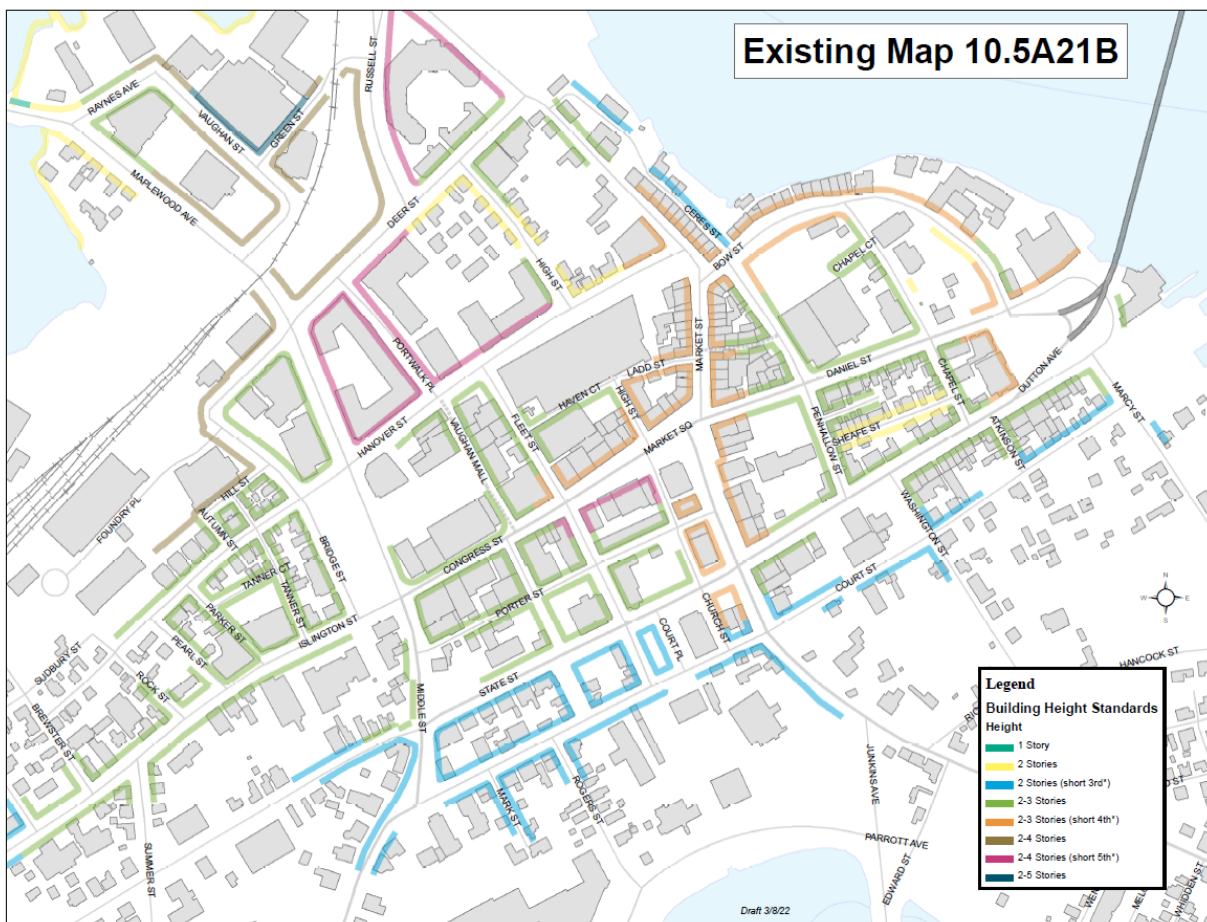


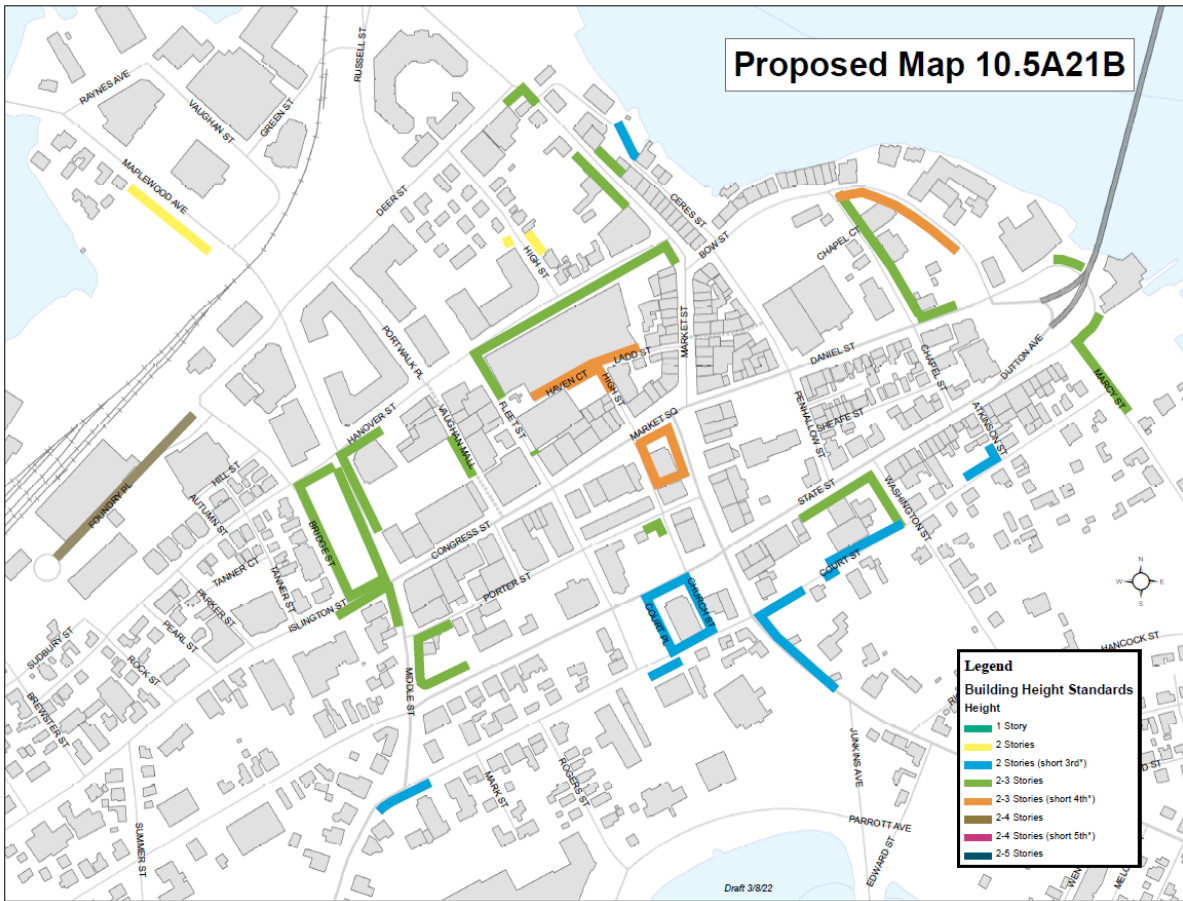
**RE: Draft Zoning Amendments – Building Height Standards**

**1. Map 10.5A21B Building Height Standards**

- a) Amend Map 10.5A21B to add Building Height Standards for Municipal and Civic Districts and modify or add Building Height Standards for:
  - 1. High Street and Haven Court from 2-3 Stories or 40' to 2-3 Stories (short 4<sup>th</sup>) or 45 feet;
  - 2. Foundry Place to 2 – 4 stories or 50 feet; and
  - 3. All civic and municipal properties to match the adjacent maximum building heights.



**Existing Building Height Map**



**Proposed Amendments to the Building Height Map**

- b) Amend Map 10.5A21B to correct the reference to the North End and West End Incentive Overlay Districts as follows:

The maximum building height within the North End and West End Overlay Districts may be increased pursuant to Section 10.5A476.

## 2. Building Height Standards

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 review under Section 10.630, within the Historic District, the specific **building height** may be lower than the maximum designated number of **stories** or the maximum height in feet.

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 either a~~ **front lot line** or **a street** shall apply to the portion of the **lot** that is 50 feet or less from such **lot line** or **street**.
- (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 ~~50-25~~ feet from ~~either~~ **a front lot line** or **a street** 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 **front lot line, street** 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 water body.

## 3. Civic Districts

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 Development Standards for the CD4 District and are exempt from the requirements of 10.5A42 and 10.5A43 provided that all uses remain civic.

## 4. Definitions

Amend Section 10.1530 as follows:

### **Lot line, front**

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

**Public Place**

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

**Existing Grade Plane**

A reference plane representing the average existing ground level within 6 feet of the existing or proposed building. The existing grade plane shall be used to calculate the Building height.

**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 **mansard roof**, the highest point of the roof surface;
  - (2) For a pitched, hip, 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.**)

**ORDINANCE #**

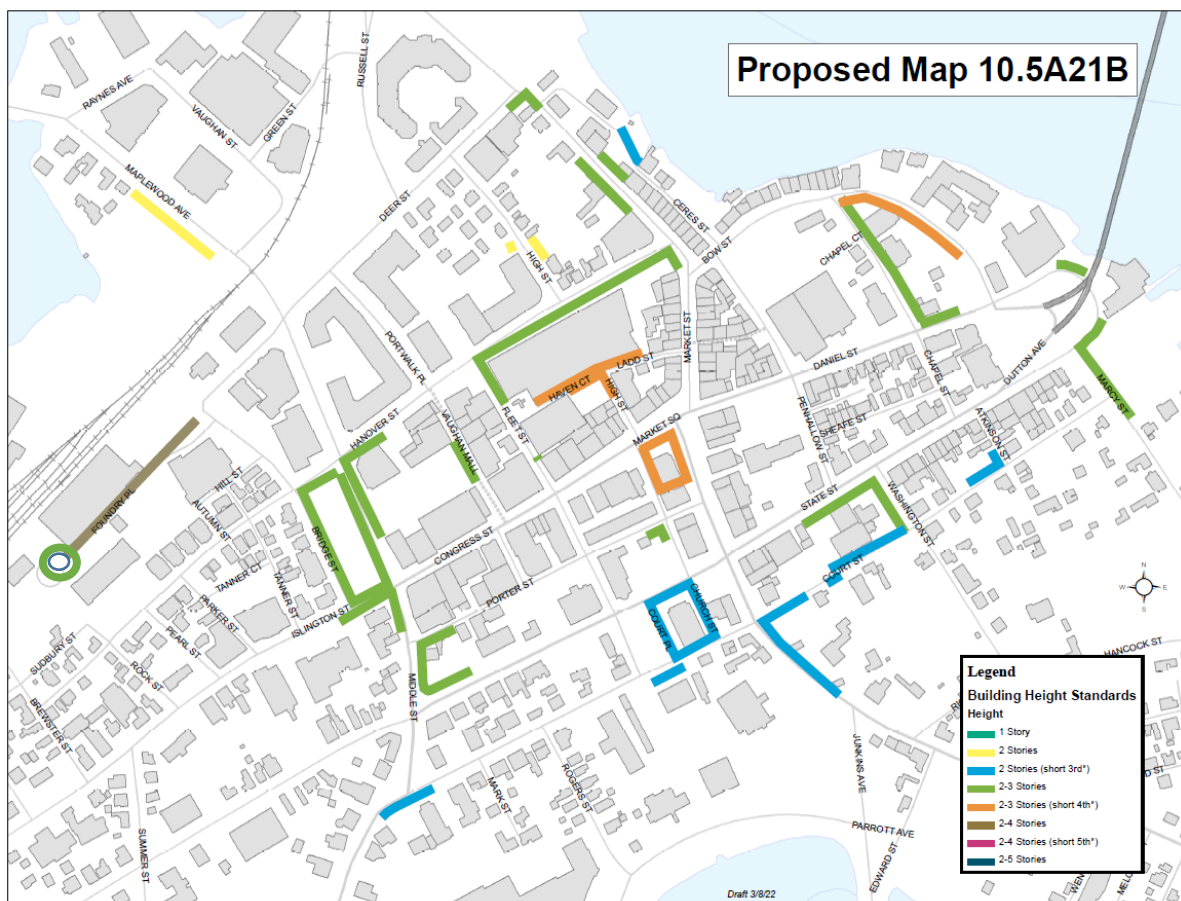
**THE CITY OF PORTSMOUTH ORDAINS**

**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 colored and underlined; remaining language unchanged from existing):**

**1) Amend Section 10.5A21B - Building Height Standards Map as follows:**

**a. Add the following Building Height Standards:**



**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 10.5A467.

2) Amend Article 5 - Section 10.5A21.20 - Building Height Standards (deletions from existing language ~~stricken~~; additions to existing language colored and 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 review under Section 10.630, w~~Subject to Section 10.635.70 – Review Criteria, within the Historic District, the specific 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 either a front lot line or 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 ~~either 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 colored and 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. Development Standards for the CD4 District and Such uses are subject to the applicable ~~are exempt from the~~ 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 colored and 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. ~~In the case of a **corner lot** or a **through lot** or a waterfront lot, the **front lot line** **principal front yard** shall be the line bordering the **a street** on which the **lot** has its address.~~ 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 ~~dede~~ public access.

**Existing grade plane**

A reference plane representing the average existing ground level on the lot within 6 feet of ~~the~~ existing or proposed **building**. The existing grade plane shall be used to calculate the ~~B~~**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.
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(See also: existing grade plane, **parapet wall**.)

May 5, 2022

Re: Planning Board Work Session – Issues Matrix on Building Height Standards

The following comments were discussed at the Planning Board Work Session held on May 5<sup>th</sup>.

<b>Issue</b>	<b>Section</b>	<b>Suggestion</b>
Haven Court	10.5A21.10	Consider maintaining the existing height to along the entire Newbury building
Foundry Place	10.5A21.10	Add building height to both sides of the street
Parrott Ave. and Ceres St.	10.5A21.10	Add building heights
Hill Street to Bridge Street	10.5A21.10	Consider changing to 3 Stories or 40'
Existing Grade	10.1530	Assess the impact of cuts & fills



**ORDINANCE #**

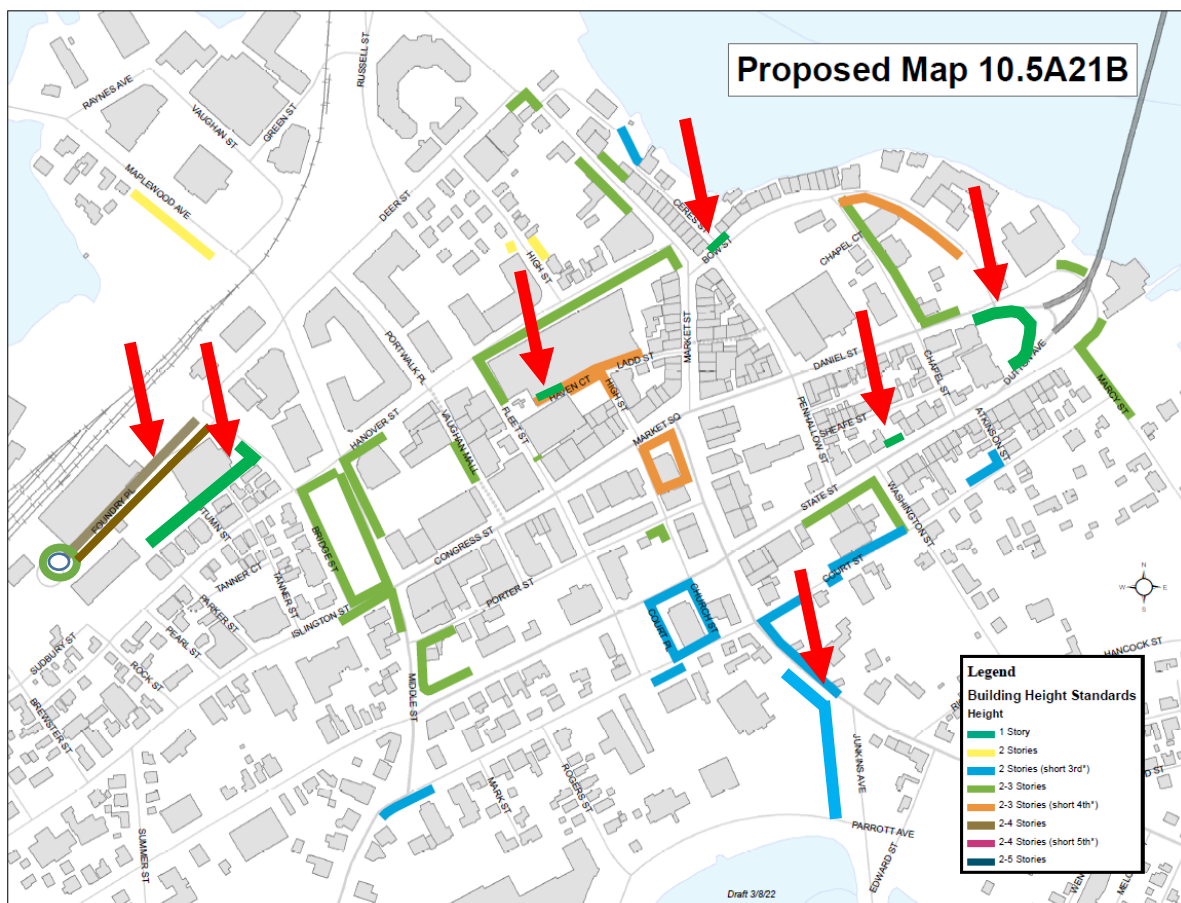
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(See also: existing grade plane, **parapet wall**.)