards (where shown in color):



- b. Amended the following note on Map 10.5A21B as follows:

Incentive Overlay Districts

Within the Incentive Overlay Districts, certain specified development standards, including height, density and parking, may be modified pursuant to Section 10.5A476.

- 2) Amend Article 5 - Section 10.5A21.20 - Building Height Standards (deletions from existing language ~~stricken~~; additions to existing language underlined; remaining language unchanged from existing):

- a. Amend Section 10.5A21.21 as follows:

10.5A21.21 Assignments for specific **building height** require a building to have no more than the designated maximum number of **stories** or the maximum height in feet (whichever is lower) and no less than the designated minimum number of **stories**. Subject to Section 10.635.70 – Review Criteria, within the Historic District, the approved **building height** may be lower than the maximum designated number of **stories** or the maximum height in feet provided in Section 10.5A43.30 but shall be not lower than the minimum designated number of **stories** or the minimum height in feet provided.

- b. Amend Section 10.5A21.21 as follows:

10.5A21.22 When a **lot** is assigned to more than one **building height** standard the **lot** shall be apportioned as follows:

- (a) A **building height** standard designated along ~~the~~ a front lot line on a street or public place shall apply to the portion of the **lot** that is 50 feet or less from such **lot line** or **street** or public place.
- (b) A **building height** standard designated along a water body shall apply to the portion of the **lot** that is 100 feet or less from the mean high water line.
- (c) More than 50 feet from a **front lot line** ~~or on a street or public place~~ and more than 100 feet from a water body, the **building height** may increase to the highest **building height** standard designated for the **lot**.
- (d) Where a **lot** has less depth from ~~the~~ a front lot line, street, public place or water body than the required minimum distances stated above, the lowest **building height** standard for the **lot** shall be applied to the required linear distance from the **lot line, street** or public place or water body.

- 3) Amend Article 5 – Section 10.5A50 - Civic Districts (deletions from existing language ~~stricken~~; additions to existing language underlined; remaining language unchanged from existing):

- a. Amend Section 10.5A52.40 as follows:

10.5A52.40 - New **structures, alterations** and expansions of existing **structures** in the Civic district shall conform to the Building Placement and Form Standards for Principal and Outbuildings listed in 10.5A41.10C. Such uses are subject to the applicable requirements of 10.5A42 and 10.5A43 provided that all **uses** remain civic.

- 4) Amend Article 15 – Definitions - Section 10.1530: Terms of General Applicability (deletions from existing language ~~stricken~~; additions to existing language underlined; remaining language unchanged from existing):

Lot line, front

A boundary of a **lot** that separates the **lot** from either a **street** or a public place. A **corner lot** or a **through lot** or a waterfront lot shall have ~~two~~ multiple front lot lines. In the case of a **corner lot** or a through lot or a waterfront **lot**, the **principal front yard** shall be the line bordering a **street** or public place on which the **lot** has its address.

Public place

A street, way, park, pedestrian alleyway or other community space type that provides public access.

Existing grade plane

A reference plane representing the average existing ground level on the lot within 6 feet of an existing or proposed building. The existing grade plane shall be used to calculate the building height. When the existing ground level slopes away from existing or proposed exterior walls, the reference plan shall be established by the lowest points within the area between the building and the lot line or, when the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building.

Building height

The greatest vertical measurement between two reference points defined as follows:

- (a) The lower reference point shall be the **existing grade plane** as defined herein.
- (b) The upper reference point shall be any of the following:
 - (1) For a flat or flat-topped mansard roof, the highest point of the roof surface;
 - (2) For a pitched roof, hip-topped mansard, or gambrel roof, the elevation midway between the level of the eaves and highest point of the roof. For this purpose, the “level of the eaves” shall mean the highest level where the plane of the roof intersects the plane of the outside wall on a side containing the eaves, but at no time shall this level be lower than the floor level of the uppermost **story** or **attic**.
- (c) A **parapet wall**, fence, railing or similar **structure** that extends more than two feet above the roof surface shall be included in the determination of **building height**, but shall not be included if it does not extend more than two feet above the roof surface.
- (d) To determine **building height**, measurements shall be taken at least every 5 feet around the entire perimeter of an existing or proposed building. An average is calculated from these figures and that figure shall be the **building’s** height for purposes of this Ordinance.

(See also: **existing grade plane**, **parapet wall**.)