

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, APRIL 20, 2015 TIME: 6:00 PM

AGENDA

- 6:00PM – WORK SESSION RE: PROPOSED NEW PARKING FACILITY LOCATED AT 165 DEER STREET

I. CALL TO ORDER (6:00PM)

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. Wastewater Treatment Facility at Pease – Brian Goetz, Deputy Public Works Director & Terry Desmarais – City Engineer
2. Review Response to the Heroin Epidemic – Police Chief Dubois & Police Commission

V. ACCEPTANCE OF MINUTES – APRIL 6, 2015

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARING

- A. RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF UP TO TWENTY THREE MILLION TWO HUNDRED THOUSAND DOLLARS (\$23,200,000.00) FOR THE CONSTRUCTION OF A NEW PARKING FACILITY (***Sample motion – move to keep the Public Hearing open on the proposed Resolution until the May 4, 2015 City Council meeting***)

VIII. APPROVAL OF GRANTS/DONATIONS

(There are no items under this section of the agenda)

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Adoption of Resolution Authorizing a Bond Issue and/or Notes of up to Twenty Three Million Two Hundred Thousand Dollars (\$23,200,000.00) for the Construction of a New Parking Facility (***See motion listed under Public Hearing above for action***)

- B. Second reading of Ordinance amending Chapter 7, Article II – Taxicabs to be deleted in its entirety and replaced with a new Article II entitled – Transportation Services (Postponed from the March 16, 2015 City Council meeting) **(Sample motions: (1) move that the following sentence be added at the end of the first paragraph of Section 7.208 FARE REGULATION which shall read as follows:**

“In no situation shall the fare for any single transportation service beginning and ending within the City of Portsmouth exceed the total sum of \$25.00”

(Explanation not part of the motion: The maximum fare contained in the proposed amendment was based on input requested from Great Bay Taxi based upon the cost of a taxi ride under the current ordinance commencing at the Kittery town line and continuing to the Rye town line which is 5.1 miles, \$21.95)

(2) move that Section 7.202 VEHICLE REGISTRATION of the proposed ordinance by the addition of the following sentence after the words “ Transportation Services” and before the words “There shall be a fee...” which shall read as follows:

“The placard shall be displayed in such a manner as to be plainly visible from the exterior of the vehicle by any potential customer”

(3) move that the phrase, “on its date of issuance” in Section 7.207 ANNUAL RENEWAL: be deleted and replaced with “May 1st”

(4) move that the following new paragraph be added to Section 7.201 TRANSPORTATION SERVICES:

However, this ordinance shall not apply to the following:

- a. ***Limousine Services, which provide designated luxury or specialty vehicles by prior appointment for discrete functions;***
- b. ***Limousine Services, whose operation is limited to the transport of passengers by prior appointment from locations within the City of Portsmouth to destinations located outside of the City or the reverse.***

And further, authorize the City Manager to bring back for third and final reading the proposed Ordinance at the July 13, 2015 City Council meeting, as presented.

(Please note that on Wednesday, April 15, 2015 the Taxi Commission voted the following motion “Moved to allow taxi companies and ride sharing companies to continue to operate as they currently are while the Taxi Commission continues to work for the next 90 days with the City Attorney and the Council to consider ordinance changes.”)

X. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Letter from Anne Rugg, commuteSMARTseacoast, requesting permission to hold a “Fix a Flat Clinic for Women” on Friday, May 15, 2015 as part of the Bike/Walk to Work Week in front of the North Church (***Anticipated action – move to refer to the City Manager with power***)
- B. Request for License from Jeff Johnston on behalf of Portwalk HI, LLC, and Hanover Apartments, LLC owner, for property located at 35 Portwalk Place, the Green Elephant Bistro & Bar, to allow a marquee structure to project approximately 10 inches into the Deer Street right-of-way

(Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Jeff Johnston, on behalf of Portwalk HI, LLC and Hanover Apartments, LLC to allow a marquee structure at property located at 35 Portwalk Place and, further authorize the City Manager to execute License Agreements for this request)

Planning Director’s Stipulations:

- ***The license shall be approved by the Legal Department as to content and form;***
 - ***Any removal or relocation of the marquee structure, for any reason, shall be done at no cost to the City; and***
 - ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the marquee structure, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***
- C. Request for License from Jay McSharry, owners of The Franklin Oyster House for property located at 148 Fleet Street for a projecting sign on an existing bracket (***Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Jay McSharry, owners of The Franklin Oyster House for a projecting sign at property located at 148 Fleet Street and, further, authorize the City Manager to execute License Agreements for this request***)

Planning Director’s Stipulations:

- ***The license shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of the projecting sign, for any reason, shall be done at no cost to the City; and***

- ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***

- D. Letter from Jay Diener, Co-Race Director, Seacoast Half Marathon, requesting permission to hold the half marathon on Sunday, November 8, 2015 ***(Anticipated action – move to refer to the City Manager with power)***

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Attorney Thomas Watson, DrummondWoodsum, requesting a long term License or Rental Arrangement to a dedicated dock to accommodate the property owners Charles and Susan Lassen of Round Island their vessel on a 24/7 basis, that will also provide access to a city street, parking for motor vehicle, trash disposal and a mailbox ***(Sample motion – move to refer to the City Manager for report back to the City Council)***
- B. Letter from Chuck Rhoades, Seacoast Outright, requesting permission to hold a community-based, family-friendly Pride event on Saturday, June 27, 2015 and further seeking permission to block off Pleasant Street from State to Congress Streets from 1:00 p.m. to 4:00 p.m. ***(Sample motion – move to refer to the City Manager for report back to the City Council)***
- C. Letter from Gregg Hopkins, Newmarket International, Inc., requesting permission to hold a 5K Fun Run/Walk on Thursday, May 14, 2015 at 6:30 a.m. to 7:30 a.m.

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items Which Require Action Under Other Sections of the Agenda

1. Public Hearing and Adoption of Resolution:
 - 1.1 Public Hearing/Adoption of Resolution Authorizing a Bond Issue and/or Notes of up to Twenty Three Million Two Hundred Thousand Dollars (\$23,200,000.00) for the Construction of a New Parking Facility ***(Action on this item should take place under Section IX of the Agenda)***
2. Second Readings for Proposed Ordinance:
 - 2.1 Second Reading of Ordinance amending Chapter 7, Article II – Taxicabs to be deleted in its entirety and replaced with a new Article II entitled – Transportation Services *(Postponed from April 6, 2015 City Council meeting)* ***(Action on this item should take place under Section IX of the Agenda)***

City Manager's Items Which Require Action:

1. Request for First Reading of Character Base Zoning – North End Ordinance
2. Requesting Approval for the City to Intervene in SEA-3 Site Review Evaluation
3. Request for License Encumbrance of Sidewalk and Parking Spaces Re: 275 Islington Street

Informational items

1. Events Listing
2. Wastewater Treatment Master Plan Update – Work Session April 27th at 6:30 p.m. in Council Chambers
3. Reminder Re: FY16 Budget Schedule
 - On or about April 27th, FY16 Budget delivered to Council
 - Wednesday, May 6th at 6:30 p.m. Review of Water/Sewer Budget – Eileen Donder Foley Council Chambers
 - Saturday, May 9th from 8:00 a.m. – 2:30 p.m., – Police, Fire, Schools and General Government Budget Presentations – Portsmouth Library Levenson Room
 - Monday, May 11th at 7:00 p.m. – Budget Public Hearing – Eileen Dondero Foley Council Chambers
 - Wednesday, May 20th at 6:30 p.m. – FY16 Budget Review – Eileen Dondero Foley Council Chambers
 - Tuesday, May 26th at 6:30 p.m. – FY16 Budget Review (*if necessary*) – Eileen Dondero Foley Council Chambers
4. Household Hazardous Waste Day – May 30th
5. Senior Activity Center – Winter/Spring Update
6. Public Meetings Video Coverage

B. MAYOR LISTER

1. Appointments to be Voted:
 - Reappointment of Ronald Poulin to the Cable Television and Communications Commission
 - Reappointment of MaryAnn Blanchard to the Conservation Commission
 - Reappointment of Gibson “Mike” Kennedy to the Portsmouth Housing Authority
 - Reappointment of Kathryn Lynch to the Recreation Board

C. ASSISTANT MAYOR SPLAINE

1. Public Transparency and Openness in Presentation of the Webber Investigation Report

D. COUNCILOR LOWN

1. Parking & Traffic Safety Committee Minutes of March 12, 2015 (*Referred back from April 6, 2015 City Council meeting*) (**Sample motion – move to approve and accept the Minutes of the Parking & Traffic Safety Committee meeting of March 12, 2015**)

E. COUNCILOR MORGAN

1. *Testimonies to the NH Legislature on policy issues (***Sample motion – move to authorize the City Manager and his Deputies to coordinate and submit testimonies to the NH Legislature for which the City Council has issued an official position. No testimonies taking positions on behalf of the City of Portsmouth can be submitted or presented otherwise***)

F. COUNCILOR SPEAR

1. *Peirce Island Entrance Fee (***Sample motion – move to request the Peirce Island Committee to study the feasibility of an entrance fee for the use of Peirce Island for non-residents***)

G. COUNCILOR THORSEN

1. *Casino's
2. Transportation Services Ordinance Policy Analysis
3. Parking Fees

**KELLI L. BARNABY, MMC, CMC, CNHMC
CITY CLERK**

**Indicates Verbal Report*

INFORMATIONAL ITEMS

1. *Notification that the minutes of the March 4, 2015 meeting of the Historic District Commission are now available on the City's website
2. *Notification that the minutes of the March 11, 2015 meeting of the Conservation Commission are now available on the City's website
3. *Notification that the minutes of the March 31, 2015 meeting of the Site Review Technical Advisory Committee are now available on the City's website

NOTICE TO THE PUBLIC WHO ARE HEARING IMPAIRED: Please contact Dianna Fogarty at 603-610-7270 one-week prior to the meeting for assistance.

Portsmouth City Council

A Public-Private
Partnership to Construct
a 600 +/- Space Public
Parking Garage
Structure and Liner
Building at 165 Deer
Street

April 20th, 2015

A Report and
Recommendation Developed
by the Economic
Development Commission and
the City Manager



Project Update

1. Preliminary Level Planning and Design

1. The North End Vision
2. Civic Space
3. Micro-Apartments
4. Gary's Beverage

2. LOI Updates

1. Letter of Intent
2. Deposition Plan

3. Economic Analysis

1. Direct and external impacts

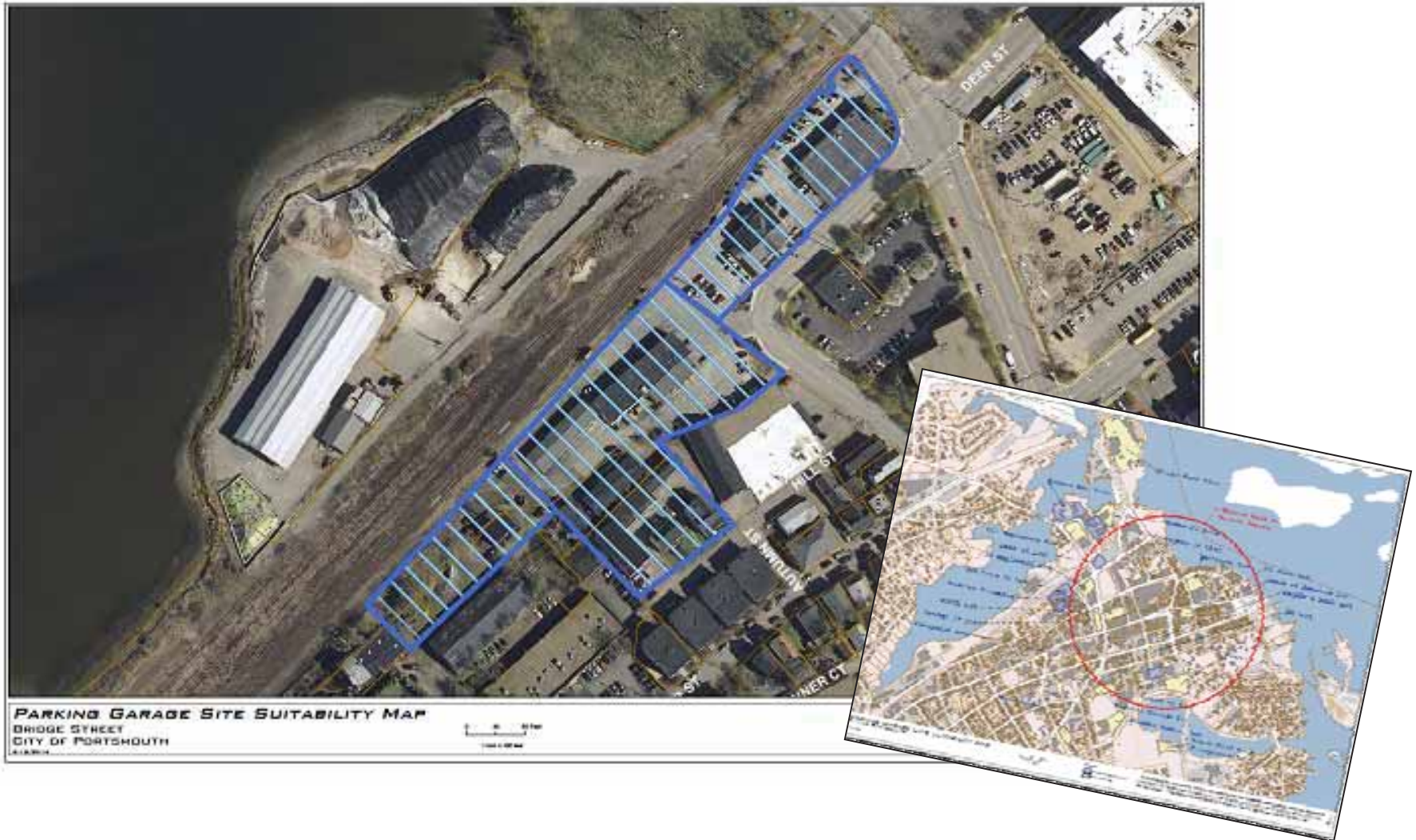
4. Revised Pro-forma

5. Next Steps & Timeline

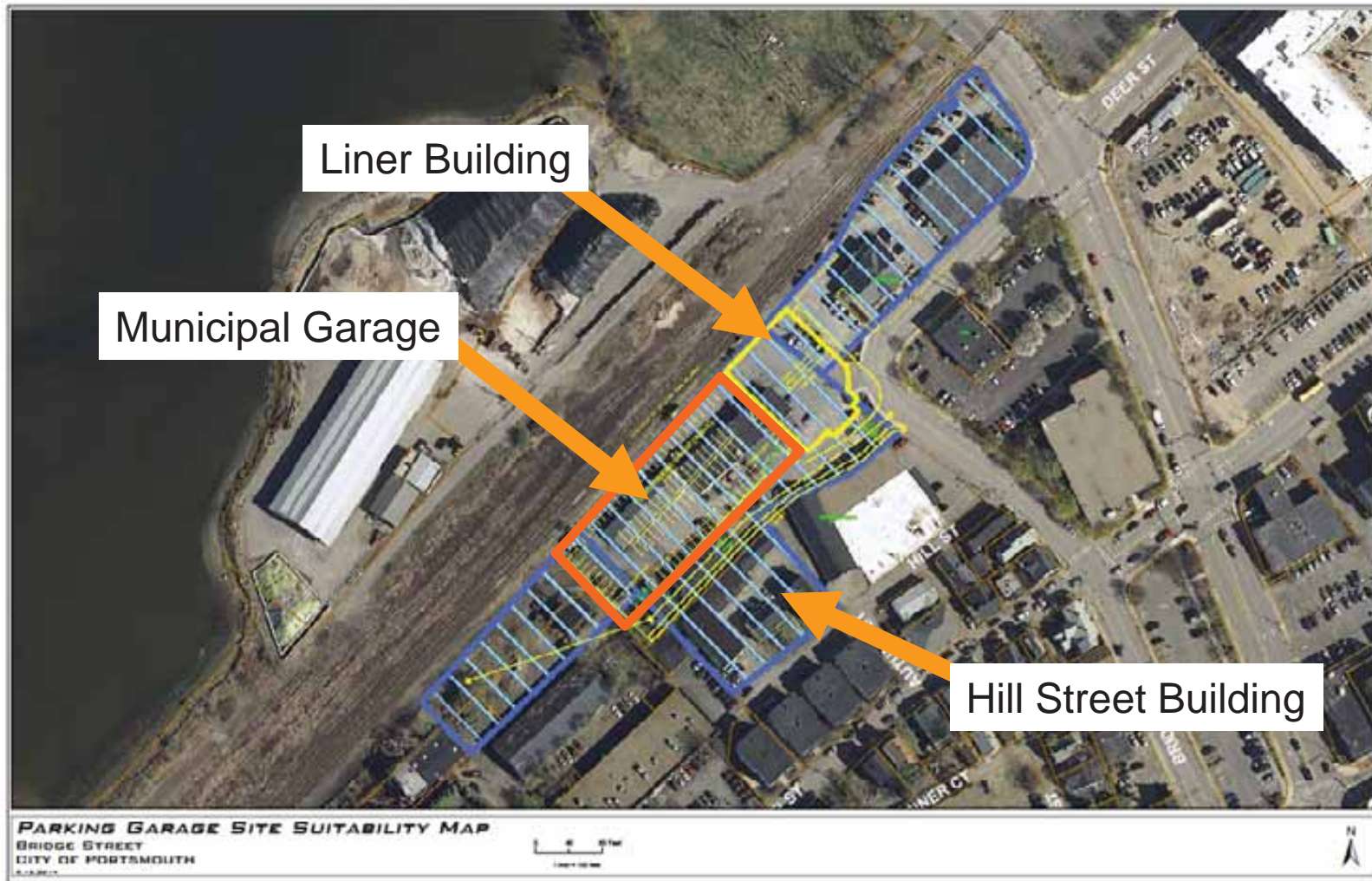
1. Development Agreement
2. Bond Authorization
3. Design and Permitting
4. Construction



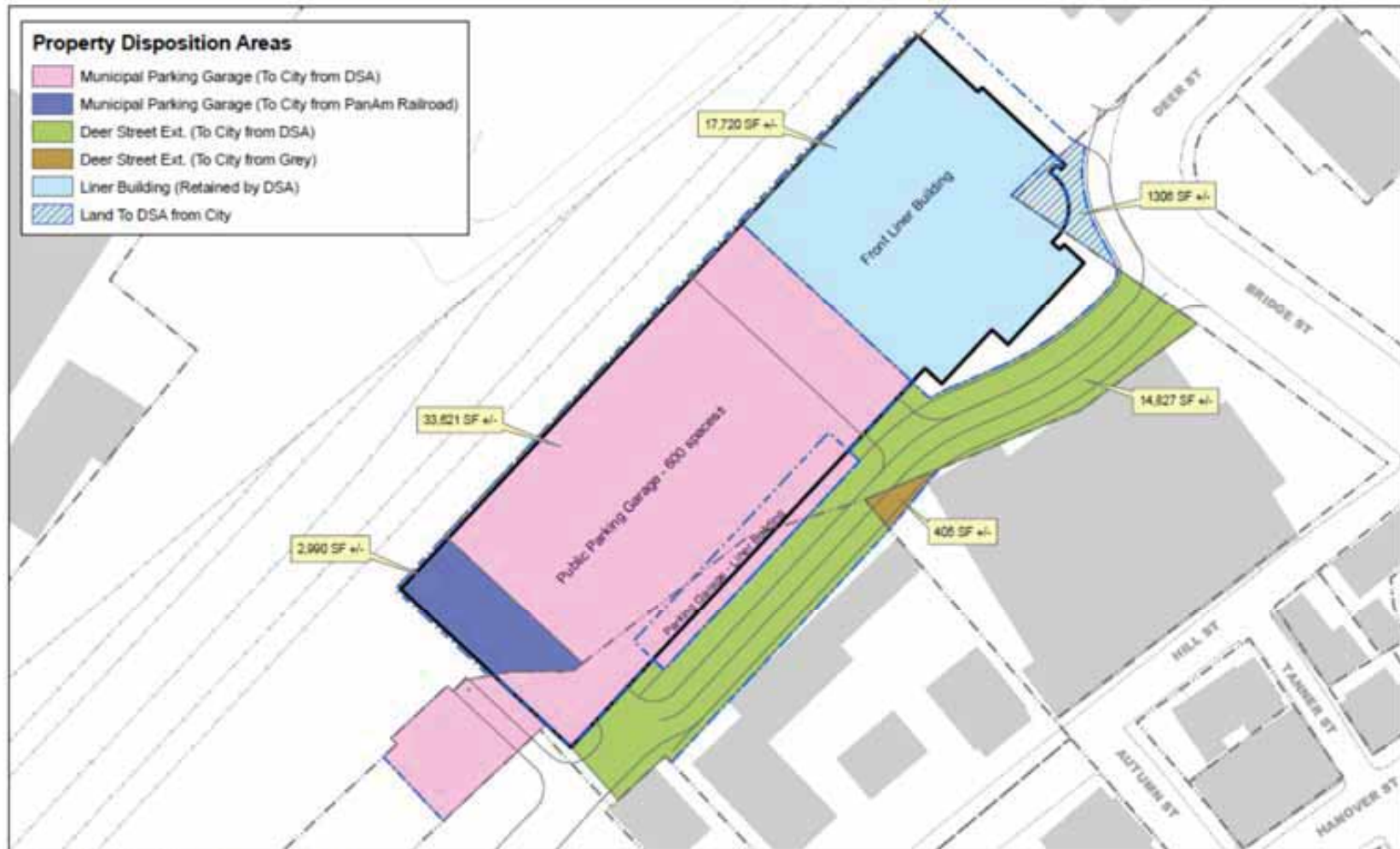
Preferred Site -165 Deer Street



Preliminary Building & Site Plan



Preliminary Disposition Plan



*Municipal Parking Garage Project
165 Deer Street - Property Disposition Plan*

February 2, 2015

Project Updates & Design Changes

- The North End Vision Plan
- Civic Space
- Micro-Apartments
- Gary's Beverage



North End Vision Plan



- Liner Buildings
- Civic Space
- Micro-Apartments



Gary's Beverage



- Lease Agreement
- Civic Space
- Micro-Apartments
- Mixed-Use Liner Building



Improved Disposition Plan

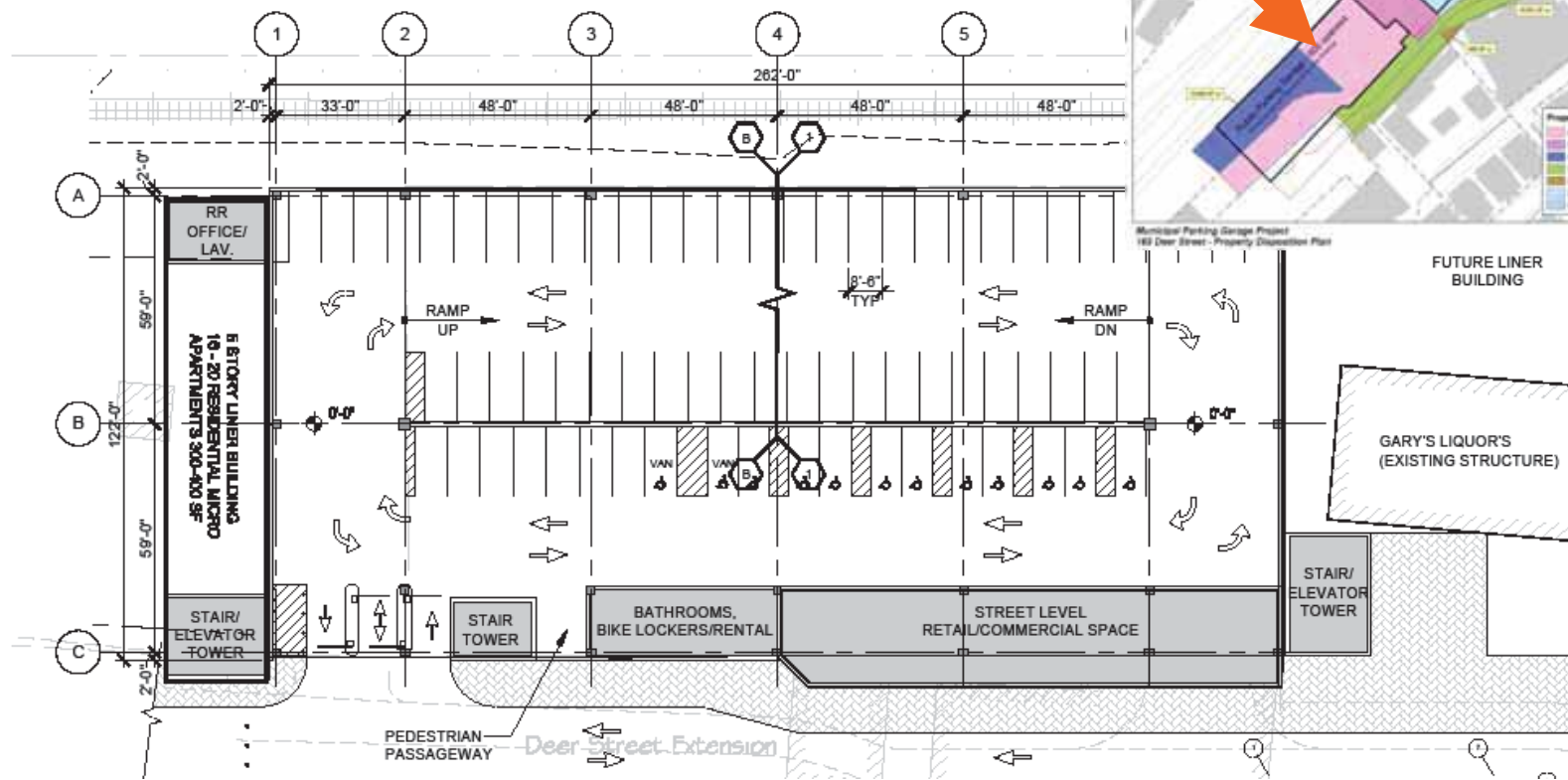


Municipal Parking Garage Project
165 Deer Street - Property Disposition Plan

0 20 40 80 Feet
April, 2015

Garage Layout

DEER STREET PARKING GARAGE
Portsmouth, NH



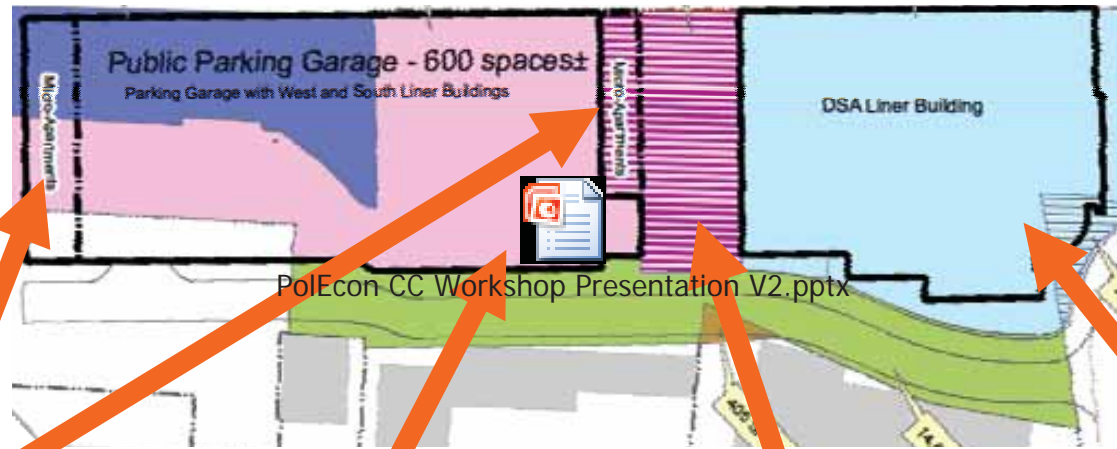
600+/- Space, 6 Story/7 Level, 57 Foot Municipal Garage with Liner Buildings

Enhanced Walkability Elements

1. Multi-Storied Linear Buildings to Screen Parking Garage
2. Wide Sidewalks & Street Furniture
3. Bicycle Accommodation
4. Additional Active Ground-Floor Uses Areas
5. Added Active Civic Spaces & Surface Parking



Main Components of the Municipal Parking Garage Project



Micro-Apartments



Ground-Floor Commercial



Civic Space



Mixed-Use Building

Direct and External Impacts of the Proposed Deer St. Parking Garage



Presentation to the Portsmouth
City Council
April 20, 2015



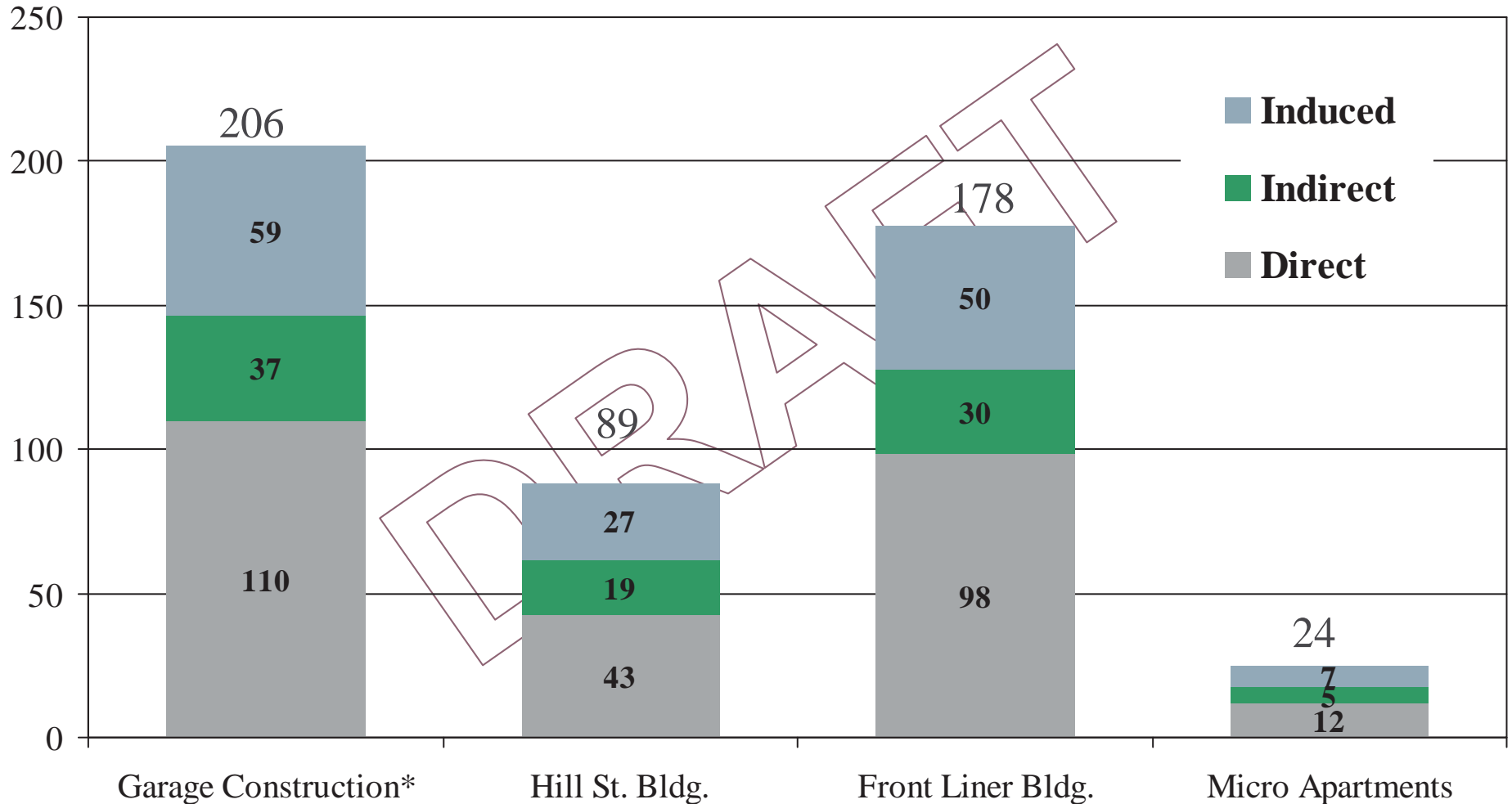
PolEcon Research
Dover, NH
bgottlob@poleconresearch.com
(603) 988-9779

The Proposed Deer St. Public-Private Parking Garage Project Will Have Direct, Indirect and External Impacts

- Increase in Jobs and Income from Construction Activity
- Increase in Jobs and Income from Ongoing Operations & Business Activity of Properties Included in the Project
- Increase in Property Tax Base:
 - Direct - via front liner, Hill St., micro apt., and commercial liner buildings
 - Indirect via increase in publicly available parking that benefits and is capitalized in commercial property values
- Impact on Parking Availability in Downtown District
- Impact on Traffic Congestion
- Environmental Impacts (Reductions in CO2 Emissions) Via Reduction in Vehicle Miles Traveled While “Cruising” for Curbside Parking

Combined, the Proposed Public-Private Garage Project Will Support a Total of 497 Jobs During Construction Activity

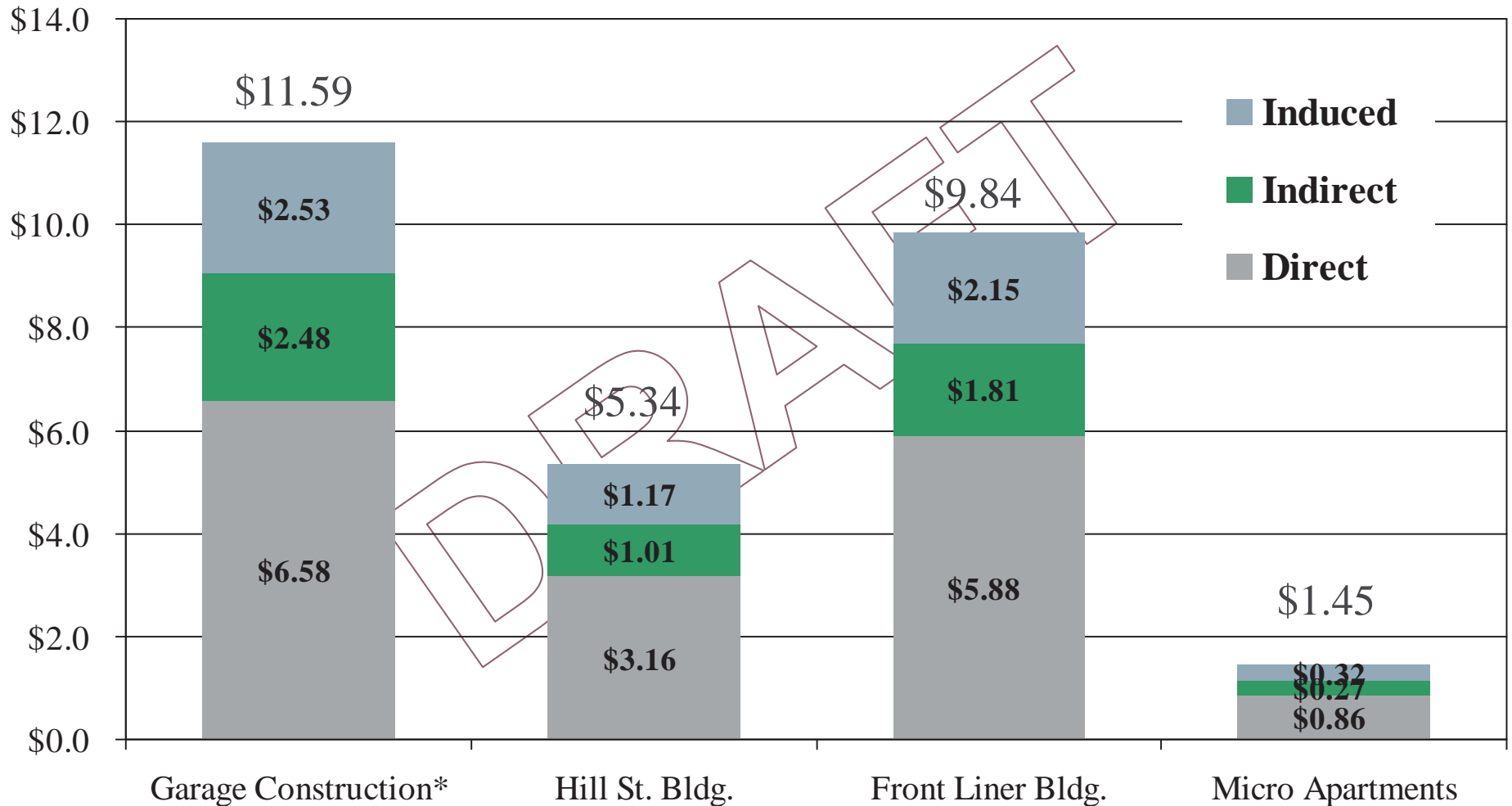
Job Impacts From Construction



* Garage construction includes sewer and road improvements as well as 3,000 sq. ft commercial liner building

A Total of \$28.2 Million in Labor Income Will be Earned as a Result of the Proposed Public-Private Deer St. Garage Project

Labor Income From Project Construction (\$Millions)



* Garage construction includes sewer and road improvements as well as 3,000 sq. ft commercial liner building

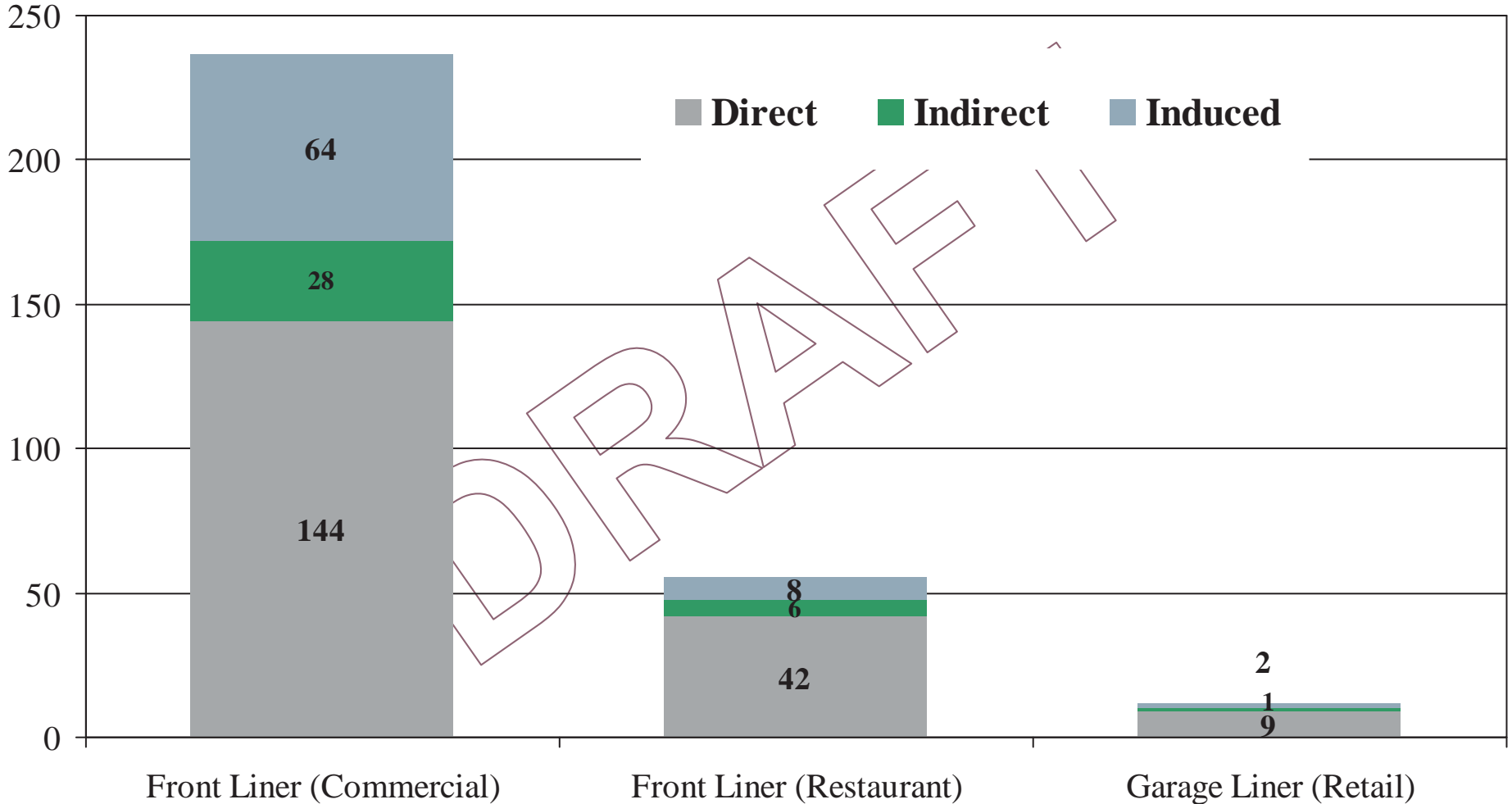
The Annual (Ongoing) Employment Impacts of Proposed Deer St. Public-Private Parking Garage Project Will Depend on a Number of Factors Including:

- The Industry Mix of Liner Building Occupants
- Whether Organizations are New to Portsmouth or Relocate from Another City Location
- Occupancy Rates

DRAFT

Ongoing Employment Impacts Estimated Based on Building Space, Industry Averages and Assume a Mix of “Office Using” Industries in the Non-Restaurant Portion of the Front Liner Building

Annual Job Impacts From Ongoing Operations



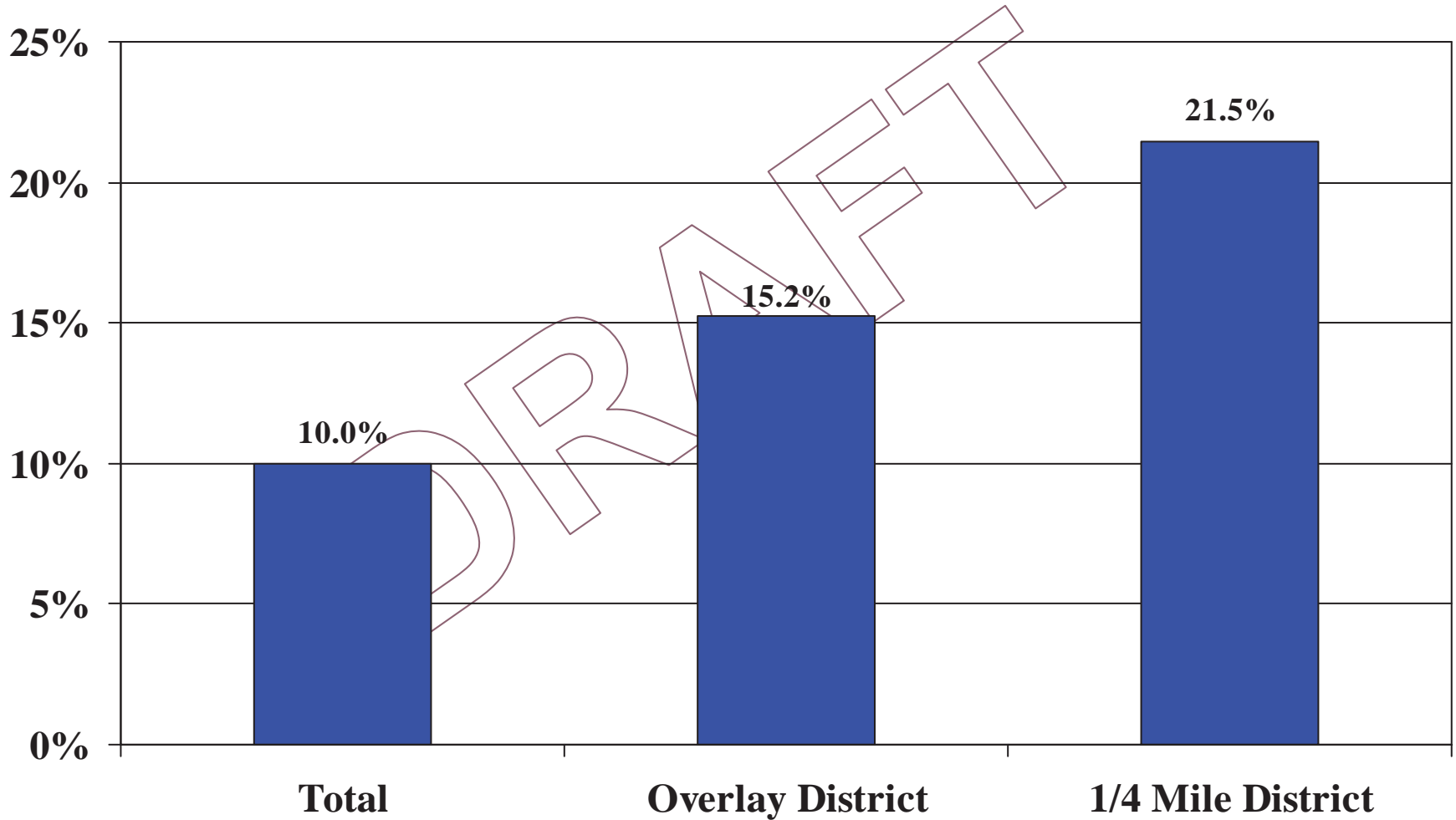
* Garage construction includes sewer and road improvements as well as 3,000 sq. ft commercial liner building

The Deer St. Project is Different From Most Other Development Projects - it Has External Benefits That are as Large or Larger Than Direct Impacts

DRAFT

The Impact of the Proposed Deer St. Garage on the Total Number of Parking Spaces in the City Will be Large and Have Significant External Impacts Beyond Parking

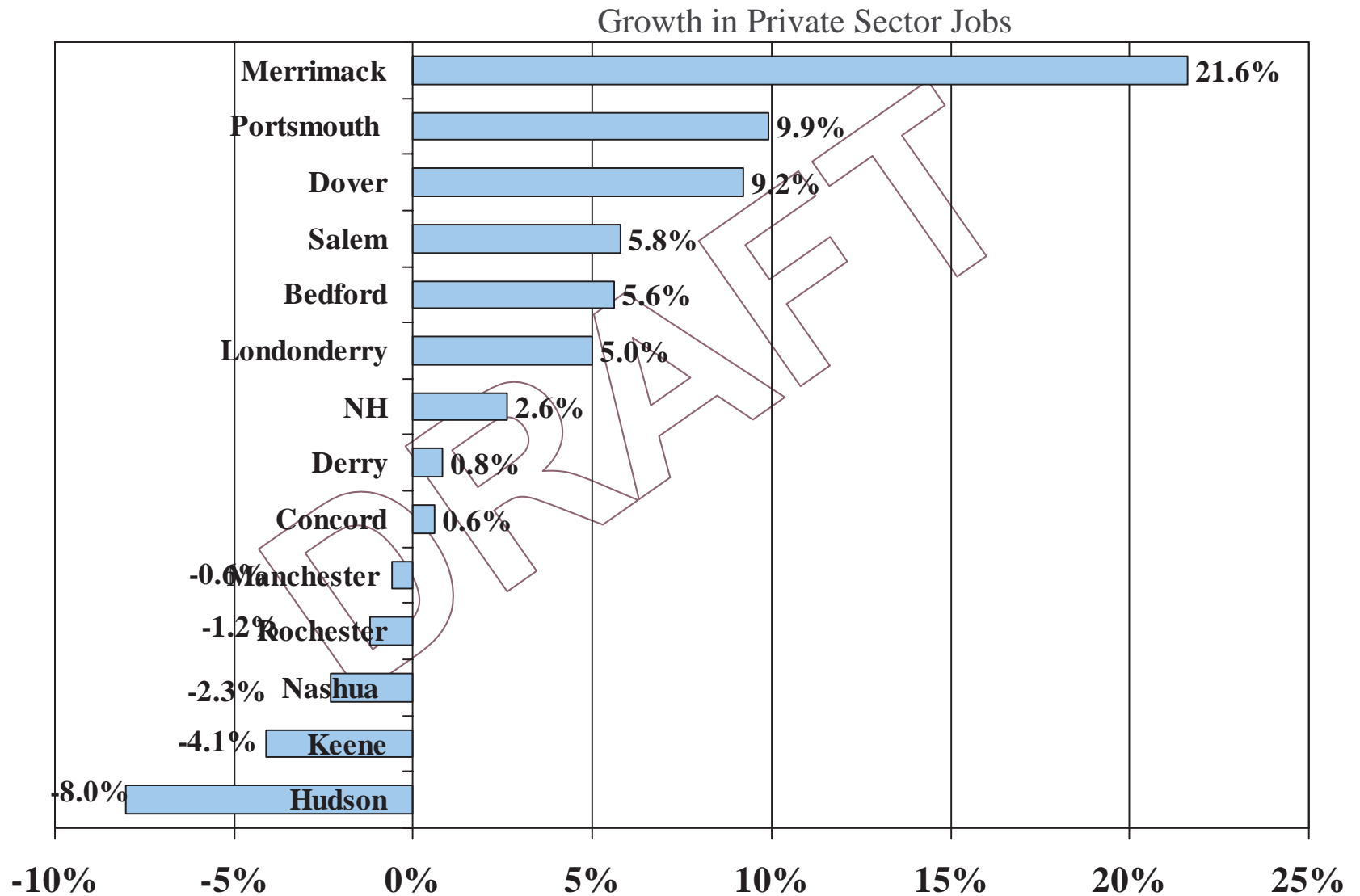
Percent Increase in Public & Private Parking



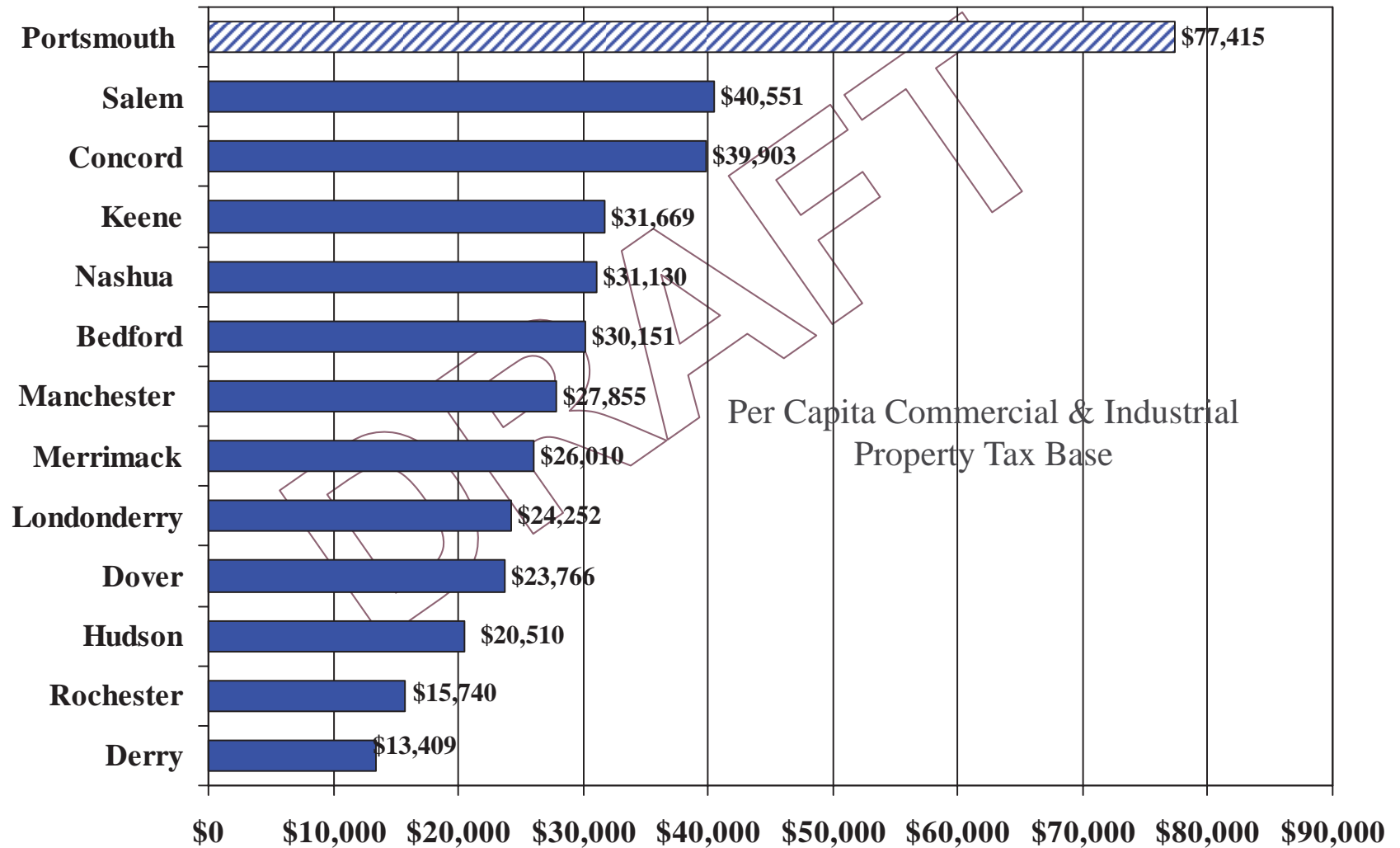
We Calculated External Impacts for Larger and Smaller Areas of the City but Focus Our Results on the Downtown Overlay District



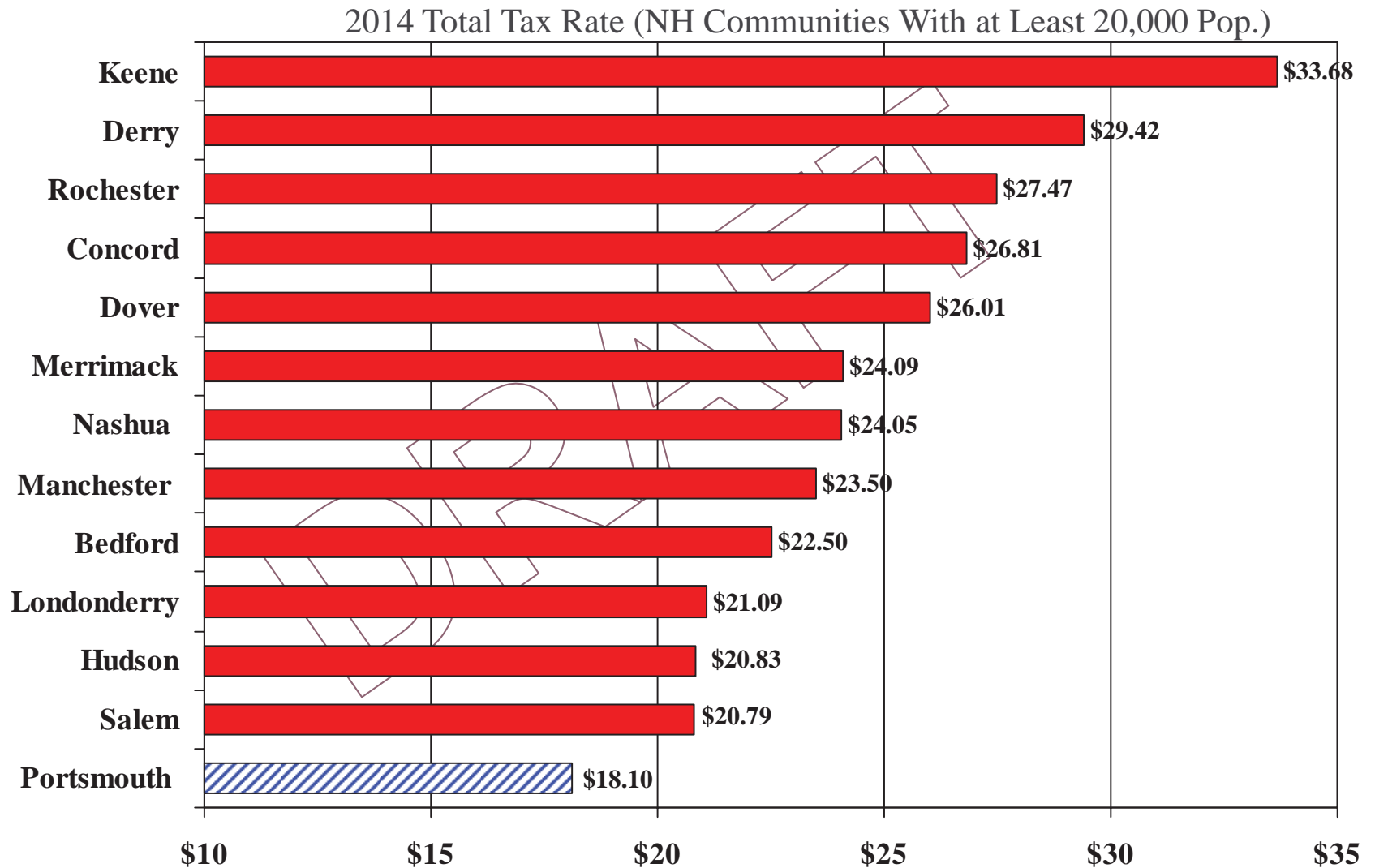
With the Exception of Merrimack (Due to New Large Retail Complex) Portsmouth is Tops in Job Growth Among Cities in NH (2003-2013)



Portsmouth's Strong Commercial/Industrial Tax Base Allows a Higher Level of Community Services to be Provided at a Relatively Lower Cost to Residential Property Owners. However, the Impending Sale of Eversouce's Schiller Station will impact the City's Tax Base

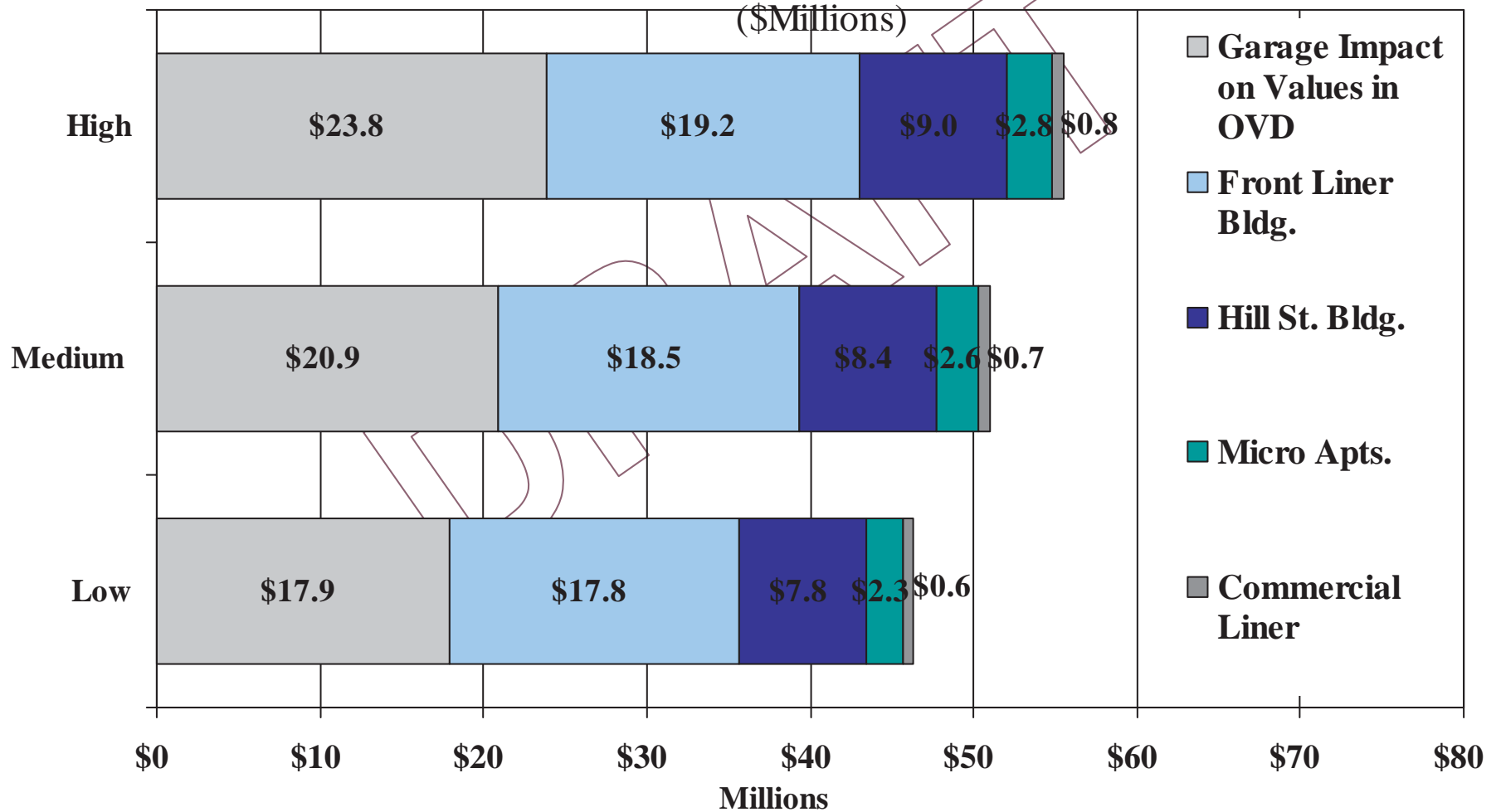


As a Result of Portsmouth Strong Commercial/Industrial Tax Base The City's Property Tax Rate is Lower Than all Cities in NH.



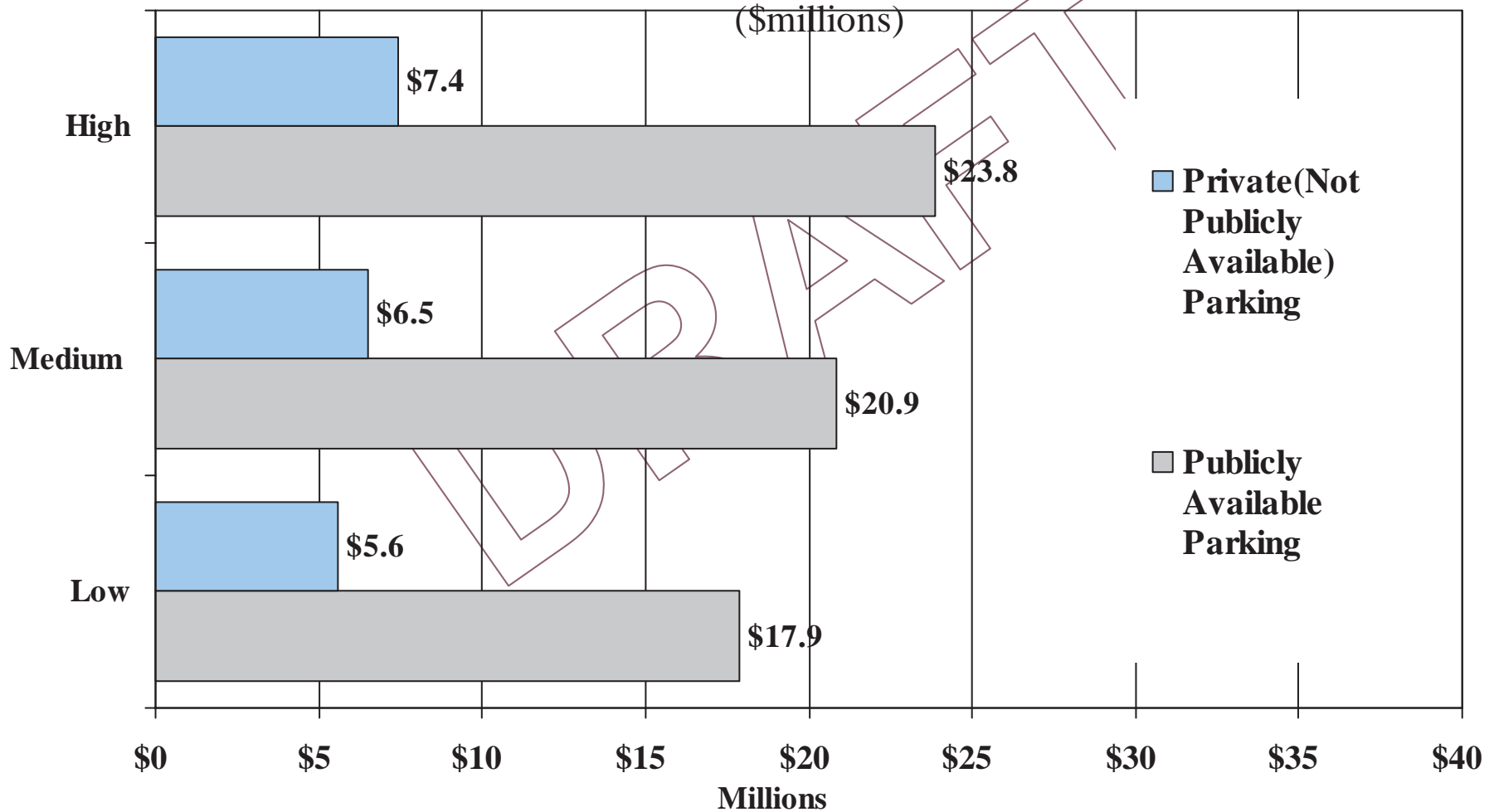
Increasing the Supply of Publicly Available Parking and Reducing Traffic Congestion Increases Property Values in the Downtown. Along With DSA's Investments This Will Increase Property Valuation by Between \$46 and \$56 Million (Half of the Potential Loss from Utility Properties)

Project Impacts on Property Valuation in Downtown Overlay District

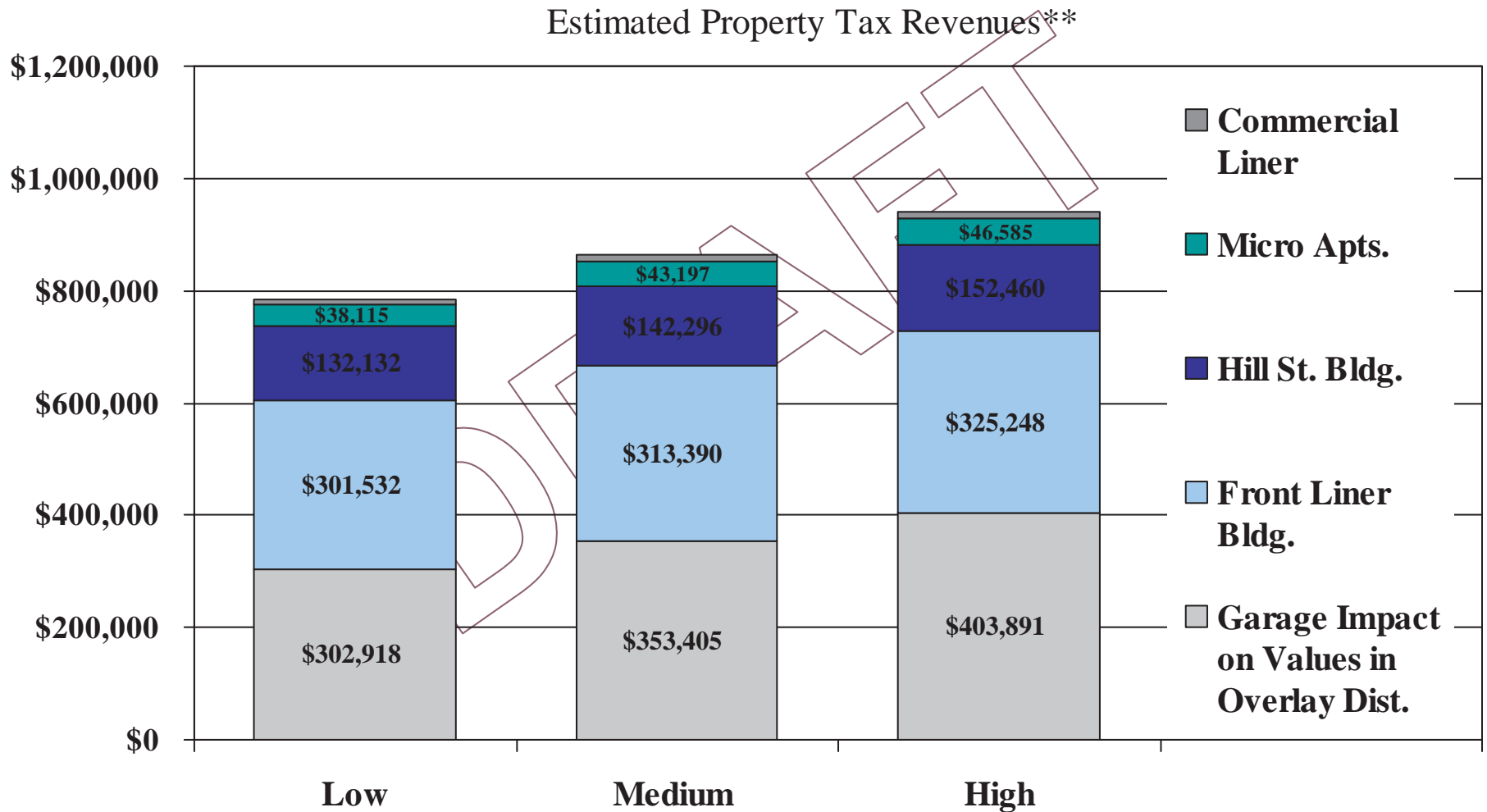


Publicly Available Parking Adds About Three Times as Much Value to Commercial Properties in the Downtown Overlay District as Does Private Parking. (On-site Parking Only Benefits Neighboring Properties to the Extent that it Reduces Traffic Search and Congestion Generated by the Property it Belongs to, While Public Parking Can Reduce Parking Search and Related Congestion Generally).

Garage Impact on Property Valuation in Downtown Overlay District



Increased Property Values in the Overlay District and Resulting Tax Revenues From Garage Construction Will Cover an Estimated 16% to 21% of Bond Payments. Including Revenue From Micro Apts., Garage Liner, Front Liner, & Hill St. Bldg. Would Cover an Estimated 41% to 50%



**Based on current total tax rate of \$18.10 less \$1.16 county portion of tax rate

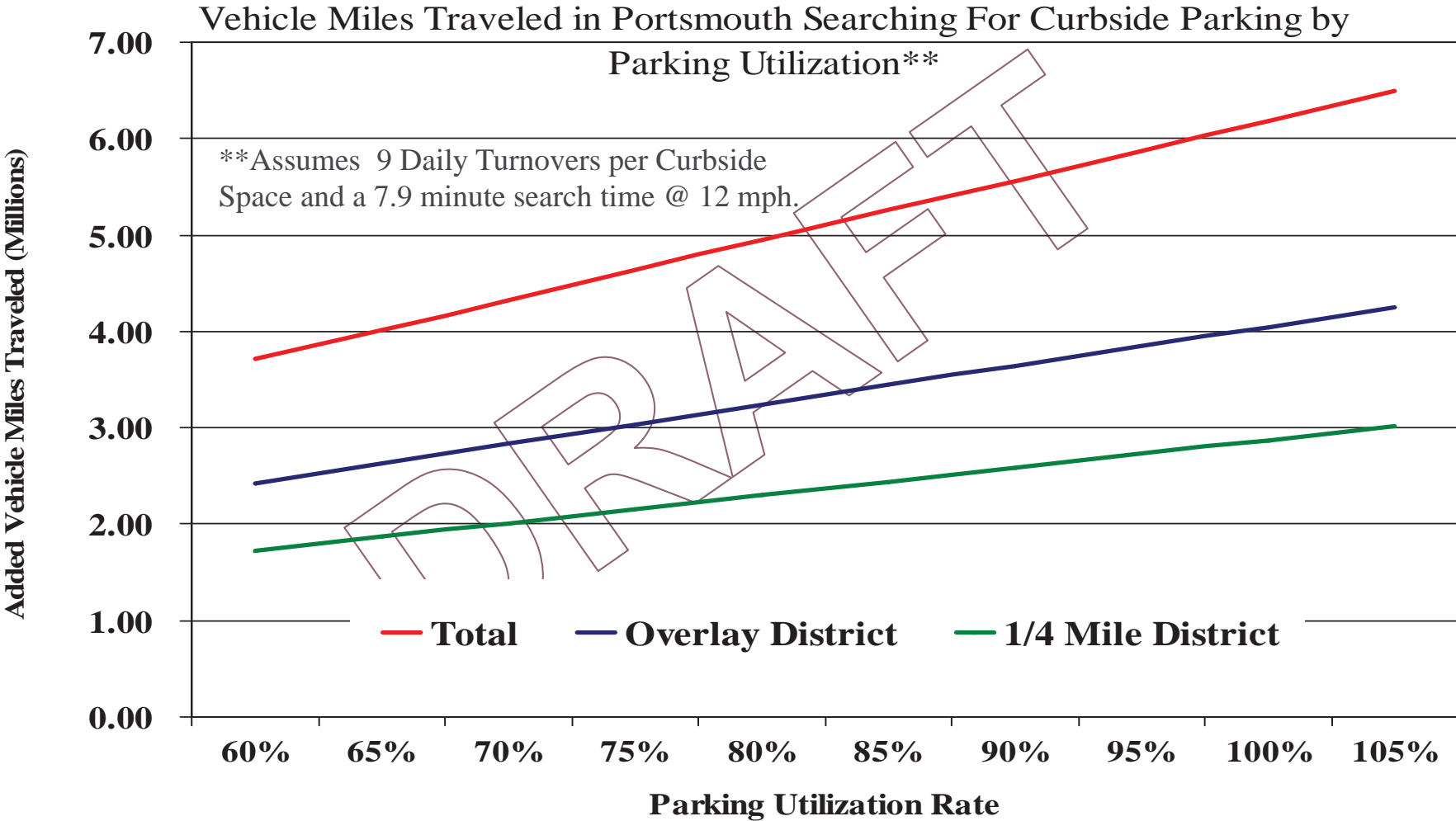
Our Model of Vehicle Miles Traveled, Traffic Congestion and CO2 Emissions Allows Estimation of Impacts for a Near Infinite Number of Scenarios Using Different Inputs and Assumptions Including:

- The Number of Curbside Parking Spaces
- The Utilization Rate (How Full & How Often) of Curbside Parking
- The Avg. Turnover (How Many Cars Use Each Space Each Day) of Curbside Spaces
- The Avg. Length of Time Spent Searching (“Cruising”) for Curbside Parking
- The Avg. Speed (MPH) of Drivers Searching for Parking
- The Avg. Mileage (MPG) of Vehicles Searching for Parking
- ***Using Almost Any Set of Inputs and Assumptions, Searching for Parking Creates Dramatic Increases in Vehicle Miles, Congestion, and CO2 Emissions in Portsmouth***

On-Street Parking Utilization Rates in the City are High



In a Baseline Scenario, “Cruising” for Curbside Parking in Portsmouth Produces an Additional 2.5 to 4.3 Million Vehicle Miles Traveled Annually in the Downtown Overlay District

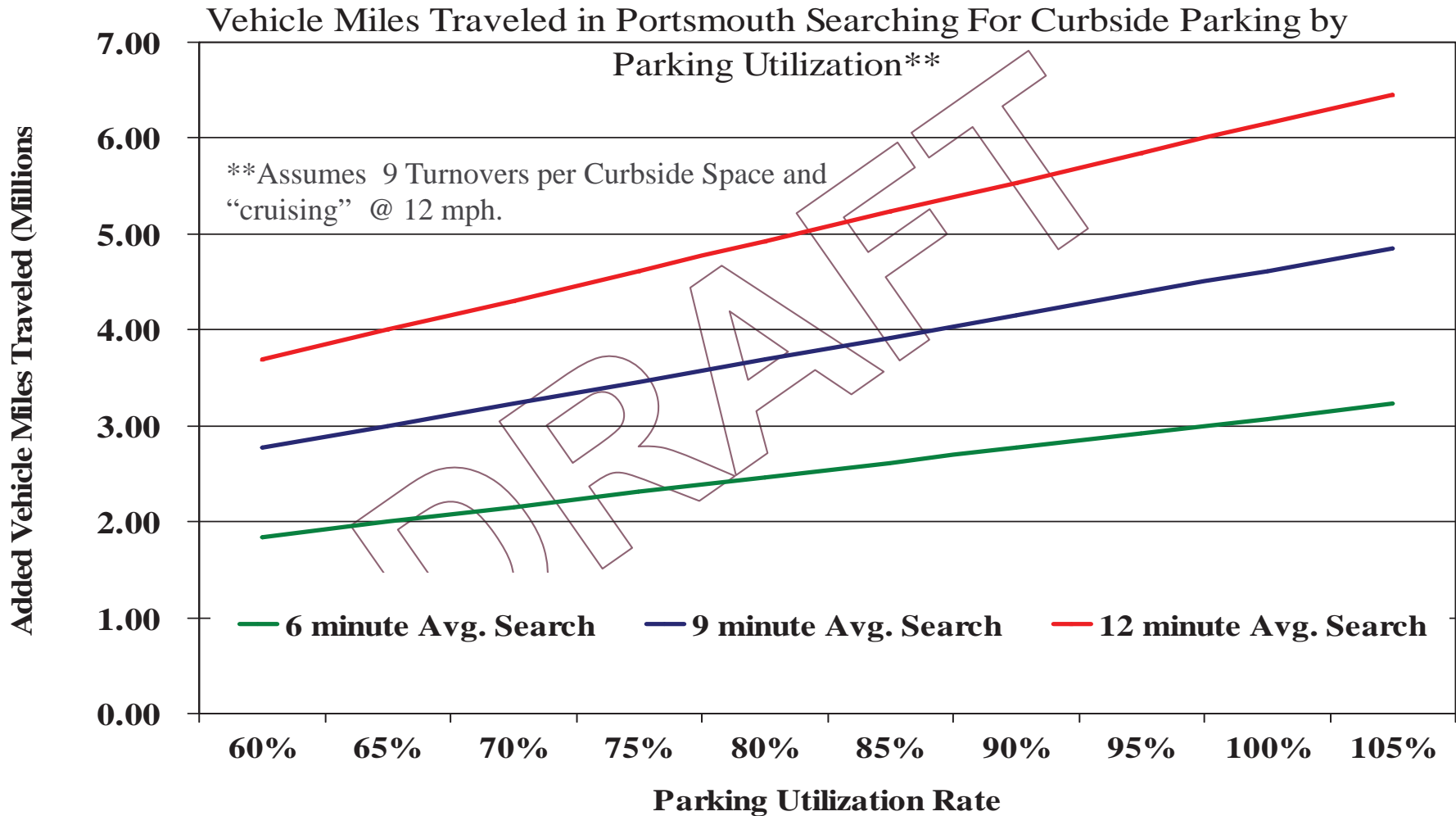


Increasing Publicly Available “Off-Street” Parking at the Proposed Deer St. Garage, Along With Appropriate Pricing of all City Parking, Provides Environmental and “Livability” Benefits

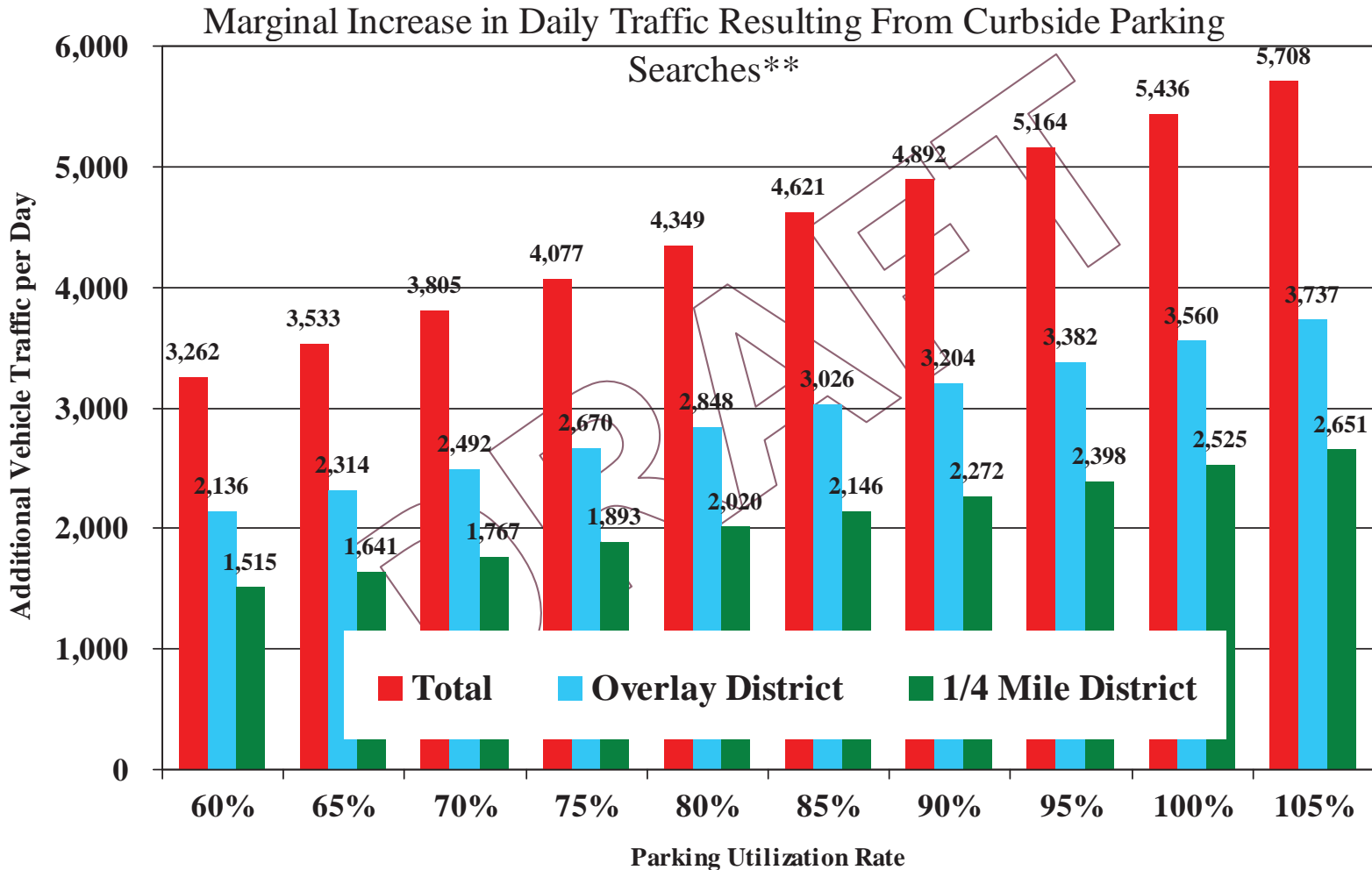
- Reducing Parking Search “Cruise” Time
- Reducing “Cruising” Limits the Number of Entries & Exits From Curbside Spaces and Increases Traffic Flow
- Collectively Reducing Road Congestion
- Increases “Walkability” of Downtown
- Reduces Vehicle Miles Traveled in the Downtown and Related CO2 Emissions

DRAFT

As Search Times for Curbside Parking (Cruising) Increase, Additional Vehicle Miles Traveled (and Traffic Congestion) in the Downtown Overlay District Increase Dramatically

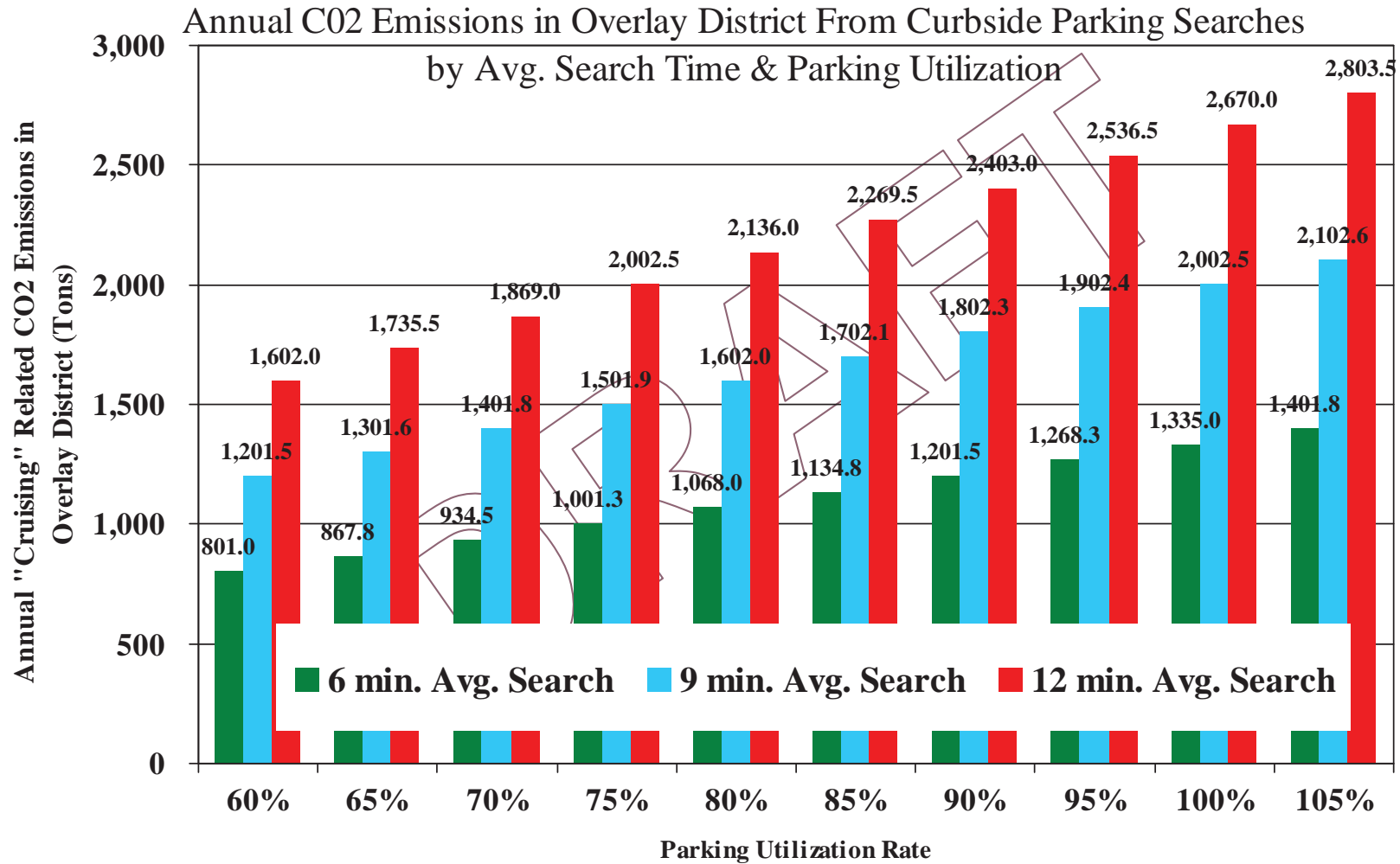


Vehicles That “Cruise” for Curbside Parking Add to the Number of Drivers on the Road at any Time and They Have a Greater Impact on Traffic Congestion Than Does Thru Traffic



**Assumes Avg. of 9 Daily Turnovers per Curbside Space

C02 Emissions Related to Searches for Curbside Parking in the Overlay District Alone are Estimated to be at Least 1,400 - 2,000 Tons Annually



Conclusions

- Large Job and Income Gains Will Accrue From Garage and Building Construction Activity
- Increase in Property Tax Base (\$28.5 to \$31.7 Million) Just From Front Liner, Hill St., Comm. Liner & Apt Construction
- But “External” Benefits May be Greater
- Off-site Parking is Positively Associated with Commercial/Industrial Property Prices.
- Reduced Traffic and Congestion Benefit Residents but also Commercial Properties and are Capitalized in Commercial Values. Small Increases in Individual Property Values are Aggregated Across Downtown Properties into Large Total Benefits in Property Values (\$17.9 to \$23.8 Million)
- Publicly Available Off-Site Parking Generates About Three Times the External Benefits in the Portsmouth Downtown as Parking that is not Publicly Accessible.

•

Conclusions cont.

- The External Benefit to Property Values is a Significant Proportion of the Costs of Parking Construction
- One Implication: On Average, Communities are Better Off if they Allow Property Owners to Pay Fees to be *Used for Construction of Nearby Publicly Available Parking in Lieu of Parking Requirements*
- “Cruising” for Parking Dramatically Increases Vehicle Miles Traveled in the Downtown, Increasing Traffic Congestion While Reducing Walkability and Producing Thousands of Tons of CO₂
- Increasing Publicly Available Parking in the Downtown by 10% to 21% Will Significantly Reduce Vehicle Miles, Traffic Congestion, and CO₂ Emissions

Pro Forma-600 Space Deer Street New Parking Facility

A 600 Spaces

B Soft Costs

\$5,200,000

C Construction Costs

\$18,000,000 (\$30,000 per space)

D Total Cost to be Bonded

\$23,200,000

E Total Annual expenditures include:

Bond repayment to include interest and principal

Bond issuance cost (first year only)

Facility operating costs using High Hanover per space costs of \$400 with minimal FTE's

Pro Forma-600 Space Deer Street New Parking Facility

FACTS:

High Hanover Parking Facility -

877 Paying Spaces (18 reserved for Handicap and 8 for employees: 903 total)

PASS HOLDERS:

- Currently 750 passes (390-12 Hr and 360-24 Hr) issued with a waiting list of 100

TRANSIENT USAGE:

- On average, available spaces for hourly usage are utilized approximately 60% of time during 14 hour period (8am to 10pm)

Pro Forma-600 Space Deer Street New Parking Facility

Deer Street New Parking Facility of 600 spaces

F Pass Holders:

- Move 300 pass holders (50 on waiting list and 250 issued passes) from the High Hanover Parking Facility to Deer Street facility
- Charge reduced pass rates \$100 - 12 hr pass \$125 - 24 hr pass

G Transients:

- Remaining 300 spaces project using 40% of available time 8am - 10pm (14 hrs)
Note: High Hanover utilization rate is approximately 60% during same time period
- Charge current High Hanover hourly rate \$1.00 per hour

Pro Forma-600 Space Deer Street New Parking Facility

H Pass Holders:

- Increase rate for remaining 500 pass holders

	Monthly Rate	
	Current:	Increase in 2017 to:
24 hr	\$135	\$150
12 hr	\$110	\$125

High Hanover Parking Facility

I Transients:

- Increase High Hanover hourly rate from \$1.00 per hour to \$1.25
- Utilize the spaces freed up from moving 250 pass holders to New Parking Facility
- Calculate the usage using only 150 of freed spaces at 60% of available time

Pro Forma-600 Space Deer Street New Parking Facility

J On Street Meter Rates

	# of Spaces	Hourly rate: Current	Increase to: 2017
High Occupancy Spaces	157	\$1.50	\$2.00
Non High Occupancy Spaces	668	\$1.00	\$1.50
	<u>825</u>		

Pro Forma-600 Space Deer Street New Parking Facility

RATE SUMMARY

	Current Rates	Suggested FY 2017 Rates
<u>Deer Street New Parking Facility</u>		
Transient Hourly	N/A	\$1.00
Pass Holders		
12 Hr Monthly	N/A	\$100
24 Hr Monthly	N/A	\$125
<u>High Hanover Parking Facility</u>		
Transient Hourly	\$1.00	\$1.25
Pass Holders		
12 Hr Monthly	\$110	\$125
24 Hr Monthly	\$135	\$150
<u>Parking Meters (825 metered spaces)</u>		
High Occupancy Spaces (157) Hourly	\$1.50	\$2.00
Non High Occupancy Spaces (668) Hourly	\$1.00	\$1.50

Pro Forma-600 Space Deer Street New Parking Facility

Total Bonding
\$23,200,000

<u>Expenditures</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Bond Payment (Principal & Interest)	\$1,972,000	\$1,931,400	\$1,890,800	\$1,850,200	\$1,809,600
Bond Issuance Costs	\$115,000				
Total Bonding Expenditures	\$2,087,000	\$1,931,400	\$1,890,800	\$1,850,200	\$1,809,600
Operating Cost					
\$400 per space per year (Increase 2% per for inflation)	\$240,000	\$244,800	\$249,696	\$254,690	\$259,784
E Total Expenditures	\$2,327,000	\$2,176,200	\$2,140,496	\$2,104,890	\$2,069,384

Pro Forma-600 Space Deer Street New Parking Facility

Revenue

2017

2018

2019

2020

2021

Deer Street New Parking Facility

F Pass Holders:

(150 spaces 12 hr @ \$100 per Month and 150 spaces 24 hr @ \$125 per month)

300 Total Passes

\$405,000

\$405,000

\$405,000

\$405,000

\$405,000

G Transient Payers:

(300 spaces, 365 days, 14 hrs \$1.00 per hour, 40% capacity)

\$613,200

\$613,200

\$613,200

\$613,200

\$613,200

Total Deer Street Facility Revenue

\$1,018,200

\$1,018,200

\$1,018,200

\$1,018,200

\$1,018,200

Pro Forma-600 Space Deer Street New Parking Facility

<u>Revenue</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
High Hanover Parking Facility					
H Increase Pass rates at High Hanover only (250 spaces 12 hr @ \$125 per Month (from \$110) and 250 spaces 24 hr @ \$150 per month (from \$135))	\$90,000	\$90,000	\$90,000	\$90,000	\$90,000
I Estimated Increase in Transient Revenue Increase use of 150 spaces for transient payers 150 spaces, 365 days, 14 hrs \$1.25 per hour, 60% capacity	\$574,875	\$574,875	\$574,875	\$574,875	\$574,875
Total High Hanover New Revenue	\$664,875	\$664,875	\$664,875	\$664,875	\$664,875

Pro Forma-600 Space Deer Street New Parking Facility

J Meters

	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Increase Per Hr Rates to \$1.50 and \$2.00 (Currently \$1.00 and \$1.50)	\$790,000	\$790,000	\$790,000	\$790,000	\$790,000

DRAFT

Pro Forma-600 Space Deer Street New Parking Facility

Total Bonding
\$23,200,000

Summary	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Deer Street New Parking Facility					
E Total Expenditure	\$2,327,000	\$2,176,200	\$2,140,496	\$2,104,890	\$2,069,384
Deer Street New Parking Facility					
F+G Total Revenue	\$1,018,200	\$1,018,200	\$1,018,200	\$1,018,200	\$1,018,200
High Hanover Parking Facility					
H+I Total New Revenue	\$664,875	\$664,875	\$664,875	\$664,875	\$664,875
Parking Meters					
J Total New Revenue	\$790,000	\$790,000	\$790,000	\$790,000	\$790,000
Total Revenue	\$2,473,075	\$2,473,075	\$2,473,075	\$2,473,075	\$2,473,075
Total Income(Loss) from Parking Changes	\$146,075	\$296,875	\$332,579	\$368,185	\$403,691

Note: All Surplus income will be recorded in the General Fund

Parking Revenue History

Parking Revenue	FY 11 Actual	FY 12 Actual	FY 13 Actual	FY 14 Actual	FY 15 Budgeted
Total Revenue	3,842,650	4,292,388	4,554,963	4,987,095	5,459,500
Total To Parking Transportation Fund	2,291,724	2,342,683	2,601,462	2,659,858	3,047,195
Total To General Fund	1,550,926	1,949,705	1,953,501	2,327,237	2,412,305

Next Steps

1. Revised Letter of Intent (Non-Binding) – April, 2015
2. Site Analysis – (Ongoing)
3. Financial Analysis (Ongoing)
 - Economic Impact analysis
4. City Council Work session (April 20, 2015)
5. Bonding Authorization (May 4, 2015)
6. Development Agreement (May-June, 2015)
7. Design & Permitting (July 2015 – March 2016)
8. **Building Construction (2016-2017)**



Questions & Comments

A Public-Private Partnership to Construct a 600 +/- Space Public Parking Garage Structure and Liner Building at 165 Deer Street

April 20th, 2015

A Report and Recommendation Developed by the Economic Development Commission and the City Manager



“PSNH GENERATION ASSET AND PPA VALUATION REPORT”

For the NH Public Utilities Commission
La Capra Associates, Inc., March 31, 2014

“10.2 DCF Results – Schiller Station”

“The results of the cases, shown in the table below, have 12/31/2014 current value outcomes ranging from a high of \$36 million to a low of zero. The Reference Scenario value is zero. In five of six scenarios, the EBITDA is not only insufficient to support ongoing financing expenses and additional capital expenditures, it is negative. In all six scenarios, projected cash flow for the plant is insufficient to provide a reasonable internal rate of return on equity at any positive or zero price, so the DCF value is zero.”

Pease Wastewater Facilities Evaluation

Portsmouth City Council
April 20, 2015

DRAFT



Pease Wastewater Facilities Evaluation

- Introductions
 - Brian Goetz, Deputy Director of Public Works
 - Terry Desmarais, City Engineer
- Purpose of Presentation
 - Prepare for April 27, 2015 Work Session
 - Summary of Current Plan for Wastewater Facilities
 - Summary of Pease Wastewater Facilities Evaluations
 - Summary of Capital and Life Cycle Cost Estimates
 - Evaluate Impacts, Costs, and Risks



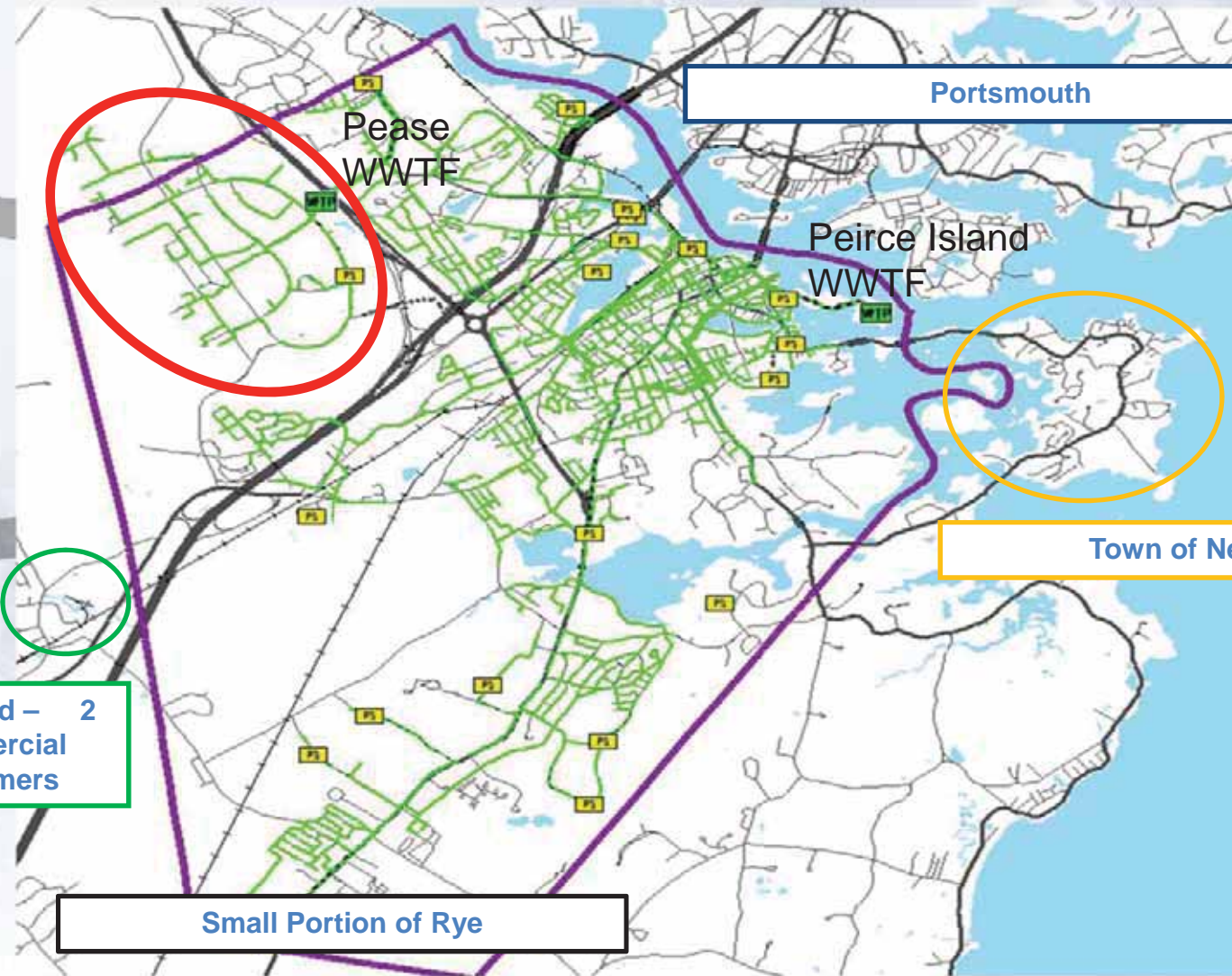
Important Considerations

- Impacts
 - During Construction
 - After Construction
- Cost
 - Capital Costs
 - Life Cycle Costs
- Risks
 - Technical
 - Regulatory

DRAFT



Portsmouth Wastewater System



Greenland - 2
Commercial
Customers

Small Portion of Rye

Portsmouth

Town of New Castle



Two Wastewater Treatment Facilities



Pease

- 1.2 Million Gallons per Day Capacity
- In Need of Future Upgrade

Peirce Island

- 4.8 Million Gallons per Day Capacity
- Currently in Design to Upgrade to 6.1 Million Gallons Per Day Capacity

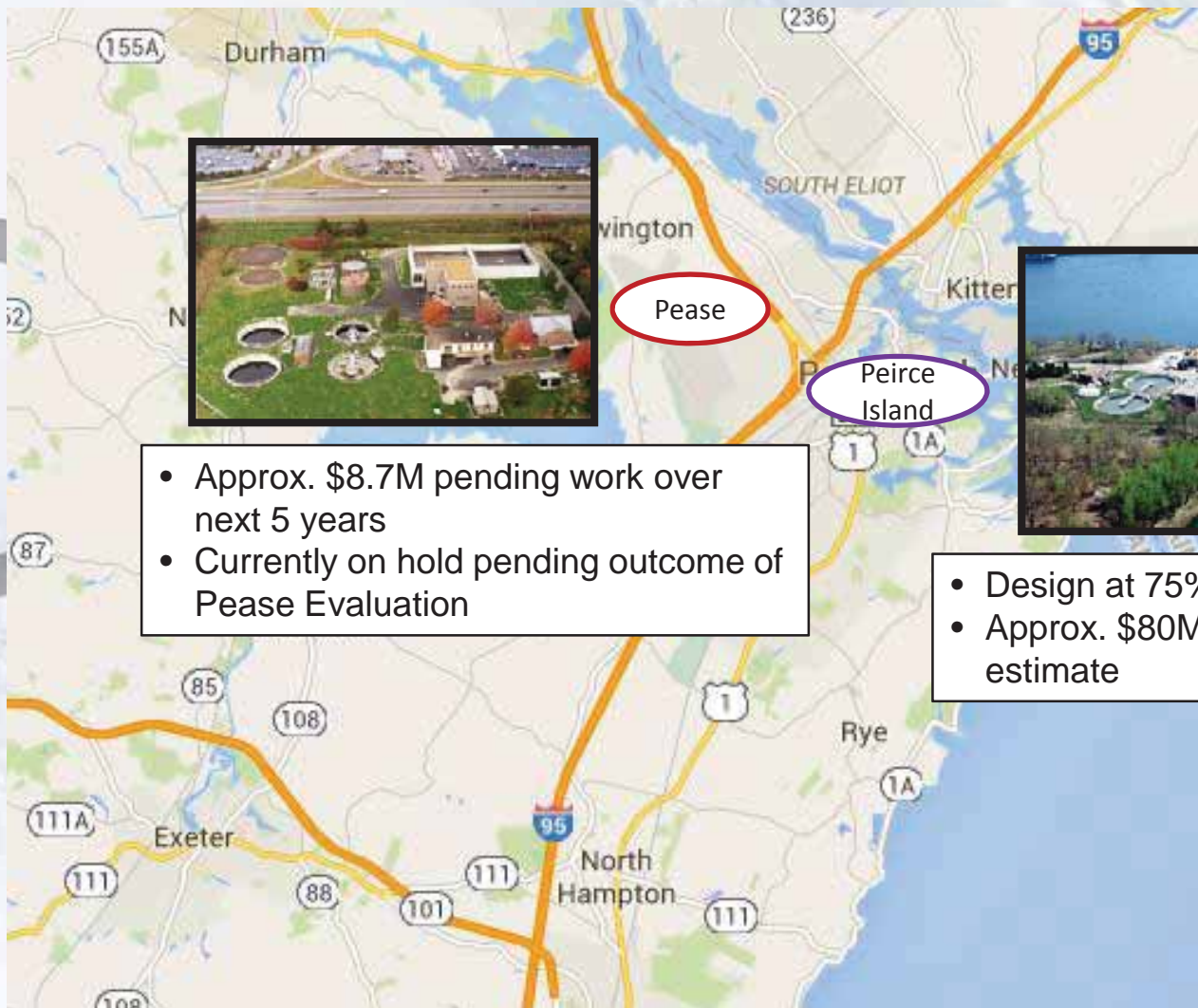


Pease/Ports and Pease Regional Eval

- Regulatory Requirements To Upgrade City's Wastewater Treatment Facilities
- Identified Risks with Current Path
- Council Voted to Pursue Concurrent Path to Complete Pease Wastewater Option Analysis
- Compliance Path Options for City
 1. Stay Course with Individual Upgrades at both WWTF's
 2. Pursue All Treatment at Pease



Option 1 – Upgrade Peirce Island WWTF and Pease WWTF



- Approx. \$8.7M pending work over next 5 years
- Currently on hold pending outcome of Pease Evaluation

- Design at 75% complete
- Approx. \$80M total upgrade cost estimate



Option 2 – Upgrade Pease WWTF



- All sewage pumped to an upgraded Pease treatment facility

- Existing facility re-purposed to handle combined sewage (CSO) treatment



Pease/Ports and Pease Regional Eval

- September 29, 2014 “At a Crossroads”
 - Escalating Costs
 - Regulatory Changes
 - Regional Service Request
- October 20, 2014 and January 20, 2015 Council Vote to Pursue Concurrent Path
 - First Phase to Review Site Plan
 - Second Phase to Develop Life Cycle Cost



Evaluation

- Hired ARCADIS as Selected Consultant
 - Previously Completed the Value Engineering for Peirce Island WWTF Design
- Tasked with Evaluation of Pease Wastewater Options
- Prioritized Site Plans and Layouts
- Completed Capital and Life Cycle Cost Estimates

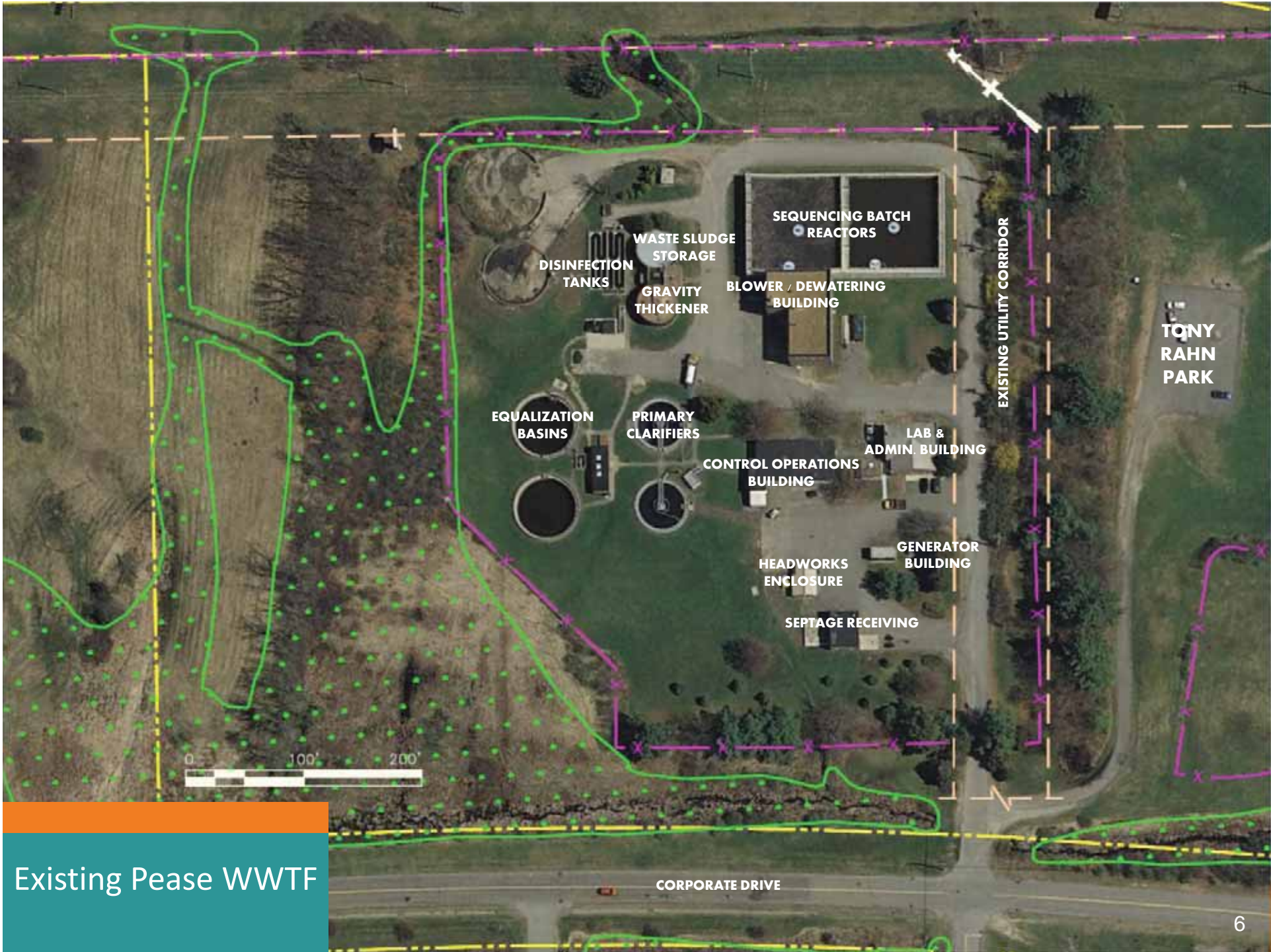


Evaluation Components

- Evaluate Existing Site and Land Area Needs
 - Existing Site at 135 Corporate Drive
 - Alternative Sites Requested by Pease Development Authority
- Treatment Plant Upgrades
- Pumping and Conveyance
 - Determine How to Best Move Wastewater Between Facilities
- Outfalls
- Evaluate Permitting and Other Impacts
- Develop Capital and Life Cycle Costs







Existing Pease WWTF



Important Considerations

- Impacts
 - During Construction
 - After Construction
- Cost
 - Capital Costs
 - Life Cycle Costs
- Risks
 - Technical
 - Regulatory

DRAFT



Impacts – Option 1 Upgrade Peirce Island WWTF and Pease WWTF

- During Construction
 - Construction Truck Route through Pease Tradeport
 - Construction Truck Route through Downtown
 - No Additional Utility Construction in Downtown Streets
- After Construction
 - Chemical and Other Deliveries to Peirce Island and Pease Plants
 - More Operations Traffic to Peirce Island than Current



Impacts – Option 2 Upgrade Pease WWTF

- During Construction
 - Construction Truck Route through Pease Tradeport
 - Requires Significant Utility Construction in Downtown Streets
- After Construction
 - Chemical and Other Deliveries to Peirce Island and Pease Plants
 - More Operations Traffic at Pease Location than Current
 - Minimal Operations Traffic to Peirce Island Location

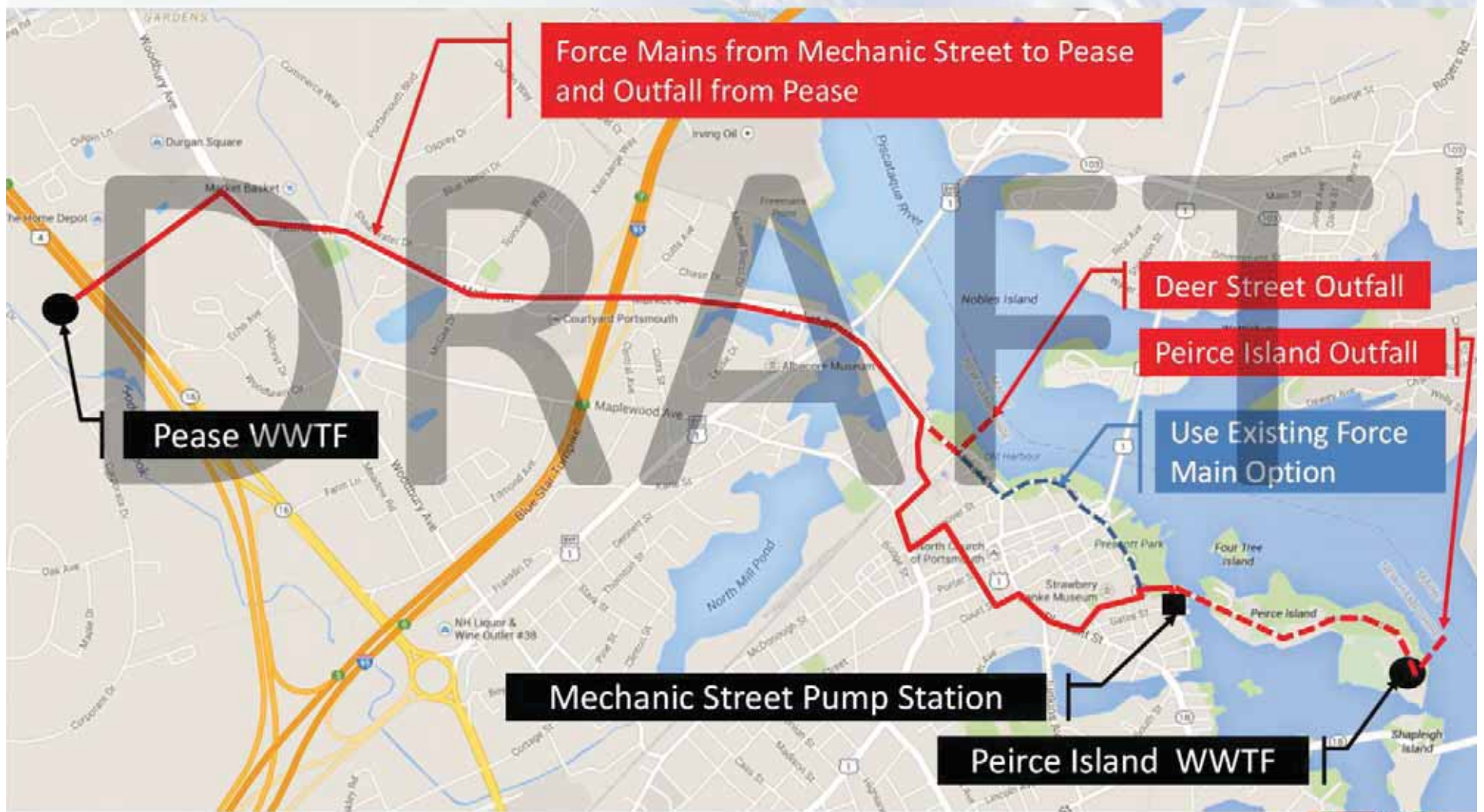


Impacts Summary

Option 1 - Upgrade Peirce Island WWTF and Pease WWTF	Option 2 – Upgrade Pease WWTF
<p data-bbox="205 509 596 553">During Construction</p> <ul data-bbox="205 586 961 878" style="list-style-type: none"> • Construction Truck Route through Pease Tradeport • Construction Truck Route through Downtown • No Additional Utility Construction in Downtown Streets 	<ul data-bbox="1073 586 1860 781" style="list-style-type: none"> • Construction Truck Route through Pease Tradeport • Requires Significant Utility Construction in Downtown Streets
<p data-bbox="205 914 562 958">After Construction</p> <ul data-bbox="205 990 951 1179" style="list-style-type: none"> • Chemical and Other Deliveries to Peirce Island and Pease Plants • More Operations Traffic to Peirce Island than Current 	<ul data-bbox="1073 990 1860 1276" style="list-style-type: none"> • Chemical and Other Deliveries to Peirce Island and Pease Plants • More Operations Traffic to Pease Location than Current • Minimal Operations Traffic to Peirce Island Location



Potential Force Main and Outfall Alignment



Cost Components and Considerations

Cost Item	Immediate Costs	Future Costs
Option 1 – Upgrade Peirce Island WWTF and Pease WWTF	<ul style="list-style-type: none"> • Peirce Island WWTF Upgrade • Pease WWTF Upgrade 	<ul style="list-style-type: none"> • Mechanic Street Pump Station • CSO Control
Option 2 – Upgrade Pease WWTF	<ul style="list-style-type: none"> • Pease WWTF Upgrade • Peirce Island WWTF Conversion • Mechanic Street Pump Station • CSO Control • Force Mains and Outfall 	



Cost Estimates (\$Million)

	Option 1 Upgrade Peirce Island WWTF and Pease WWTF		Option 2 Upgrade Pease WWTF (Deer St Outfall)	
	Capital	Life Cycle	Capital	Life Cycle
TN 8 with Immediate Costs	88.5 (Peirce Island 79.8M) (Pease \$8.7M)	158.4	130.1	181.6
TN 8 Future Costs	32.8	34.0	6.4	7.4
Total Cost	121.3	192.4	136.5*	189.0

*Additional \$6.5M of Capital Costs to extend the outfall from Deer Street to Peirce Island



Risks – Option 1 Upgrade Peirce Island WWTF and Pease WWTF

- Regulatory
 - Bypass and Blending Rule Compliance
 - Anti-degradation Rules
 - Shellfish Harvesting Impacts
- Technical
 - Continued Operational Challenges at Pease
 - Meeting Future Wastewater Permit Limits at Peirce Island WWTF with Footprint Restrictions



Risks – Option 2 Upgrade Pease WWTF

- Regulatory
 - Requires PDA and FAA Approvals
 - Requires EPA Agreement to Modify Schedule
 - Requires DES Approval on Outfall Location
- Technical
 - Constructability
 - More Unknowns and Assumptions
 - Higher Capital Costs
 - Requires More Up Front Financial Commitment



Risks Summary

Option 1 Upgrade Pease & PI	Option 2 Pease 8 MGD
Regulatory	
<ul style="list-style-type: none"> • Bypass and Blending Rule Compliance • Anti-degradation Rules • Shellfish Harvesting Impacts 	<ul style="list-style-type: none"> • Requires PDA and FAA Approvals • Requires EPA Agreement to Modify Schedule • Requires DES Approval on Outfall Location
Technical	
<ul style="list-style-type: none"> • Continued Operational Challenges at Pease • Meeting Future Wastewater Permit Limits at Peirce Island WWTF with Footprint Restrictions 	<ul style="list-style-type: none"> • Constructability • More Unknowns and Assumptions • Higher Capital Costs • Requires More Up Front Financial Commitment



Next Steps

- April 27, 2015 - Public Input/Work Session
- City Council Action

DRAFT



Thank You

DRAFT



CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, APRIL 6, 2015

PORTSMOUTH, NH
TIME: 7:00PM

At 6:00 p.m., An Anticipated “Non-Meeting” with Counsel regarding Potential Acquisition of Real Estate & Potential Settlement of Litigation – RSA 91-A:2, I (b) was held.

I. CALL TO ORDER

At 7:10 p.m., Mayor Lister called the regular City Council meeting to order.

II. ROLL CALL

Present: Mayor Lister, Assistant Mayor Splaine, Councilors Shaheen, Kennedy, Lown, Dwyer, Morgan, Spear and Thorsen

III. INVOCATION

Mayor Lister asked everyone to join in a moment of silent prayer.

IV. PLEDGE OF ALLEGIANCE

Deputy Fire Chief James Heinz led in the Pledge of Allegiance to the Flag.

PRESENTATION

1. Middle Street Bike Lanes – Juliet Walker, Transportation Planner

Transportation Planner Walker provided a brief update on the Middle Street Bike Lanes. She stated that this would increase the utilization of bikes by school age children. She presented the new bike lane for the City Council to consider that is known as a buffer lane and showed a brief video of what the lane would look like installed. She said the purpose of installing bike lanes is to encourage students and residents to use bicycles as their mode of transportation in the City. Transportation Planner Walker stated that the buffer lanes are designed for children and families to use.

Councilor Spear moved that the City Council encourages City staff to drill down Option B and review the concept with the Parking & Traffic Safety Committee. Seconded by Councilor Lown.

Assistant Mayor Splaine thanked Transportation Planner Walker for her detailed presentation and asked if the Parking & Traffic Safety Committee has reviewed and provided approval for this or if there has been involvement by the neighborhoods. Transportation Planner Walker said she provided a presentation to the Parking & Traffic Safety Committee but no vote was taken. She said there will be a vote as this moves forward and the neighborhoods become involved in the this process.

Councilor Thorsen asked why we are asking for a vote without hearing from the Parking & Traffic Safety Committee on this matter.

Councilor Lown said that the Parking & Traffic Safety Committee will approve Option B.

Councilor Dwyer expressed concern about placing these types of lanes in other areas of the City and feels it creates some safety concerns. She stated she would like the Parking & Traffic Safety Committee to take this into account before moving forward with Option B. Transportation Planner Walker said that Councilor Dwyer's concerns will be taken into consideration during the viewing of the lanes prior to the installation of the buffer lanes.

Motion passed. Councilor Thorsen voted opposed.

2. Update on Route 7 COAST – Juliet Walker, Transportation Planner

Transportation Planner Walker spoke regarding the funding for the routes provided through municipal dues and local assistance. She introduced Rad Nichols of COAST to speak regarding the cancellation of Route 7. Mr. Nichols said that there is a lack of ridership to keep Routes 2 and 7 running any longer.

Councilor Shaheen thanked Transportation Planner Walker and Mr. Nichols for the information. She expressed concerns regarding the loss of Routes 2 and 7 along with the need to make sure our residents would not be impacted by this and that Routes 40 and 41 would take care of Portsmouth's needs. Mr. Nichols stated that no passengers live in the City that relies on Route 7. Councilor Shaheen asked how many individuals would not be served by Route 7 that have health services in Exeter. Mr. Nichols said there are approximately 5 individuals and they can easily identify the individuals.

Councilor Kennedy asked for a copy of the presentation and if there is a number for people to call if they need the use of the services that were provided by Route 7. Mr. Nichols said that people could be directed to Ms. Walker and Ms. Walker could contact COAST to assist the individuals. Mr. Nichols also informed the City Council that anyone that used Route 7 in the last year was notified by COAST of the route being discontinued.

Assistant Mayor Splaine moved to suspend the rules in order to take up Item IX. B. - Second reading of Ordinance amending Chapter 7, Article II – Taxicabs to be deleted in its entirety and replaced with a new Article II entitled – Transportation Services. Seconded by Councilor Shaheen.

Assistant Mayor Splaine said there are a number of individuals that signed up to speak on UBER under the Public Comment Session and they would know more about the approach moving forward with the motion he is bringing forward.

Motion passed.

IX. B. - Second reading of Ordinance amending Chapter 7, Article II – Taxicabs to be deleted in its entirety and replaced with a new Article II entitled – Transportation Services

Assistant Mayor Splaine moved to postpone Second Reading of the Ordinance until the April 20, 2015 City Council meeting to allow the Taxi Commission to review the Temporary Operating Agreement presented by UBER. Seconded by Councilor Shaheen.

Assistant Mayor Splaine stated the Taxi Commission has been trying to explore between ride sharing companies and leveling the playing field for taxi companies that have been here for decades. He said it has been a difficult time and more time is needed on exploring this. He stated that UBER has submitted a Temporary Operating Agreement with the City and he feels this is a great way to deal with the issues of checks and balances as well as insurance matters. Assistant Mayor Splaine announced that the Taxi Commission would be meeting on Wednesday, April 15, 2015 to review the agreement and ordinance.

Councilor Morgan said she would support the motion and this is in the best interest of the City to discuss and find the best solution. She said that ride sharing is not even regulated on the State level at this time. She asked if the agreement has been reviewed by the City Attorney. City Attorney Sullivan stated he cannot offer a recommendation to the City Council at this time because he has not had an opportunity to review the agreement in depth as it came in late on Friday.

Councilor Thorsen asked that his item not be considered until we hear back from the Taxi Commission on April 20th on the Operating Agreement. He said we should delay public comment until we hear back from the Taxi Commission at the April 20, 2015 meeting and have a final ordinance form before the Council.

Assistant Mayor Splaine said he hopes to preserve public comment for everyone. He said the public will now know that we have a new agreement before us but could speak if they so choose.

Councilor Dwyer said we are not voting on a temporary Operating Agreement and we are still in limbo for the operation of UBER and operating under no guidelines.

Councilor Shaheen thanked Assistant Mayor Splaine for bringing the motion to postpone this evening to take time to get this ordinance right. She said if we need more time after April 20th, we take the time.

Councilor Kennedy said she supports the postponement however she is frustrated it is being postponed again. She stated there is much to learn about UBER through our national news and feels the public hearing should be opened again based on the changes.

Councilor Lown said he would like to extend not issuing medallions until second reading is considered on April 20, 2015.

Mayor Lister passed the gavel to Assistant Mayor Splaine.

Mayor Lister said he shares in the frustration but everyone wants to get this right. He said that UBER should provide a list of driver's that will be operating in the City because that is required of the other companies and it is not too much to request. He stated we need to know who is transporting our residents.

Assistant Mayor Splaine returned the gavel to Mayor Lister.

Motion passed.

V. ACCEPTANCE OF MINUTES – MARCH 16, 2015

Councilor Kennedy moved to approve and accept the minutes of the March 16, 2015 City Council meeting. Seconded by Councilor Dwyer and voted.

VI. PUBLIC COMMENT SESSION

Christopher David said he is an UBER customer and spoke in favor of the company operating in the City. He suggested this be handled on the State level as Massachusetts is doing.

Jim La Flam said he uses UBER and this is new technology that has a broader appeal to the public.

Michael Finger said UBER is trying to push beyond the use of medallions to move forward with technology.

John Palreiro urged the City Council to vote on the Taxi Ordinance this evening and not postpone action any further. He stated that UBER needs to cease and desist from operating because they are not following the ordinance and guidelines.

Merle White spoke to two different articles in newspapers regarding UBER and its operation. He provided City Clerk Barnaby with the newspapers in order for copies to be provided to the City Council.

Don Libby said he works with transportation companies around the United States and UBER is a hailed service on demand not a limousine service.

Barbara DeStefano spoke on the insurance issue related to UBER and said a private policy would not provide coverage for picking up individuals to be transported to another location as UBER is doing.

Rebecca O'Brien spoke in favor of the plastic bag ordinance submitted by Surfrider for adoption by the City. She addressed the various dangers caused by plastic bags to our environment, wildlife and marine life.

Ralph DiBernardo spoke against the single bag plastic ordinance and said a better alternative would be biodegradable bags. He stated that if passed, this is a punitive ordinance, which he opposes.

Nancy Novelline Clayburgh spoke on behalf of Seacoast Growers' in support of the Farmers' Market. She thanked the City Council for their continued support of the market and the use of the Municipal Complex for the market.

Mark Brighton spoke opposed to the proposed plastic bag ordinance and stated that grocery bags make up .3% of our garbage. He said this ordinance would have no affect on our waste.

Bob Shouse spoke in support of the proposed plastic bag ordinance and said these bags are a major source of pollution in our lives.

Wayne Cippillo, Regal Limousines, requested that limousines be exempt from the proposed transportation services ordinance. He said you cannot hail a limousine and it is not an on demand service as taxies.

Michael Campbell stated he operates a limousine service in Manchester, NH and agrees that the proposed transportation services ordinance should exempt limousines. He said he agrees with the comments made by Mr. Cippillo.

Ed Feliciano, Feliciano Limousines, said he agrees with the comments made by Mr. Cippillo and Mr. Campbell.

Dennis Acton said he is an UBER driver and he had to have a thorough background and criminal check done prior to being hired as a driver. He urged the Council to adopt the ordinance to allow UBER to operate in the City.

VII. PUBLIC HEARING

- A. RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF UP TO FIVE MILLION DOLLARS (\$5,000,000.00) FOR COSTS RELATED TO ELEMENTARY SCHOOL FACILITY IMPROVEMENTS

Mayor Lister read the legal notice, declared the public hearing open and called for speakers. With no speakers, Mayor Lister closed the public hearing.

Councilor Kennedy moved to suspend the rules in order to take up Item IX. A. - Adoption of Resolution Authorizing a Bond Issue and/or Notes of up to Five Million Dollars (\$5,000,000.00) for Costs related to Elementary School Facility Improvements. Seconded by Councilor Shaheen and voted.

IX. A. Adoption of Resolution Authorizing a Bond Issue and/or Notes of up to Five Million Dollars (\$5,000,000.00) for Costs related to Elementary School Facility Improvements

Councilor Spear moved to adopt the proposed Resolution authorizing a Bond Issue and/or Notes of up to Five Million Dollars (\$5,000,000.00) for Costs related to Elementary School Facility Improvements. Seconded by Councilor Shaheen.

Councilor Thorsen stated that the \$5,000,000.00 is already part of the CIP and this is not in addition to another \$5,000,000.00.

On a unanimous roll call 9-0, voted to adopt the proposed Resolution authorizing a Bond Issue and/or Notes of up to Five Million Dollars (\$5,000,000.00) for Costs related to Elementary School Facility Improvements.

Councilor Lawn moved to suspend the rules in order to take up Item XI. A. - Letter from Bert Cohen, Chair, Blue Ribbon Committee on Sustainable Practices recommendation for the Council to proceed with a first reading of the proposed Single-Use Carryout Plastic Bag Ordinance. Seconded by Councilor Spear and voted.

City Attorney Sullivan stated that this issue came forward in 2013 and at that time he researched for enabling legislation for which there was none. He said because there is not enabling legislation, the City could not adopt such an ordinance as it would not be legal and subject to challenge. He said he wrote to Surf rider on February 10, 2015 to notify them of this matter and received no response. City Attorney Sullivan stated if he finds enabling legislation on this matter he would draft an ordinance to bring back for the April 20, 2015 City Council meeting but if there is no enabling legislation this item would not be placed on the agenda for the April 20, 2015 City Council meeting.

Councilor Lown said he feels that the legislation does allow for this and permits the City to control its own waste.

Councilor Morgan asked if we have a copy of the 2013 memorandum that City Attorney Sullivan indicates he wrote regarding this matter. City Attorney Sullivan said he would provide a copy of the memorandum of 2013 to the City Council for their reference and review.

Councilor Kennedy said she would like to look into the use of biodegradable bags.

Councilor Smith spoke to the proposed ordinance and asked several questions for the City Attorney to provide answers to if we were to move forward with such an ordinance.

VIII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donation to the African Burying Ground from TD Bank - \$10,000.00

Councilor Kennedy moved to accept and expend a \$10,000.00 grant from TD Bank for costs associated with the events marking the project's completion in May 2015. Seconded by Councilor Spear and voted.

- B. Acceptance of Community Development Block Grant Funds

Councilor Kennedy moved to accept and expend a Community Development Block Grant (CDBG) in the amount of \$505,162.00 from the U.S. Department of Housing and Urban Development. Seconded by Councilor Spear and voted.

X. CONSENT AGENDA

Councilor Kennedy requested that Item X.C. - Letter from Caroline Piper, Fairy House Tour, requesting permission to close Washington Street to motor vehicle through traffic between Court and Hancock Streets on Saturday and Sunday, September 26 and 27 from 9:30 a.m. to 4:00 p.m. be removed from the Consent Agenda.

- A. Request from Fairmont License Agreement for a new guy pole and guy wire on Court Street directly across from the African Burial Ground site ***(Anticipated action – move to approve the aforementioned Pole License Agreement as recommended by the Public Works Department with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes)***
- B. Letter from Mary-Jo Mousy, Arts in Reach, requesting permission to hold the 3rd annual AIR Walk fundraiser on Saturday, October 17, 2015 from 9:00 a.m. to 11:00 a.m. ***(Anticipated action – move to refer to the City Manager with power)***
- C. Letter from Caroline Piper, Fairy House Tour, and requesting permission to close Washington Street to motor vehicle through traffic between Court and Hancock Streets on Saturday and Sunday, September 26 and 27 from 9:30 a.m. to 4:00 p.m. ***(Anticipated action – move to refer to the City Manager with power)***
- D. Letter from Sham era Simpson, March of Dimes, and requesting permission to hold the 2015 Seacoast March for Babies in Portsmouth, Sunday, May 31, 2015 ***(Anticipated action – move to refer to the City Manager with power)***

- E. Request for License from Robert Washington/Laura Corrigan, owners of Washington and Co. Antiques / Laura Corrigan Designs for property located at 207 Market Street for a projecting sign on an existing bracket (***Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Robert Washington/Laura Corrigan, owners of Washington and Co. Antiques / Laura Corrigan Designs for a projecting sign at property located at 207 Market Street and, further, authorize the City Manager to execute License Agreements for this request***)

Planning Director's Stipulations:

- ***The license shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of the projecting sign, for any reason, shall be done at no cost to the City; and***
- ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***

Councilor Morgan moved to adopt Items A, B, D, and E from the Consent Agenda, as presented. Seconded by Councilor Lown and voted.

- B. Letter from Caroline Piper, Fairy House Tour, requesting permission to close Washington Street to motor vehicle through traffic between Court and Hancock Streets on Saturday and Sunday, September 26 and 27 from 9:30 a.m. to 4:00 p.m.

Councilor Spear moved to refer to the City Manager with power. Seconded by Councilor Lown and voted. Councilor Kennedy abstained from voting on this matter.

- B. Letter from Sandra Yarne, Seacoast Peace Response, and requesting permission to hold a Penny Poll in Market Square on April 15th from 11:30 a.m. to 1:00 p.m. and place a plywood structure which measures 36" in height by 66" in width on the sidewalk

Councilor Lown moved to refer to the City Manager with power. Seconded by Councilor Kennedy and voted.

- C. Letter from Nancy Pape, NH Conference United Church of Christ, and requesting permission to hold a May Day Celebration for immigrant rights at Market Square on Friday, May 1, 2015 from 5:00 p.m. – 6:30 p.m.

Councilor Kennedy moved to refer to the City Manager with power. Seconded by Councilor Morgan and voted.

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. Request to Renew Seacoast Growers' Association (Farmers' Market) Proposed 2015 License Agreement

Deputy City Manager Allen said that this is a renewal to the License Agreement for the Seacoast Growers' Association Farmers' Market for the 2015 season.

Councilor Kennedy moved to authorize the City Manager to enter into a License Agreement with the Seacoast Growers' Association for 2015, as presented. Seconded by Councilor Spear and voted.

At 9:25 p.m., Mayor Lister called for a brief recess. At 9:35 p.m., Mayor Lister called the meeting back to order.

2. Applications for Sidewalk Cafés Providing Alcohol Service – city-owned sidewalks:
 - a) State Street Saloon
 - b) Popovers on the Square
 - c) Rib Ra Portsmouth
 - d) The District

Deputy City Manager Allen said this will move forward the Sidewalk Cafes Licenses to provide alcohol service outside.

Councilor Spear moved to authorize the City Manager to enter into an Area Service Agreement with State Street Saloon for outdoor Alcohol service on City land for the 2015 season subject to City Council Policy No. 2012-02 regarding use of City property for sidewalk cafes providing alcohol service. Seconded by Councilor Shaheen.

Councilor Kennedy said she would not support this because it is not enough of a substantial amount to charge to give up the benefits and rights of the citizen's use of the sidewalk.

Councilor Thorsen asked how the cost of the space compares to what is being paid by the owners for the inside space.

Deputy City Manager Allen said he is not aware of the rental rates downtown and asked Nancy Carmer, Economic Development Manager to come forward and speak to this matter.

Economic Development Manager Carmer said she could provide information generally with a range but not specific numbers because she does not have that available.

Deputy City Manager Allen stated we charge \$10.00 a square foot for the outside space.

Councilor Dwyer said you need to remember that this is only for a portion of the year and many people have identified this as something they enjoy using.

Councilor Shaheen said we could try to get the rates but they're proprietary.

Councilor Morgan said she enjoys sitting outside but we need to consider our pedestrians.

Councilor Kennedy suggested getting the information on the rates off of the recent Assessor's letter sent to owners.

Motion passed. Councilor Kennedy voted opposed.

Councilor Lown moved to authorize the City Manager to enter into an Area Service Agreement with Popovers on the Square. Ri Ra Portsmouth and The District for outdoor Alcohol service on City land for the 2015 season subject to City Council Policy No. 2012-02 regarding use of City property for sidewalk cafes providing alcohol service. Seconded by Councilor Shaheen and voted. Councilor Kennedy voted opposed.

3. Applications for Sidewalk Cafes providing Alcohol Service – private sidewalks:
 - a) British Beer Company
 - b) The BRGR Bar

Deputy City Manager Allen said that these license are for the Sidewalk Café's located on private sidewalks, therefore we receive no fee for the Licenses.

Councilor Lown moved to authorize the City Manager to enter into an Area Service Agreement with British Beer Company and The BRGR Bar for outdoor Alcohol service for the 2015 season subject to City operating conditions contained in Council Policy No. 2012-02. Seconded by Assistant Mayor Splaine and voted. Councilor Kennedy voted opposed.

4. Annual Renewal of Boarding House Permits:
 - a) 278 Cabot Street
 - b) 350 – 352 Hanover Street

Deputy City Manager Allen said that these are the renewals for two of the Boarding Houses.

Councilor Kennedy moved to approve the Boarding House permit for 278 Cabot Street and 350 – 352 Hanover Street for a one year permit to expire April 6, 2016. Seconded by Councilor Lown and voted.

5. Sawtelle Family Donation Gift of the Carlton Theodore Chapman Painting Entitled: *Bonhomme Richard Capturing the Serapis*

Deputy City Manager Allen said this is a donation of the portrait from the Sawtelle family to the City.

Councilor Lown moved to authorize the City Manager to request stewardship funds from a NH Charitable Foundation and to negotiate and execute the Deed of Gift and necessary Internal Revenue Service donation forms needed to accept the gift and to send a thank you letter to the Sawtelle family. Seconded by Councilor Kennedy and voted.

Councilor Dwyer requested as part of the maintenance of the painting to have appropriate lighting installed over the painting.

6. Request for Road Closures for African Burying Ground Events

Deputy City Manager Allen reviewed the upcoming events for the African Burying Ground as follows:

On-site event with artist and sculptor Jerome Meadows with Middle School Students

- Date: Wednesday, May 20th
- Closure: Chestnut Street (between Court and State Streets) travel lane. Duration 8:45 a.m. to 10:00 a.m.

Reburial Ceremony at African Burying Ground

- Date: Saturday, May 23rd
- Closure: Chestnut Street (between Court and State Streets) travel lane. Duration 6:00 a.m. to 8:00 p.m.
- Closure: Right hand lane on State Street from Middle Street to Fleet Street
- Closure: Court Street from Rogers Street to Fleet Street. Duration 8:30 a.m. to 10:30 a.m.

Councilor Lown moved to refer these road closure requests to the City Manager with power. Seconded by Councilor Shaheen.

Councilor Dwyer said more detailed information on the events will be provided to the City Council. She also stated the remaining dollars to be raised is down to less than \$20,000.00 for the funds borrowed and expect to be paid by the time of the events.

Motion passed.

7. Request for Approval Re: Town of Rye Water Agreement
Deputy City Manager Allen spoke to the Agreement with the Town of Rye to extend services on Breakfast Hill Road.

Councilor Spear moved to ratify the “Water Supply Agreement” with the Rye Water District, as presented. Seconded by Assistant Mayor Splaine.

Councilor Kennedy stated she would not vote for the motion until she sees the Agreement.

City Attorney Sullivan stated the agreement is to provide public water to an area of Greenland that the Portsmouth water system does not currently have water available through its own pipe network. He further stated the terms of the agreement are that Portsmouth will pay the same rate for water supplied by Rye as the Rye Water District pays Portsmouth for wholesaled metered water it currently receives from the Portsmouth system.

Motion passed. Councilor Kennedy voted opposed.

Councilor Spear asked about the public hearing on the new parking garage. Deputy City Manager Allen said as a result of change on the parking garage agreement for the 165 Deer Street property the Council schedule a public hearing for April 20, 2015 but the Council would now hold a Work Session on April 20, 2015 at 6:00 p.m., but likely postpone the public hearing until the next meeting of the Council on May 4, 2015.

Deputy City Manager Allen announced that the Master Plan Kick-off Meeting will be held on April 15, 2015 at 3S Artspace beginning at 6:00 p.m.

Councilor Shaheen moved to suspend the rules in order to continue the meeting beyond 10:00 p.m. Seconded by Councilor Spear and voted.

B. MAYOR LISTER

The City Council considered the following reappointments to be voted on at the April 20, 2015 City Council.

1. Appointments to be Considered:
 - Reappointment of Ronald Poulin to the Cable Television and Communications Commission
 - Reappointment of MaryAnn Blanchard to the Conservation Commission
 - Reappointment of Gibson "Mike" Kennedy to the Portsmouth Housing Authority
 - Reappointment of Kathryn Lynch to the Recreation Board

2. Reappointment of Peter Loughlin to the Pease Development Authority Portsmouth/Newington representative until March 31, 2018

Councilor Spear moved to reappoint Peter Loughlin to the Pease Development Authority as the Portsmouth and Newington representative until March 31, 2018. Seconded by Councilor Shaheen and voted.

3. Resignation of Elissa Hill Stone from the Conservation Commission

Councilor Kennedy moved to accept the resignation with regret and to send a letter thanking Ms. Stone for her years of service to the City of Portsmouth. Seconded by Councilor Shaheen and voted.

Letter from Julie Fountas, American Legion Auxiliary, requesting financial assistance with placing flags on all veteran's graves on Memorial Day (*Not on Agenda*)

Councilor Kennedy moved to refer to the City Manager with power. Seconded by Councilor Morgan and voted.

C. ASSISTANT MAYOR SPLAINE

1. Statement of Support on Marriage Equality

Assistant Mayor Splaine moved to adopt the Statement of Support on Marriage Equality. Seconded by Councilor Shaheen.

Councilor Spear said regardless of the merits of the motion before the Council he wants to discourage these kinds of Resolutions. He said the Council needs to limit its motions and letters that are more tailored to the City of Portsmouth.

Councilor Lown said he agrees with Councilor Spear. He said passing this Resolution will make no difference to the Supreme Court.

Councilor Morgan said she understands and concurs in some ways but she would support the motion because we don't need isolation and we are here to lead by example.

Councilor Thorsen said the City Council should avoid this kind of activism. He spoke to the memorandum he prepared regarding these kinds of Resolutions and spoke to his analysis.

Councilor Dwyer said she is generally not in favor of the feel good Resolutions but it is speaking to residents in our community.

Councilor Shaheen said social injustice will not be tolerated. She said all are welcomed to the City of the Open Door and this makes a statement that we value people that live here.

Assistant Mayor Splaine said he was hoping for a unanimous vote on this motion and it does affect the people in the City of Portsmouth. He said he would have liked to see the City Council pass such a motion when he was 15 years old.

Mayor Lister passed the gavel to Assistant Mayor Splaine.

Mayor Lister said he hopes we do not entertain many Resolutions for many items. He said he is calling this a statement and not a Resolution. He said we need to be respectful of people in our City and respect all views.

Assistant Mayor Splaine returned the gavel to Mayor Lister.

On a roll call 7-2, voted to adopt the Statement of Support on Marriage Equality. Assistant Mayor Splaine, Councilors Shaheen, Kennedy, Dwyer, Morgan, Spear and Mayor Lister voted in favor. Councilors Lown and Thorsen voted opposed.

D. COUNCILOR SHAHEEN

1. Request to have the Police Chief and the Police Commission at the April 20th City Council meeting to Review Response to the Heroin Epidemic

Councilor Shaheen stated she has requested to have Police Chief Dubois and Police Commission attend the April 20th City Council meeting to review response to the heroin epidemic. *No vote required.*

E. COUNCILOR KENNEDY

1. Transportation Center

Councilor Kennedy provided a list of questions she would like responses to prior to the public hearing on the New Parking Facility.

Councilor Kennedy spoke to the downtown parking principles from 1998 and feels we have gone off target.

Councilor Dwyer said the Council endorsed and passed the principles which came from the study.

Councilor Morgan said people are concerned with the location of the garage and the impact of the sea level rise. She feels Peter Britz, Environmental Planner, should be part of the discussion. She said people would understand we are being proactive.

Councilor Shaheen mentioned Michael Manville looking at current structure and infrastructure and it might be useful in part to have that context on April 20th Work Session.

Councilor Kennedy said the report in November 2011 has conflicts with the 2012 report. Councilor Dwyer said they are not really conflicts.

F. COUNCILOR LOWN

1. Parking & Traffic Safety Committee Action Sheet of March 12, 2015

Councilor Spear moved to approve and accept the Action Sheet of the Parking & Traffic Safety Committee meeting of March 12, 2015. Seconded by Councilor Shaheen.

Councilor Dwyer said that she feels there should be more information provided on the action sheet. She said the City Council needs enough information to know what the action is that was taken by the Parking & Traffic Safety Committee.

Councilor Kennedy inquired about the potential roundabout for the Harborcorp Project. She said the roundabout could cost a significant amount of money to put in. Deputy City Manager Allen said the roundabout has been discussed as part of the Gateway project. He said it has only been discussed and no decision has been made.

Councilor Dwyer said the roundabout is a proposal of the City and part of the Gateway project and just happens to be located near Harborcorp. Councilor Kennedy said Harborcorp said that they could not do their project without the roundabout. Councilor Dwyer said she has listened to all the meetings and has not heard that said.

Councilor Spear withdrew his motion and Councilor Shaheen the second to the motion.

Councilor Spear moved to bring back the Action Sheet and Minutes of Parking & Traffic Safety Committee meeting of March 12, 2015 at the City Council meeting of April 20, 2015 for action to be taken. Seconded by Councilor Shaheen and voted.

G. COUNCILOR MORGAN

1. Testimonies to the NH Legislature on policy issues

Councilor Morgan said she would bring a motion forward at the next meeting on April 20, 2015 for checks and balances and data to quantify requests going before the NH Legislature. She said that the Council needs to know what is being sent out to the Legislature.

Assistant Mayor Splaine said Councilor Morgan has a point. He said there is a difference from fact finding and taking a position. He said when the City takes a position it appears that it has been well vetted.

Councilor Shaheen asked City Attorney Sullivan, with a City Manager form of government and the complexity of the items, what is proper for the Legislative Delegation Subcommittee.

Councilor Kennedy said she would like to be more inclusive if her position is on a letter.

Councilor Dwyer said there could be a criteria made up. She said if it is costing the City a great deal of money we need to take a stance.

Councilor Morgan said it would be good to have the City Manager provide data to quantify requests.

2. Helicopters

Councilor Morgan withdrew this matter.

H. COUNCILOR SPEAR

1. Report Back Re: Election of Mayor and Council Candidates Proposed Charter Amendment

Councilor Spear moved to schedule a public hearing on April 20, 2015 to hear and vote on the Charter Amendment presented by the Legal Department. Seconded by Councilor Dwyer.

Councilor Spear said the Legal Department has written the Charter Amendment and by passing the motion it would allow the residents to come out and speak on the matter. He asked for the City Council to support the motion.

Mayor Lister asked if we should schedule a Work Session on this matter. He said if there is enough City Council support for a Work Session he would move forward with the Work Session.

Assistant Mayor Splaine moved to schedule a Work Session on this matter for the May 4, 2015 City Council meeting. Seconded by Councilor Dwyer.

Councilor Dwyer has heard some ideas that are better and feels this is Work Session material.

Councilor Morgan said at the last Neighborhood Citywide Committee meeting there were a variety of different suggestion and ideas brought forward. She said we are coming from the wrong angle because this should have started by having a citywide discussion. Councilor Morgan said she would like to get into our Charter and let people talk. She said we are supposed to be a government for the people by the people.

Councilor Lown said the City Council over analyzes everything and this comes from the people. He said this is a specific idea on how elections are held.

Councilor Shaheen said she supports what Councilor Lown has said.

Councilor Thorsen said he is almost persuaded by Councilor Dwyer's side. He said can't we get the same information from what the public tells us, and asked if we really need a Work Session on this matter.

Councilor Kennedy asked how the public gets their views out with a Work Session. She said maybe people should come forward and speak on this matter.

Motion passed with Councilors Kennedy, Spear and Thorsen voting opposed.

2. Two Way Street

Councilor Spear said a recurring theme is to change some of our one way streets to two way streets.

Councilor Spear moved to refer to the Parking & Traffic Safety Committee for a Study to be done on this matter. Seconded by Assistant Mayor Splaine.

Assistant Mayor Splaine said the results need to be more than one sentence from the Parking & Traffic Safety Committee

Motion passed.

I. COUNCILOR THORSEN

1. Casinos

Councilor Thorsen said he would be placing this item on the April 20, 2015 City Council agenda.

2. Transportation Services Ordinance Policy Analysis

Councilor Thorsen said that this was for information only.

3. New Parking Garage

Councilor Thorsen said that this was for information only.

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

Councilor Shaheen said she has heard from someone from AIRBNB that is willing to come here to speak on AIRBNB. Deputy City Manager Allen asked Councilor Shaheen to get him the contact information.

XIV. ADJOURNMENT [AT 10:00PM OR EARLIER

At 11:15 p.m., Councilor Spear moved to adjourn. Seconded by Councilor Shaheen and voted.



Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, April 20, 2015, at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a Resolution Authorizing a Bond Issue and/or Notes of up to Twenty Three Million Two Hundred Thousand Dollars (\$23,200,000.00) for the Construction of a New Parking Facility. The complete Resolution is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

KELLI L. BARNABY, MMC, CMC, CNHMC
CITY CLERK

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, April 20, 2015, at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a Resolution Authorizing a Bond Issue and/or Notes of up to Twenty Three Million Two Hundred Thousand Dollars (\$23,200,000.00) for the Construction of a New Parking Facility. The complete Resolution is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

KELLI L. BARNABY, MMC, CMC, CNHMC
CITY CLERK

PM00096514

**CITY OF PORTSMOUTH
TWO THOUSAND FIFTEEN
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # – 2015

**A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF
UP TO TWENTY THREE MILLION TWO HUNDRED THOUSAND
DOLLARS (\$23,200,000) FOR THE CONSTRUCTION OF A NEW
PARKING FACILITY.**

BE IT RESOLVED:

THAT, the sum of up to **Twenty Three Million Two Hundred Thousand Dollars (\$23,200,000)** is appropriated for the construction of a New Parking Facility;

THAT, to meet this appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **Twenty Three Million Two Hundred Thousand Dollars (\$23,200,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act;

THAT the expected useful life of the project is determined to be at least twenty (20) years, and;

THAT this Resolution shall take effect upon its passage.

APPROVED:

ROBERT J. LISTER, MAYOR

ADOPTED BY CITY COUNCIL

KELLI BARNABY, CMC/CNHMC
CITY CLERK

ORDINANCE

THE CITY OF PORTSMOUTH ORDAINS:

That Chapter 7, Article II, - TAXICABS - of the Ordinances of the City of Portsmouth be hereby deleted in its entirety and replaced with the following:

CHAPTER 7, ARTICLE II – TRANSPORTATION SERVICES

Section 7.201 TRANSPORTATION SERVICES

This ordinance serves to regulate transportation services within the City of Portsmouth, whether described as taxi cab service, ride sharing services or any other conduct in which a motor vehicle is used for the transportation of passengers for hire, the destination and route of which are under the direction and control of the passenger and which transportation has its point of origin within the City.

Section 7.202: VEHICLE REGISTRATION

All vehicles used in the provision of transportation services in the City of Portsmouth shall be registered with the City Clerk. Such registration shall be on a form prepared by the City Clerk which requires the listing of the vehicle by make, model, year of manufacture, vehicle identification number, license plate number and color. The City Clerk shall issue a placard to every registered vehicle to be used in the provision of transportation services. The placard issued by the City Clerk shall be prominently displayed on the vehicle whenever it is actually being used for the provision or solicitation of transportation services. There shall be a fee of twenty-five dollars (\$25.00) payable to the City Clerk for the issuance of each placard, such fee may be adjusted annually by the City Council during its budget adoption process.

Section 7.203: LICENSE

Any person operating a vehicle engaged in providing transportation services in the City must first obtain a license to be issued by the City Clerk. The application for the license shall be on a form prepared by the City Clerk. The form shall require that the applicant provide a copy of a valid motor vehicle operator's license, the current residential address of the applicant, and a written authorization from the Chief of the Portsmouth Police Department or his/her designee which indicates that a background check has been performed on the applicant and that none of the following apply:

- a. The individual has three or more convictions for moving violations, in this or any other state, in the three full years prior to the date of the application.
- b. The privilege of the individual to operate a motor vehicle has been revoked and/or suspended at any time, in this or any other state, in the three full years prior to the date of the application, for any reason related to the operation of a motor vehicle.

- c. The individual has been convicted of a felony or misdemeanor, in this or any other state, in the seven full years prior to the date of the application.
- d. The individual has been convicted of a felony involving a controlled substance or violence, in this or any other state, in the fifteen full years prior to the date of the application.

The license authorized by this provision shall be annual and must be renewed each year effective May 1st.

The fee to be paid by the applicant for the conduct of the background check required by this ordinance shall initially be in the amount of \$50.00 to be paid to the Portsmouth Police Department. Each applicant shall additionally pay a fee in the amount of twenty-five dollars (\$25.00) to the City Clerk prior to the issuance of the license. Each of these fees may be adjusted annually by the City Council during its budget adoption process. Thereafter, the fee may be adjusted as necessary by the City Council during its annual budget process.

Section 7.204: **INSURANCE**

Every owner of a vehicle used in the provision of Transportation Services shall maintain at all times in the office of the City Clerk satisfactory proof of commercial personal injury and property damage liability insurance covering the vehicle and any person who might drive that vehicle in the performance of Transportation Services for any time period in which the vehicle might be providing Transportation Services. The personal injury coverage shall be not be less than \$100,000.00 for injury to one person with a total coverage of not less than \$300,000 for each accident. The property damage coverage shall be not less than \$50,000 per occurrence.

If the required insurance coverage terminates, expires or is suspended the registration shall immediately terminate and expire and the placard must immediately be returned to the City Clerk. All required insurance policies shall contain a provision which will provide for the automatic notification by the insurer to the City of the cancellation or expiration of the policy. Said notice shall be provided to the City Clerk.

Section 7.205: **TRANSPORTATION SERVICE LOCATIONS**

The City Council may designate any portion or portions of the public street or highway to be used as a place in which vehicles may stand or park to solicit business in accordance with the provisions of this ordinance. Such locations may be identified as "taxi" stands or by any other designation approved by the City Council.

For a one (1) year transition period commencing with the date of adoption of this ordinance the use of such transportation service locations shall be limited to those companies

or individuals holding taxi medallions to operate within the City as of February 18, 2015. Thereafter, only vehicles bearing valid Transportation Service placards and actually soliciting Transportation Services may park in designated Transportation Service locations.

Section 7.206: **SAFETY INSPECTIONS**

All vehicles engaged in the provision of Transportation Services must be lawfully inspected for vehicle safety in accordance with the laws of the State of New Hampshire.

Section 7.207: **ANNUAL RENEWAL**

Every Transportation Service Registration and Transportation Service Operator License must be renewed annually on its date of issuance.

Section 7.208: **FARE REGULATION**

There shall be no regulation of fares. However, prior to the initiation of any Transportation Service being provided to any individual, the operator of the Transportation Service vehicle and the passenger engaging such services shall reach agreement as to the amount which will be paid by the passenger to the operator for the Transportation Service.

Any disputes which may arise with regard to the fare for any Transportation Service may be brought to the Transportation Service Commission for resolution. Any determination made by the Transportation Service Commission shall be final and binding on all parties.

Section 7.209: **TRANSPORTATION SERVICE COMMISSION**

There is hereby established a Transportation Service Commission. On the date of adoption of this ordinance the Transportation Service Commission shall consist of the members of the Taxi Commission holding office immediately prior to that date. Thereafter, the Transportation Service Commission shall be comprised of (1) City Councilor; (1) member of the business community; (4) citizens of the City of Portsmouth; who shall be selected by the Mayor with the approval of the City Council; and the Chief of Police or his/her designee; . The Transportation Service Commission shall serve co-terminus with each City Council and shall annually elected one of its members to be Chair.

The Transportation Service Commission shall serve in an advisory role to the City Council with respect to all matters relating to Transportation Services. The Transportation Service Commisison shall also resolve any fare dispute and impose any penalty as authorized by this ordinance.

Section 7.210: **COMPLIANCE WITH STATE AND FEDERAL LAW**

Every owner and operator of any vehicle utilized in the provision of Transportation Services shall operate at all times in compliance with all applicable state and federal law, including but not limited to provisions relating to the proper designation of employees as compared to independent contractors, worker's compensation, federal income tax withholding and social security. The business records of each owner or operator demonstrating compliance with this provision shall be made available on demand for review by the City Clerk or the Transportation Service Commission.

Section 7.211: **PENALTIES FOR VIOLATION**

The owner or operator of any vehicle engaged in the provision of Transportation Services who violates the provisions of this ordinance shall be subject to the following:

- a. Suspension or revocation of Transportation Service vehicle registration or operator license by vote of the Transportation Service Commission; and/or
- b. An administrative penalty as may be determined by the Transportation Service Commission, in an amount not to exceed three hundred dollars (\$300.00), payment of which shall be a condition of continued maintenance of the Transportation Service vehicle registration or operator's license; and/or
- c. Payment upon conviction by a Court of competent jurisdiction of any amount determined by the Court up to the maximum permissible penalty authorized by state law for violation of a municipal ordinance.

The City Clerk shall properly alphabetize and/or re-number the ordinance as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Robert J. Lister, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

h\ordinances\ordinances\7.2 transportation services

April 7, 2015

commuteSMARTseacoast
42 Sumner Dr.
Dover, NH 03820

Mayor Lister and City Council
1 Junkins Ave.
Portsmouth, NH 03801

RE: Request for City Event, Friday, May 15th, 12 – 12:30 pm, Market Square

Dear Mayor and Councilors,

I am writing to request permission to hold a "Fix a Flat Clinic for Women" on Friday, May 15th as part of BIKE/WALK TO WORK WEEK. There will be one instructor and a gathering of five to ten women watching the instructor fix a flat tire on her bicycle.

There is nothing on the North Church schedule that would be in conflict with this event or anything on the City calendar. To my knowledge, May 15th is not a religious holiday.

We will not need to close any roads. I would anticipate that most of not all attendees will be riding their bikes or walking to this event, given its Bike/Walk to Work Day.

Thank you for your consideration.

Sincerely yours,

Anne Rugg, Manager
commuteSMARTseacoast

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director *RT.*
DATE: April 15, 2015
RE: Request for License – 35 Portwalk Place

Portwalk HI, LLC and Hanover Apartments, LLC are the owners of the property containing the third phase of the Portwalk project, the major components of which are the Hampton Inn and the Aria apartments. In a letter dated April 10, 2015, Jeff Johnston, on behalf of these two entities, has requested the City Council to grant a license to allow a marquee structure to project approximately 10 inches over City property adjacent to the Deer Street side of the building. The marquee structure is being proposed as part of the tenant fit-up for the Green Elephant Bistro & Bar, a new restaurant that will occupy the space at the corner of Deer Street and Portwalk Place.

“Awning” vs. “Marquee”

There has been some confusion about the nature of the proposed element that is the subject of this request. The Zoning Ordinance defines three terms describing elements that project from a building:

- Awning:** A cloth, plastic or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use.
- Canopy:** A freestanding structure constructed of rigid materials, providing protective cover over an outside service area.
- Marquee:** A structure other than a roof that is attached to, supported by and projecting from a building, and that provides shelter for pedestrians.

It is clear from these definitions that the proposed projection into the Deer Street right of way is a “marquee” rather than an “awning.”

The distinction between “awning” and “marquee” is significant. The City does not require a license for an awning, which is nonstructural and easily capable of being removed without affecting the building to which it is attached. However, a rigid structural element such as is being proposed here is more permanent and it is therefore the position of staff that a license is required.

The plans submitted to the Historic District Commission identified a “proposed awning/fascia structure” which was subsequently abbreviated to “awning” in HDC documents. Based on the use of the term “awning,” I initially determined that this was a

nonstructural attachment to the building that would not require a license for projection into the public way. Once I was informed of the nature of the structure, I determined that it would require a license.

Historic District Commission Stipulation

The property owners had initially proposed several “awning/fascia structures,” most of which would extend three feet out from the building wall. However, the corner of the building projects out from the main façade, so that a three-foot further projection would cross the property line onto City property. In order to keep the projecting structure within their lot, the developers proposed a 2’-2” projection at that location.

In reviewing the proposed structure, the Historic District Commission felt that it was important that all “awnings” have a consistent projection along both tenant facades. Therefore, in approving the application on December 10, 2014, the HDC voted to require a consistent 36” depth, and included the following stipulation in its letter of decision:

That the applicant shall seek a license from the City Council for allowing a 36” awning along the Deer Street façade.

Attached to this memo are two drawings (labeled “North Elevation” and “East Elevation”) which were submitted to the Historic District Commission and indicate the scale of the marquee structures as originally proposed by the developers. Comparing the two drawings gives a sense of the difference between the developers’ initial proposal and the HDC approval. The three-foot deep structure on Portwalk Place is in profile on the left side of the building in the drawing captioned “North Elevation”; and the original proposal for a 2’-2” deep structure appears in profile on the right side of the building in the drawing captioned “East Elevation.”

Also attached is a full-color photo simulation that was submitted with the tenant’s sign application. This is intended to represent how the structures and signs will appear at pedestrian level.

As noted above, the Historic District Commission specifically required that the applicant construct a 36” deep structure so that it would match the adjacent ones. However, if the City Council does not approve the request for a license, the property owners would have the option of applying to the Historic District Commission to approve a narrower marquee that would not extend into the City property.

Recommendation

I recommend approval of a revocable municipal license, subject to the following conditions:

1. The license shall be approved by the Legal Department as to content and form;
2. Any removal or relocation of the marquee structure, for any reason, shall be done at no cost to the City; and
3. Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the marquee structure, for any reason, shall be

restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.

Attachments:

- Two scaled drawings of the Hampton Inn building with the developers' initial proposal for the marquee structure
- Photo simulation of the proposed marquee structure and attached signs

64'-6"



PROPOSED AWNING/FASCIA STRUCTURE:
 1x6 HORIZONTAL CEDAR SLATS ON METAL FRAME
 STRUCTURE PROJECTS 36" FROM FACE OF BUILDING.
 SLOPED POLYGL SURFACE INSIDE FASCIA
 ACTS AS AWNING TO DIRECT WATER
 AWAY FROM WINDOWS

INSIDE FACE OF GLASS
 TO BE FROSTED
 IN THIS BAY

② NORTH ELEVATION
 SCALE 3/32" = 1'-0"



Neokraft
 SIGNS

Neokraft Signs Inc.
 686 Main Street
 Lewiston, Maine 04240
 Telephone: 207.782.9654
 Facsimile: 207.782.0009
 1.800.339.2258
<http://www.neokraft.com>

Custom Sign Fabrication

These plans are the exclusive property of Neokraft Signs, Inc. and are the result of the original work of its employees. They are submitted to Neokraft's client for the sole purpose of consideration of whether to purchase these plans or to purchase from Neokraft a sign manufactured according to these plans.

Distribution or exhibition of these plans to anyone other than employees of said client, or use of these plans to construct a sign similar to the one embodied herein, is expressly forbidden. In the event that such exhibition or construction occurs, Neokraft expects to be reimbursed \$1500 in compensation for time and effort entailed in creating these plans.

**Green Elephant
 Bistro & Bar
 CL022551
 PERMIT**

Location: 35 Deer Street
 Portsmouth, NH

Drawing No.: 4 of 6

Drawn by: PL Rep.: PL

Date: 03.18.2015

Lead No.: CL022551

Gen Ref.:



Neokraft
S I G N S

Neokraft Signs Inc.
686 Main Street
Lewiston, Maine 04240
Telephone: 207.782.9654
Facsimile: 207.782.0009
1.800.339.2258
<http://www.neokraft.com>

Custom Sign Fabrication

These plans are the exclusive property of Neokraft Signs, Inc. and are the result of the original work of its employees. They are submitted to Neokraft's client for the sole purpose of consideration of whether to purchase these plans or to purchase from Neokraft a sign manufactured according to these plans.

Distribution or exhibition of these plans to anyone other than employees of said client, or use of these plans to construct a sign similar to the one embodied herein, is expressly forbidden. In the event that such exhibition or construction occurs, Neokraft expects to be reimbursed \$1500 in compensation for time and effort entailed in creating these plans.

**Green Elephant
Bistro & Bar
CL022551
PERMIT**

Location: 35 Deer Street
Portsmouth, NH

Drawing No.: 3 of 6

Drawn by: PL Rep.: PL

Date: 03.18.2015

Lead No.: CL022551

Gen Ref.:



NORTH ELEVATION



Neokraft
S I G N S

Neokraft Signs Inc.
686 Main Street
Lewiston, Maine 04240
Telephone: 207.782.9654
Facsimile: 207.782.0009
1.800.339.2258
<http://www.neokraft.com>

Custom Sign Fabrication

These plans are the exclusive property of Neokraft Signs, Inc. and are the result of the original work of its employees. They are submitted to Neokraft's client for the sole purpose of consideration of whether to purchase these plans or to purchase from Neokraft a sign manufactured according to these plans.

Distribution or exhibition of these plans to anyone other than employees of said client, or use of these plans to construct a sign similar to the one embodied herein, is expressly forbidden. In the event that such exhibition or construction occurs, Neokraft expects to be reimbursed \$1500 in compensation for time and effort entailed in creating these plans.

**Green Elephant
Bistro & Bar
CL022551
PERMIT**

Location:	35 Deer Street	
	Portsmouth, NH	
Drawing No.:	2 of 6	
Drawn by:	PL	Rep.: PL
Date:	03.18.2015	
Lead No.:	CL022551	
Gen Ref.:		

MEMORANDUM

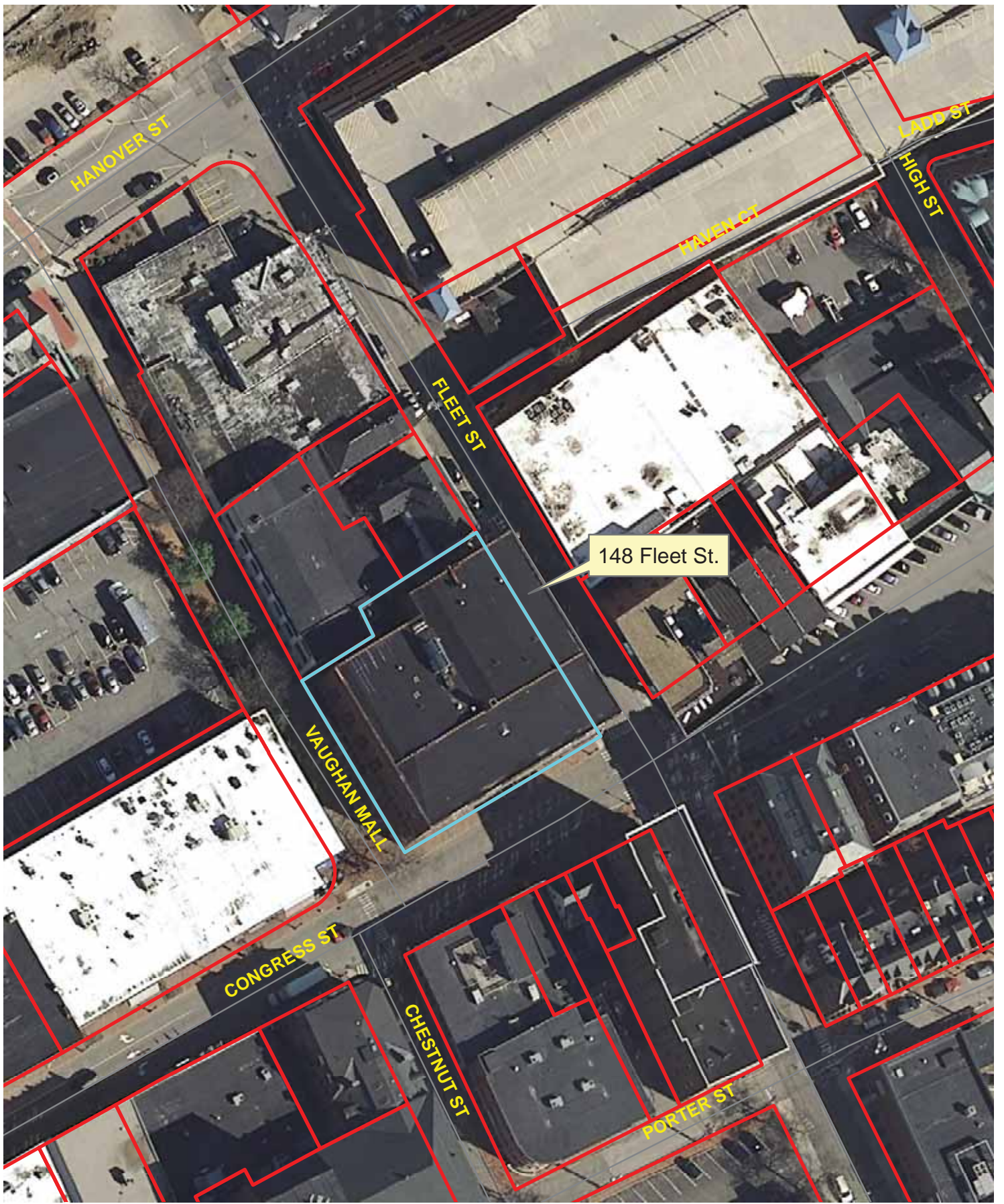
TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director *RT.*
DATE: April 20, 2015
RE: City Council Referral – Projecting Sign
Address: 148 Fleet Street
Business Name: The Franklin Oyster House
Business Owner: Jay McSharry

Permission is being sought to install a projecting sign on an existing bracket, as follows:

Sign dimensions: 42" x 24"
Sign area: 7.0 sq. ft.
Height from sidewalk to bottom of sign: 13.0"

The proposed sign complies with zoning requirements. If a license is granted by the City Council, no other municipal approvals are needed. Therefore, I recommend approval of a revocable municipal license, subject to the following conditions:

1. The license shall be approved by the Legal Department as to content and form;
2. Any removal or relocation of the projecting sign, for any reason, shall be done at no cost to the City; and
3. Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.



Request for Projecting Sign License 148 Fleet Street

The Franklin Oyster House
148 Fleet St.
1 Projecting Sign





Projecting sign #1
24" x 42"



Flush attached sign #2
15 7/8" x 41 1/2"

Flush attached sign #1
15 7/8" x 233 5/8"

Flush attached sign #4
5" X 6"

Flush attached sign #3
30" x 50"

Flush attached sign #3
30" x 50"

28'

13'

Bravo to
Looking Good!
Looking Good!
Looking Good!
Come on in
for Detox and
Weight Loss!

BAR

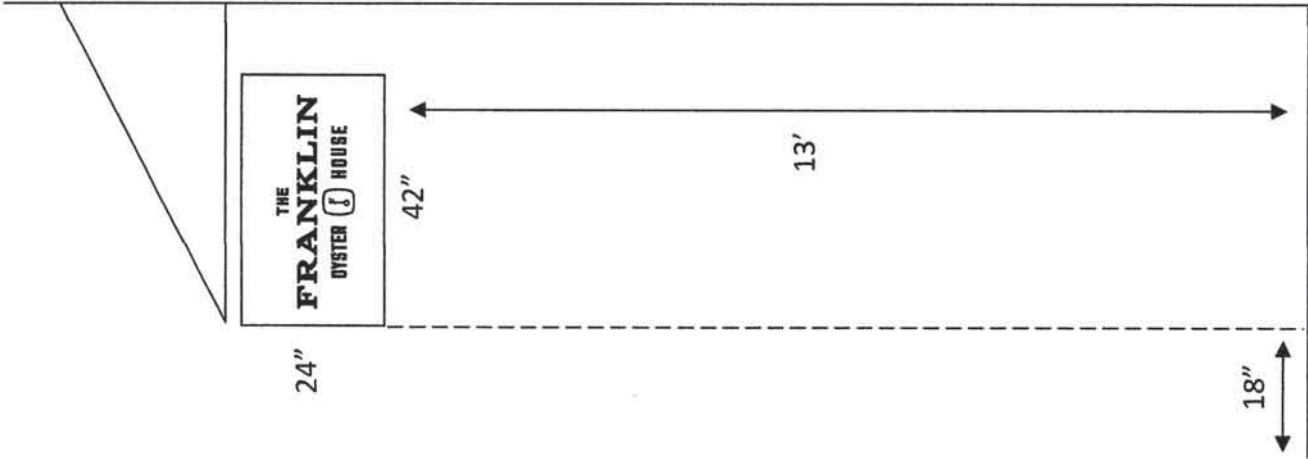
OYSTER
HOUSE

THE FRANKLIN

THE
FRANKLIN
OYSTER HOUSE

THE
FRANKLIN
OYSTER HOUSE





Proposed Projecting Sign #11: 42" x 24"



April 10, 2015

Mayor Lister and the Portsmouth City Council
Portsmouth City Hall
1 Junkins Ave
Portsmouth, NH 03801

received
4/13/15

Dear Honorable Mayor Lister and the City Council,

This is to request your approval to hold the 9th annual Seacoast Half Marathon on Sunday, November 8, 2015.

The Seacoast Half Marathon is a fund-raiser, benefitting a different local non-profit organization each year. Past beneficiaries include New Heights, Cross Roads House, Womenade, Great Bay Services, Big Brothers Big Sisters of the Greater Seacoast, Families First, Sexual Assault Support Services/Child Advocacy Center, and Chase Home for Children. In the first nine years of the race, we contributed over \$640,000 to the race beneficiaries. This year's beneficiary is the Seacoast Mental Health Center. The SHMC, along with Community Partners, will use the monies they earn from this year's race to develop a sustainable program to instruct the general community in Rockingham and Strafford Counties in Mental Health First Aid. Our goal this year is to raise and donate a minimum of \$85,000 to these fine organizations. In addition to our beneficiary, other local non-profit organizations have staffed our 'water stops,' and those enthusiastic groups each receive \$500 for their efforts on race day.

The Seacoast Half Marathon has sold out every year. And each year, the race attracts runners and walkers from 16-20 states across the nation, plus a small handful of people from outside the country. So local hotels, retailers and restaurants also benefit from the people who visit Portsmouth for this road race on Veteran's Day weekend.

We expect to have 1,200 participants on race day. 'Competitive walkers' will start at 8:00am, and the runners will start at 8:30. The 13.1 mile course travels through Rye and New Castle, as well as parts of Portsmouth. We avoid the 'downtown' area of Portsmouth to help minimize traffic interruptions. Each year, we work with the Police departments in Portsmouth, Rye and New Castle to minimize the impact of the race on local communities, and to maximize the safety for the racers. We are planning to use the same race course that we have used for 8 of the past 9 years.

We thank your office and the Council for your support of the Seacoast Half Marathon in past years, and hope that you will provide your support again for this year's race.

Sincerely,

Jay Diener
Co-race director, Seacoast Half Marathon
206 Woodland Rd
Hampton, NH 03842
603.758.1177
shmracedirector@gmail.com

March 6, 2015

John P. Bohenko, City Manager
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801



Re: 95 Mechanic Street, Portsmouth

Dear John:

This office represents Charles L. Lassen and Susan E. Lassen, Trustees of the Charles L. Lassen Revocable Living Trust. The Lassens own and reside on Round Island situate in the back channel of the Piscataqua River in Portsmouth approximate to Pierce Island and the south end waterfront. As you know, Round Island is not accessible from the mainland other than by way of a water vessel.

Presently, the Lassens travel to and from their home via a 17 foot "ferry". In addition to transporting themselves, the Lassens use the boat to carry food, fuel and other materials to their home, to transport their garbage to the mainland for collection and to pick up their mail. I enclose a photograph of the "Round Island Ferry".

It is our understanding that the City of Portsmouth is in the early stages of determining how it will develop and reuse the former LaCava property at 95 Mechanic Street (Tax Map 103 Lot 29). As you know, this property has traditionally been used for commercial waterfront activities, such as commercial fishing, and continues to have docks and piers. Mr. and Mrs. Lassen are strong supporters of continuing this working waterfront tradition.

Mr. and Mrs. Lassen are interested in participating with the City in the redevelopment and subsequent use of the property at 95 Mechanic Street. As the owners are the only year-around inhabited island in the city without access to the mainland by other than a water vessel, they are desirous of securing a long term license or rental arrangement to a dedicated dock sufficient in size to accommodate their vessel on a 24/7 basis, that will also provide access to a city street, parking for a motor vehicle, trash disposal and a mailbox where the U.S. Postal Service can deposit their mail. They believe that the redevelopment of the Mechanic Street property would readily accommodate these needs within the traditional and, hopefully, future uses of the property.

Mr. and Mrs. Lassen are willing to pay market based consideration for such an arrangement and can be flexible in how the consideration is paid to accommodate the City's plans and needs for the redevelopment of the property.

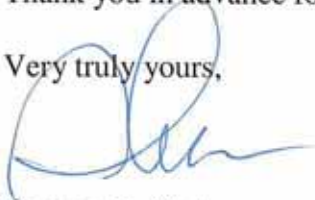
March 6, 2015

Page 2

Should you have any questions, please do not hesitate to contact me. Please let us know what the next steps are in the process of reusing this property.

Thank you in advance for your consideration.

Very truly yours,



Thomas R. Watson

/vzp

Encl.

cc: Robert P. Sullivan, Esq.
Charles L. Lassen

company: Seacoast Outright

address: 206 Court St., PO Box 842

city: Portsmouth

state: NH

zip: 03802

comments: April 15, 2015

Honorable Mayor Robert Lister
Portsmouth City Council Members
City Hall, 1 Junkins Avenue
Portsmouth, NH 03801

Dear Mayor Lister and City Council Members:

Seacoast Outright is celebrating its 22nd year supporting lesbian, gay, bisexual, transgender and questioning youth and their allies in the Seacoast area. Under new leadership, the organization is excited about establishing meaningful partnerships in the community and raising awareness about the critical services it provides.

To this end, we would like to hold a community-based, family-friendly Pride event on Saturday, June 27, 2015. We are seeking your permission to block off Pleasant Street from State to Congress Streets from 1:00 PM to 4:00 PM as the site to gather and celebrate these youth and the many community members who value and support them.

We would like to organize the area to allow for brief speeches and music at the State Street end of Pleasant Street using a sound system according to the specifications you require. Table would align the streets to allow for display of agency materials and articles for sale such as commemorate T-Shirts, buttons, and other paraphernalia, baked good, and other for and drink refreshments. We would locate the tables at the edge of the streets so that pedestrian sidewalk traffic would be unimpeded.

We would set up the street from 1:00 PM to 2:00; have the festivities run from 2:00 to 3:30, and clean up from 3:30 to 4:00.

We propose that there be six staging areas a short distance from the downtown area where groups and individuals would begin their walk to Pleasant Street. The walks would begin at times arranged so that they converge at Pleasant Street from different direction at roughly the same time. We anticipate that each group will wear one of the six colors of the Rainbow Flag. The last group to arrive would be the youth, so that the community can provide a hearty cheer at their arrival.

We intend to invite groups and organizations affiliated with the LGBTQA communities, such as Women Singing Out, PFLAG, the NH Gay Men's Chorus, Transgender NH, as well as other non-affiliated but supportive community groups and businesses to participate in the walk and gathering.

The following six walk routes are proposed:

1) City Hall on Junkins Avenue direct walk to Pleasant Street (We invite the city council and city employees to join here!).

2) Hotel Portsmouth to Middle Street to State Street to Pleasant Street.

3) Little Harbor School (Clough St.) Left onto South Street, right onto Richards St., right onto Parrott Ave., right onto Court St., to Pleasant St.

4) Peirce Island (Peirce Island Road) Right onto Marcy St., Left on State St. to Pleasant St.

5) Memorial Bridge (Water St. Kittery) across the Memorial Bridge, Right onto Harbour Place, Daniel St. to Pleasant St.

6) Portsmouth High School (Youth Group) Andrew Jarvis Drive, Right on Middle St., Right onto Congress St. to Pleasant St.

On behalf of the Seacoast Outright Board of Directors, I thank you for your time and consideration of this request. We are happy to provide any further information you require. We are grateful for the assistance of members of the council, business, and professional communities in the city who have already contributed to the development of this exciting event.

Sincerely,

Chuck Rhoades, Ph.D.

Chair, Seacoast Outright Board of Directors

603-502-4192

chuckrhoades@comcast.net

received
4/15/15

NEWMARKET

April 14, 2015

Mr. Robert J. Lister, Mayor
City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Dear Mr. Mayor and City Council Members:

During the week of May 11, 2015, Newmarket International, Inc. will be hosting its annual customer conference in the City of Portsmouth. During this annual event we invite our customers to join us to learn about the latest advances in our products and services and to network with fellow attendees. This year's event is a momentous event as we are celebrating our 30 year anniversary. As such, we are hosting the event in our home town of Portsmouth.

Conference activities are taking place at various locations throughout the city and we are excited to showcase the beauty and history of the area to our customers. I am writing you today to seek your permission to hold a 5K Fun Run/Walk for a small group of customers and staff members during the week's activities.

We are looking to host this 5K Fun Run/Walk for approximately 50 participants on Thursday, May 14, 2015 beginning at 6:30am and lasting approximately one hour. Attendees will participate in this run/walk voluntarily and it will not be timed. The goal of the activity is to promote networking amongst attendees as they tour the city.

Giving consideration to the fact that most conference attendees are staying at downtown area hotels, we would like to propose the use of one of the following routes, listed in order of preference:

First requested route:

Departing from the corner of Deer Street and Portwalk Place, turning right on Market Street, turning left on Bow Street, turning left on State Street, turning right on Marcy Street, turning right on New Castle Ave, turning left on South Street, turning right on Wibird Street, turning right on Middle Street, turning left on Maplewood Ave, turning right on Deer Street, turning right and ending on Portwalk Place. Please note the image to the right.



NEWMARKET


Alternate requested route:

Starting at Peirce Island, take a left onto Marcy Street and veer right onto South Street. Follow South Street and take a right on Middle Street, take a right at the Baptist Church, and turn right onto Court Street. At the end of Court Street turn right onto Marcy Street. The finish line is in front of Prescott Park.



We respectfully request your permission to host this activity for our guests in the city on May 14, 2015. If additional information is required, I can be reached by email at ghopkins@newmarketinc.com or by telephone at 603.430.6718.

Thank you for your consideration,


Gregg Hopkins
Vice President of Marketing
Newmarket International, Inc.


CC: Portsmouth City Council Members
Portsmouth City Manager

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: April 16, 2015

To: Honorable Mayor Robert J. Lister and City Council Members

From: John P. Bohenko, City Manager 

Re: City Manager's Comments on April 20, 2015 City Council Agenda

6:00 p.m.

Work Session:

1. **Proposed New Parking Facility Located at 165 Deer Street.** As you are aware, there have been changes to the proposed parking garage plan that was originally scheduled for the second reading of a bonding resolution at this evening's City Council meeting. Those changes were the result of the public input received at the two visioning and design charrettes for the North End and West End, as well as the timing of the Gary's Beverages lease.

You will recall that one of the key elements discussed at the North End vision and charrette process was the desire to include as part of future development, areas of civic/public space. The revised plan includes over 8,000 square feet of civic space between the parking garage and developer owned front liner building. You will also recall that the need for workforce and affordable housing was discussed at both the North End and West End charrettes. The latest plan allows for the addition of micro apartment units on either or both sides of the proposed garage structure. Lastly, the Gary's Beverages lease runs through 2021 and at this time, Deer Street Associates has indicated that, although they have purchased another facility, they intend to stay at the current location for the foreseeable future. The revised plan has adjusted the garage location such that it can be constructed while leaving Gary's open.

Please note that the pro forma for the proposed Deer Street facility has been modified from the February 5, 2015 City Council presentation to reflect concerns expressed by the public. The proposed monthly rate increase for the High Hanover Parking Garage has been reduced from \$175 to \$150 for a 24 hour pass, and from \$150 to \$125 for a 12 hour pass. The proposed transient hourly rate increase from \$1.00 to \$1.25 is unchanged. The reduced monthly and transient rates proposed for the Deer Street garage remain unchanged at \$100 for a 12 hour pass, \$125 for a 24 hour pass and \$1.00 for hourly parkers. The pro forma also includes a rate

increase every five years instead of every seven years. These changes still project a positive cash flow in the first year.

In addition to the presentation of the revised plan, Brian Gottlob, an economist with PolEcon Research, will be presenting information on the economic impacts of the proposed garage and development. [Attached is a copy of the presentation.](#)

Presentations:

1. **Wastewater Treatment Facility at Pease.** On Monday evening, Brian Goetz, Deputy Public Works Director and Terry Desmarais, City Engineer, will give an update to the City Council regarding the Wastewater Treatment Facility at Pease. [Attached is a copy of the presentation.](#)
2. **Review Response to the Heroin Epidemic.** Police Chief Stephen DuBois and the Police Commission will make a presentation to the City Council regarding a review of the response to the heroin epidemic.

Items Which Require Action Under Other Sections of the Agenda:

1. **Public Hearing of Proposed Resolution.**
 - 1.1 **Public Hearing of Proposed Resolution Authorizing a Bond Issue and/or Notes of up to Twenty Three Million Two Hundred Thousand Dollars for the Construction of a New Parking Facility.** As a result of the March 16, 2015 City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing the [attached proposed Resolution](#) authorizing a Bond Issue and/or Notes of up to Twenty Three Million Two Hundred Thousand Dollars for the Construction of a New Parking Facility. The City Council stated they would likely postpone the Public Hearing and Adoption of the Borrowing Resolution until the May 4, 2015 City Council meeting.

I recommend the City Council move to keep the public hearing open on the Proposed Resolution until the May 4, 2015 City Council meeting. Action on this matter should take place under Section IX of the Agenda.

2. **Second Reading for Proposed Ordinance.**
 - 2.1 **Second Reading of Proposed Ordinance amending Chapter 7, Article II – Taxicabs to be deleted in its entirety and replaced with a new Article II entitled – Transportation Services (Postponed from the March 16, 2015 City Council Meeting).** As a result of the April 6th City Council meeting, under Section IX of the Agenda, I am bringing back for second reading the [attached proposed Ordinance amending Chapter 7, Article II](#) replacing the existing Taxi Ordinance with a new Ordinance entitled Transportation Services. The [attached Ordinance](#) is the form that

went to first reading at the March 2, 2015 City Council meeting which were brought back to the Council at second reading on March 16, 2015.

At first reading of the captioned ordinance on March 2, 2015, the Council requested that two potential amendments to the form of the Ordinance, which went to first reading, be brought to the Council at second reading on March 16, 2015.

The two motions which would satisfy the requests are as follows:

- 1) *MOVE that the following sentence be added at the end of the first paragraph of Section 7.208 FARE REGULATION which shall read as follows:*

“In no situation shall the fare for any single transportation service beginning and ending within the City of Portsmouth exceed the total sum of \$25.00.”

(Explanation not part of the motion: The maximum fare contained in this proposed amendment was based on input requested from Great Bay Taxi based upon the cost of a taxi ride under the current ordinance commencing at the Kittery town line and continuing to the Rye town line which is 5.1 miles, \$21.95.)

- 2) *MOVE that Section 7.202 VEHICLE REGISTRATION of the proposed ordinance by the addition of the following sentence after the words “...Transportation Services” and before the words “There shall be a fee...” which shall read as follows:*

“The placard shall be displayed in such a manner as to be plainly visible from the exterior of the vehicle by any potential customer.”

In addition, please be advised that at the Taxi Commission meeting of March 18, 2015, the Commission determined to recommend a third amendment to be considered by the City Council at second reading of the ordinance. Specifically, at the request of the City Clerk, the Commission wishes to modify the proposed Ordinance so that it is clear that both the vehicle registration and operator licenses which would be required under the proposed new Ordinance are renewable annually on May 1st, rather than on the date of issuance as currently written. Therefore, it would be appropriate if some member of the Council would propose the following motions:

- 3) *MOVE that the phrase, “on its date of issuance” in Section 7.207 ANNUAL RENEWAL: be deleted and replaced with “May 1st.”*

In addition to the foregoing, there was some interest on the part of the Council at second reading to remove limousine services from application of the proposed ordinance. If a member of the Council desired to make a motion to accomplish that result, one option would be the following:

4) *MOVE* that the following new paragraph be added to Section 7.201
TRANSPORTATION SERVICES:

However, this ordinance shall not apply to the following:

- a. *Limousine Services, which provide designated luxury or specialty vehicles by prior appointment for discrete functions;*
- b. *Limousine Services, whose operation is limited to the transport of passengers by prior appointment from locations within the City of Portsmouth to destinations located outside of the City or the reverse.*

None of the forgoing potential amendments has yet been the subject of Council action.

And further, authorize the City Manager to bring back for third and final reading the proposed Ordinance at the July 13, 2015 City Council meeting, as amended.

Please note that on Wednesday, April 15, 2015 the Taxi Commission voted the following motion "Move to allow taxi companies and ride sharing companies to continue to operate as they currently are while the Taxi Commission continues to work for the next 90 days with the City Attorney and the Council to consider ordinance changes."

Action on this matter should take place under Section IX of the Agenda.

Consent Agenda:

1. **Request for License to Install Projecting Sign.** Attached under Section X of the Agenda is a request for a projecting sign license (see attached memorandums from Rick Taintor, Planning Director):

- Jay McSharry, owner of The Franklin Oyster House for property located at 148 Fleet Street.

I recommend the City Council move to approve the aforementioned Projecting Sign License as recommended by the Planning Director and, further, authorize the City Manager to execute this License Agreement for this request. Action on this item should take place under Section X of the Agenda.

City Manager's Items Which Require Action:

1. **Request for First Reading of Character Based Zoning – North End Ordinance.** In April 2014 the City Council voted to adopt a new set of form-based zoning provisions which are referred to as “character-based zoning.” This was done by inserting a new Article 5A titled “Character Districts” in the Ordinance, and by rezoning the core of the Central Business District from the existing districts (CBB, CBA and MRO) to three new Character

Districts (CD5, CD4 and CD4-L), along with overlays regulating building height, façade types, and special use regulations.

In May 2014, the Council voted to direct staff to expand the character-based zoning approach to the North End and the Islington Street Corridor (i.e., the West End). To implement this project, the Planning Department once again contracted with Town Planning and Urban Design Collaborative (TPUDC), the consulting firm that assisted in drafting regulations for the original Character Districts.

As the first step in this process, the Planning Department held a community design charrette for the North End in November 2104, similar to the first charrette that took place in June 2013. Over the course of four days, Brian Wright and his team from TPUDC held a series of meetings and discussions in which residents and business owners helped create a Vision Plan for the North End. The Vision Plan was published on the Planning Department website (<http://planportsmouth.com>) and on the Facebook page (<https://www.facebook.com/planportsmouth>) and was made available for review over a period of approximately six weeks. In mid-January, the Planning Department published a revised Vision Plan, incorporating comments submitted by residents during this review period.

Since then, the Planning Department staff have been working with TPUDC to extend the existing Character-Based Zoning to the North End, based on the results of the charrette and the Vision Plan. This has included defining a fourth Character District (CD4-L2), and establishing incentives for developers to provide additional open space and/or workforce housing units.

At the same time, staff have undertaken a thorough review of the ordinance adopted in April 2014, and have drafted proposed revisions to address identified substantive and procedural issues. Many of these issues resulted from the way in which TPUDC's regulatory model was overlaid on top of the City's established structure of zoning, site plan review and subdivision review. The proposed revisions are intended to eliminate redundancies and conflicts, and to better integrate the development review process in the Character Districts into the broader regulatory framework.

The proposed zoning amendments are presented to you in the attached three documents:

- (1) a proposed revision to Article 5A – Character Districts;
- (2) a set of four maps showing the expanded Character-Based Zoning Area, proposed districts for the North End, and some minor revisions to the zoning in the original study area; and
- (3) a document titled “Conforming Amendments to Zoning Ordinance”.

I would recommend that the City Council move to authorize the City Manager to bring back for first reading the proposed amendments to the Zoning Ordinance and the Zoning Map, as presented, at the June 1, 2015 City Council meeting, and further, to refer the proposed amendments to the Planning Board for recommendation.

2. **Requesting Approval for the City to Intervene in SEA-3 Site Review Evaluation.** The City Council voted unanimously on June 2, 2014 to authorize the City Manager to direct the Legal Department to take any and all action necessary and appropriate to appeal the decision of the Newington Planning Board to approve the site plan for Sea-3, Inc.'s expansion. The matter has been appealed to the Superior Court and the City is waiting for a hearing date. In addition to getting the approval of the Newington Planning Board for expansion of its site, Sea-3, Inc., must receive approval and certification from the State of New Hampshire's Site Review Committee or be granted an exemption. The procedure for approval and certification for the siting and expansion of any energy facilities in the State is governed by RSA 162-H. Sea-3, Inc., has filed a Request for Exemption From the Approval and Certificate Provisions of RSA Chapter 162-H. In addition to the City Council's concern over the lack of a safety study of the site, the Council has also expressed its concern regarding the impact the site expansion will have on City roads, river and rails. Of particular concern is the impact of the substantial increase in rail traffic throughout the City, the safety of the rails, the cost of improving rail crossings and the vibration and noise caused by increased rail traffic and its disruption of the lives of the residents and businesses along the rail line. In order to oppose Sea-3, Inc.'s request for an exemption, the City would need to file a Motion to Intervene with the Site Evaluation Committee in the matter of **SEC Docket No. 2015-01, SEA-3, Inc.** Authority to intervene would come through a vote of the City Council. The Motion to Intervene must be filed before the public hearing on Sea-3, Inc.'s request for an exemption scheduled for May 7, 2015 at 6:00 p.m. at the Newington Town Office.

The City Council may authorize the City Manager to direct the Legal Department to take any and all action necessary and appropriate to intervene on behalf of the City in the pending matter before the Site Evaluation Committee.

3. **Request for License Encumbrance of Sidewalk and Parking Spaces Re: 275 Islington Street.** On March 23, 2015, Green & Co. Real Estate, on behalf of owners Dale and Sharyn Smith, obtained site plan approval from the Planning Board for the demolition of an existing building and construction of 14 new townhouse type units in five separate buildings and associated site improvements on property located at 275 Islington Street, Tax Map 144, Lot 8. [Attached is a copy of a letter from Green and Co. Real Estate](#) requesting a license to encumber the sidewalk and six parking spaces abutting 275 Islington Street, and the sidewalks on Cornwall and Rockingham Streets closest to Islington Street depicted in yellow in the [attached License Plan](#). [See also aerial photograph of encumbered area](#). The Applicant seeks to encumber the area depicted to facilitate demolition and construction activities for the first phase of the project from May 4, 2015 through December 7, 2015. The license area will be used as a staging and delivery area. There will be no meter bag daily fees charged for the encumbrance of the six parking spaces because there are no meters currently at the site.

The Applicant also requests a license to encumber the sidewalks abutting the length of the lot along Cornwall Street and Rockingham Street depicted in blue in the [attached License Plan from May 4, 2015 through November 15, 2016](#). The encumbered area will be used as a staging and delivery area for the second phase of construction for the project.

I recommend the City Council move to authorize the City Manager to negotiate and enter into a license with Green & Co. Real Estate to facilitate demolition and construction activities at 275 Islington Street.

Informational Items:

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on April 6, 2015. In addition, this can be found on the City's website.
2. **Wastewater Treatment Master Plan Update.** As you are aware, there is a City Council Work Session on Monday, April 27, 2015 at 6:30 p.m., in the Eileen Dondero Foley Council Chambers, regarding the Wastewater Treatment Master Plan Update. Agenda to follow.
3. **Reminder Re: FY16 Budget Schedule.** Just a reminder of the following key budget dates for the FY16 Budget:
 - a) On or about April 27th, I will have the FY16 Budget delivered to you.
 - b) Wednesday, May 6th at 6:30 p.m., Eileen Dondero Foley Council Chambers – Review of Water/Sewer Budget.
 - c) Saturday, May 9th from 8:00 a.m. to 2:30 p.m., in the Levenson Room, at the Library – An “All Day” Work Session with Departments (e.g., Police, Fire, Schools and General Government). Agenda to follow.
 - d) Monday, May 11th at 7:00 p.m., Eileen Dondero Foley Council Chambers – Budget Public Hearing.
 - e) Wednesday, May 20th at 6:30 p.m., Eileen Dondero Foley Council Chambers – FY16 Budget Review.
 - f) Tuesday, May 26th at 6:30 p.m., Eileen Dondero Foley Council Chambers – FY16 Budget Review (if necessary).

The goal is to get the FY16 Budget adopted at your June 8th meeting. Just a reminder that the City Council has until the end of June in accordance with the Charter to adopt the budget. If the City Council needs more time, other meetings can be scheduled, if deemed appropriate by the Mayor, keeping in mind that the budget needs to be adopted by June 30th.

4. **Household Hazardous Waste Day.** For your information, please note that Household Hazardous Waste Day is scheduled for Saturday, May 30, 2015. I will provide you with additional details as they are made available.

5. **Senior Activity Center – Winter/Spring Update.** For your information, [attached is a copy of a memorandum from Brinn Chute, Senior Services Coordinator](#), regarding a Winter/Spring update for the Senior Activity Center.
6. **Public Meetings Video Coverage.** The following is the information that was requested regarding the status of the City’s broadcast and YouTube channel meeting videos.

Televised Meeting Coverage for 2014

For the calendar year 2014, the televised meeting coverage consisted of 163 meetings recorded, rebroadcast on Channel 22 and archived on the City’s YouTube Channel. The breakdown is as follows 36 City Council, 27 Historic District Commission, 20 Board of Adjustment, 20 School Board, 16 Planning Board, 7 Police Commission, 3 Joint Budget Committee, 1 Fire Commission and 13 Miscellaneous meetings.

Studio Setup

Council Chambers is set up as a studio, there is a live feed for Channel 22, conversion software YouTube and a feed for the City’s Website. The setup requires the producers to be present 30 minutes before a meeting and roughly 15 – 30 minutes after a meeting is finished. At the end of the meeting, they schedule the meeting for rebroadcast and begin the upload of the meeting to the City’s YouTube Channel.

Portable Shoots

Portable equipment allows the City to capture meetings that are held outside of the Council Chambers. The setup takes about an hour and a half and they require about an hour to breakup and place the equipment away after a meeting has finished. The portable camera capture software format needs to be converted into two formats for playback for Channel 22 and the City’s YouTube Channel. This conversation can take anywhere between 2 – 6 hours depending on the length of the meeting. Another 4 – 8 hours is required to upload the meeting file to YouTube and Channel 22.

Additional Meeting Coverage

Additional Boards and Commissions that are currently not recorded or broadcast are the Conservation Commission, Parking and Traffic Safety Committee, Technical Advisory Committee, Taxi Commission and Economic Development Commission. In 2014, those Boards and Commissions held 88 meetings. In order to minimize the impact of the additional work load of recording or televising, it would be recommended that the Conservation Commission, the Economic Development Commission, Taxi Commission and the Technical Advisory Committee work sessions would be moved from their current location in Conference Room A into the City Council Chambers to better facilitate the broadcast and recording. It should also be noted that the Fire Commission meetings are often held in their own facility. Their meetings are only recorded when their meetings are held in the Council Chambers. Based on the estimated producer costs to cover these meetings, the cost of broadcasting and/or recording these additional meetings would be approximately \$10,500.00.

Table of Contents

ARTICLE 5A CHARACTER-BASED ZONING	1
SECTION 10.5A10 GENERAL	1
10.5A11 Purpose and Intent	1
10.5A12 Applicability	1
10.5A13 Compliance with Regulating Plan.....	1
10.5A14 Relationship to Other Provisions of the Zoning Ordinance	1
10.5A15 Relationship to Other Regulations, Codes and Ordinances.....	1
10.5A16 Figures	2
10.5A17 Definitions.....	2
SECTION 10.5A20 REGULATING PLAN	2
10.5A21 General.....	2
10.5A22 Regulating Plan Amendment	3
SECTION 10.5A30 CHARACTER DISTRICTS	4
10.5A31 Character District Descriptions.....	4
10.5A32 Permitted Uses	5
10.5A33 Downtown Overlay District.....	5
SECTION 10.5A40 CHARACTER DISTRICT DEVELOPMENT STANDARDS	5
10.5A41 Development Standards.....	5
10.5A42 Building Placement	18
10.5A43 Building Form and Building Types	19
10.5A44 Off-Street Parking and Loading Requirements	28
10.5A45 Architectural Design Guidelines	30
10.5A46 Community Spaces	30
SECTION 10.5A50 CIVIC DISTRICTS.....	33
SECTION 10.5A60 DEFINITIONS.....	34

List of Figures & Maps

Figure 10.5A41.10A Character District Standards: General Urban District–Limited (CD4-L1/
CD4-L2)

Figure 10.5A41.10B Character District Standards: General Urban District (CD4)

Figure 10.5A41.10C Character District Standards: Urban Center District (CD5)

Figure 10.5A42.10 Principal Building/Backbuilding/Outbuilding

Figure 10.5A43.10 Façade Types

Figure 10.5A43.70 Building Types

Figure 10.5A46.10 Community Spaces

Map 10.5A21A Character Districts and Civic Districts

Map 10.5A21B Building Height Standards

Map 10.5A21C Special Requirements for Façade Types, Front Lot Line Buildout, and Uses

Article 5A Character-Based Zoning

Section 10.5A10 General

10.5A11 Purpose and Intent

The purpose of Article 5A is to encourage development that is compatible with the established character of its surroundings and consistent with the City's goals for the preservation or enhancement of the area. This is accomplished by providing a range of standards for the elements of development and buildings that define a place.

10.5A12 Applicability

10.5A12.10 Article 5A shall apply to the "Character-Based Zoning Area" as shown on the Regulating Plan, and to the Character Districts and Civic Districts within said Character-Based Zoning Area.

10.5A12.20 Municipal Districts are shown on the Regulating Plan for reference but are governed by other sections of the Zoning Ordinance (specifically, Sections 10.460 and 10.560) and not by Article 5A.

10.5A13 Compliance with Regulating Plan

10.5A13.10 In the Character Districts and Civic Districts, all lots, buildings, structures, uses, and development shall comply with the requirements of Article 5A, as well as with all provisions of this Zoning Ordinance that are not superseded by Article 5A.

10.5A13.20 No development, subdivision, re-subdivision or construction of or on any building, lot or parcel of land shall occur except pursuant to the Regulating Plan and in compliance with the applicable standards and requirements for such District.

10.5A14 Relationship to Other Provisions of the Zoning Ordinance

10.5A14.10 The provisions of Article 5A shall take precedence over all other provisions of the Zoning Ordinance that are in conflict with Article 5A.

10.5A14.20 All provisions of the Zoning Ordinance that are not specifically modified or superseded by Article 5A, or that are not in conflict with Article 5A, shall apply to lots, buildings and uses within the Character-Based Zoning Area.

10.5A15 Relationship to Other Regulations, Codes and Ordinances

10.5A15.10 Any proposed subdivision of land shall comply with the Subdivision Rules and Regulations, in addition to the requirements of Article 5A.

- 10.5A15.20 Any development that requires Site Plan Review under the Site Plan Review Regulations shall comply with such Regulations, in addition to the requirements of Article 5A.
- 10.5A15.30 The provisions of Article 5A do not modify or supersede any provision of the Building Code, other City ordinances or regulations, or State laws relating to the development of land.

10.5A16 Figures

- 10.5A16.10 The standards in the following figures are an integral part of Article 5A:

Figure 10.5A41.10A – Character District Standards: General Urban District–Limited (CD4-L1/CD4-L2)

Figure 10.5A41.10B – Character District Standards: General Urban District (CD4)

Figure 10.5A41.10C – Character District Standards: Urban Center District (CD5)

Figure 10.5A43.10 – Façade Types

Figure 10.5A43.70 – Building Types

Figure 10.5A46.70 – Community Spaces

- 10.5A16.20 The diagrams, photographs and illustrations contained in the above figures are provided only to indicate general character within the various Districts and shall have regulatory force and effect only to that extent.

10.5A17 Definitions

Terms used throughout Article 5A may be defined in the figures (Façade Types, Building Types, and Community Spaces), in Section 10.5A60, in Article 15 or elsewhere in the Zoning Ordinance. Terms not so defined shall be accorded their commonly accepted meanings. In the event of any conflict between the definitions in Article 5A, those in Article 15, other sections of the Zoning Ordinance, the Subdivision Rules and Regulations, or any other local land use ordinances, rules or regulations, those of Article 5A shall take precedence unless the context clearly indicates otherwise.

Section 10.5A20 Regulating Plan

10.5A21 General

10.5A21.10 Contents of Regulating Plan

The Regulating Plan is the Zoning Map for the Character-Based Zoning Area. The Regulating Plan consists of the following maps:

- Map 10.5A21A – Character Districts and Civic Districts
- Map 10.5A21B – Building Height Standards
- Map 10.5A21C – Special Requirements for Façade Types, Front Lot Line Buildout, and Uses

10.5A21.20 Building Height Standards

Assignments for specific building heights 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.

10.5A21.30 Special Requirements for Façade Types, Front Lot Line Buildout, and Uses

The following standards shall apply when so designated by the Regulating Plan:

- (a) Assignments for shopfront, officefront or stepfront façade types require that a building have the designated façade type at the sidewalk level.
- (b) For designated properties along the waterfront, buildings shall occupy no more than 50% of the width of the front lot line, and shall have a wood-sided appearance.
- (c) Specific use requirements apply to designated properties along the waterfront area.

10.5A22 Regulating Plan Amendment

10.5A22.10 General

The Regulating Plan may be amended in accordance with the provisions of Section 10.150 (Changes and Amendments), subject to the further provisions of Section 10.5A22.20.

10.5A22.20 Application Requirements

An application for a Regulating Plan amendment initiated by or on behalf of the owner of property shall be accompanied by a Site Plan for such property that complies with the requirements for a request for Design Review under the Site Plan Review Regulations.

Section 10.5A30 Character Districts

10.5A31 Character District Descriptions

There are four Character Districts, as follows:

General Urban District–Limited 1	CD4-L1	<ul style="list-style-type: none"> • Medium density transitional area • Mix of medium to large residential house types • Almost entirely residential uses on the upper floors and some office uses on the ground floor. • Shallow front yards • Shallow to medium to side yards • Variable private landscaping • Streets with curbs, sidewalks, and street trees that define medium to large blocks
General Urban District–Limited 2	CD4-L2	<ul style="list-style-type: none"> • Medium density transitional area • Mix of medium to large residential house types • Almost entirely residential uses on the upper floors and some office, retail or restaurant uses allowed in ground floor • Shallow front yards • Shallow to medium to side yards • Variable private landscaping • Streets with curbs, sidewalks, and street trees that define medium to large blocks
General Urban District	CD4	<ul style="list-style-type: none"> • Medium-to-high density transitional area • Mix of building types • Residential, retail, and other commercial uses • Shallow or no front yards • Medium to no side yards • Variable private landscaping • Streets with curbs, sidewalks, and street trees that define small to medium blocks
Urban Center District	CD5	<ul style="list-style-type: none"> • High density development center • Mix of building types • Residential, retail and other commercial uses • No front yards • No side yards • Limited landscaping • Streets with curbs, sidewalks and street trees that define small to medium blocks

10.5A32 Permitted Uses

10.5A32.10 Buildings, structures and land within a Character District shall comply with the use regulations set forth for the applicable district in Section 10.440.

10.5A32.20 Lots in the Waterfront Zone as shown on Map 10.5A21C shall comply with the use regulations for the Central Business A District set forth in Section 10.440.

10.5A33 Downtown Overlay District

The ground floor of a building located within the Downtown Overlay District shall comply with the requirements listed under Section 10.640, and shall also comply with any applicable shopfront or officefront façade type requirements specified in the Regulating Plan.

Section 10.5A40 Character District Development Standards

10.5A41 Development Standards

Development, structures and lots within a Character District shall comply with the applicable general description and standards set forth in Figures 10.5A41.10A-C (Character District Standards) and elsewhere in Article 5A.

**FIGURE 10.5A41.10A CHARACTER DISTRICT STANDARDS
GENERAL URBAN DISTRICT—LIMITED (CD4-L1/CD4-L2)**

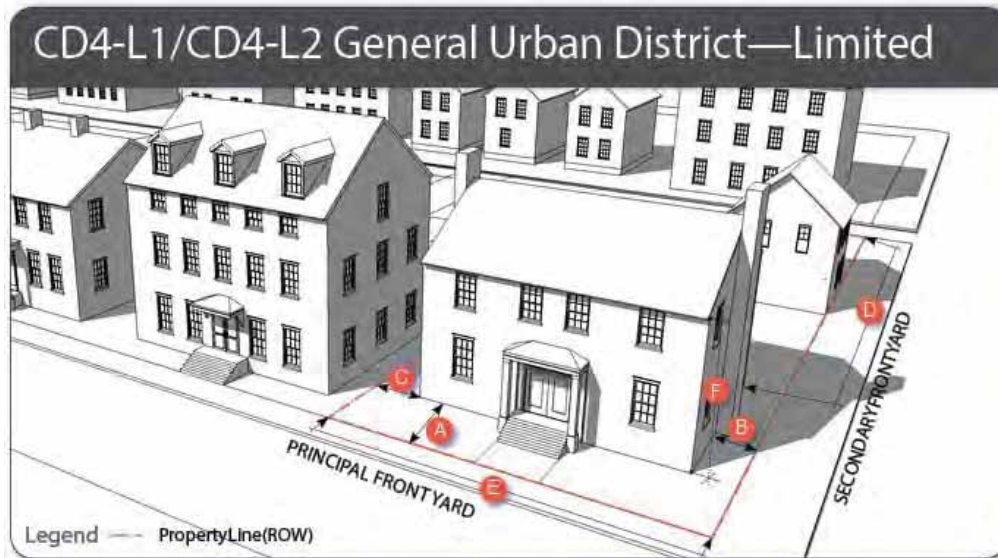
CD4-L1 General Urban District—Limited.

CD4-L2 General Urban District—Limited Retail & Restaurant.

These districts consist of medium density transitional areas with a mix of medium to large residential houses. Upper floor uses are almost entirely residential. Ground floors include some commercial office uses; areas zoned CD4-L2 also allow some restaurant and retail uses on the ground floor. There are shallow front yards and shallow to medium to side yards, with variable private landscaping. Streets have curbs, sidewalks, and street trees, and define medium to large blocks.



**FIGURE 10.5A41.10A CHARACTER DISTRICT STANDARDS
GENERAL URBAN DISTRICT—LIMITED (CD4-L1/CD4-L2)**



BUILDING PLACEMENT – PRINCIPAL BUILDING

Principal Front Yard	0 - 15 ft	A
Secondary Front Yard	0 - 12 ft	B
Side Yard	5 - 20 ft	C
Rear Yard	Greater of 5 ft from rear lot line or 10 ft from center line of alley	D
Front Lot Line Buildout	60% min to 80% max	E

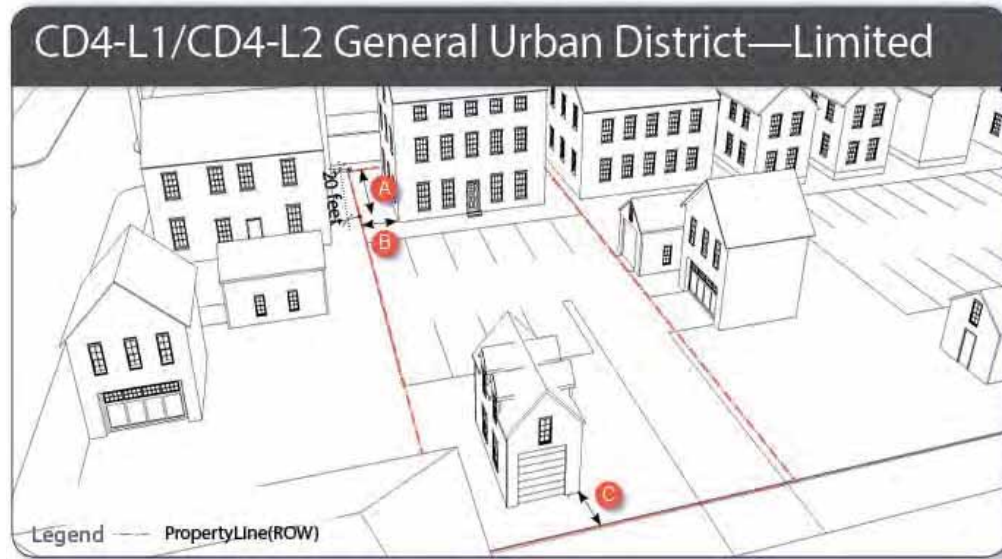
LOT OCCUPATION

Lot Width	35 ft min, 80 ft max	E
Façade Modulation	NR	
Building Coverage	60% max	
Max Building Footprint	2,500 SF	
Min Lot Area	3,000 sf	
Min Lot Area/Dwelling Unit	3,000 sf	
Open Space	25% min	

BUILDING FORM – PRINCIPAL BUILDING

Building Height	See Map 10.5A21.B & Section 10.5A43.30	F
Finished Floor Surface of Ground Floor Above Sidewalk Grade	0”-36”	
Ground Floor Height	10 ft min	
Upper Story Height	9 ft min	
Façade Glazing	25% to 40% (70% min for shopfront)	
Roof Type	gable, hip, gambrel	
Roof Pitch, if any	gable: 6:12 min, 12:12 max hip: 3:12 min gambrel: 6:12 min, 30:12 max	

**FIGURE 10.5A41.10A CHARACTER DISTRICT STANDARDS
GENERAL URBAN DISTRICT—LIMITED (CD4-L1/CD4-L2)**



BUILDING PLACEMENT – OUTBUILDING

Front Yard	Principal building setback +20 ft min	A
Side Yard	3 ft min	B
Rear Yard	3 ft min	C

PARKING

Location	20ft behind the Principal Building along the Front Yard(s)
----------	--

BUILDING TYPES

BUILDING TYPES	(See Figure 10.5A43.70)
House	permitted
Duplex	permitted
Rowhouse	permitted
Apartment Building	permitted
Live/Work Building	permitted
Small Commercial Building	not permitted in CD4-L1 permitted in CD4-L2
Large Commercial Building	not permitted

BUILDING & LOT USE

See Section 10.5A32
CD4-L2 allows some retail & restaurant uses on the ground floor

FAÇADE TYPES & ENCROACHMENTS

FAÇADE TYPES	(See Figure 10.5A43.10)
--------------	---------------------------------

Except where a façade type is required (See **Map 10.5A21C**) the below standards apply:

Porch	permitted
Stoop	permitted*
Step	not permitted
Shopfront	not permitted unless required (see Map 10.5A21C)
Officefront	not permitted unless required (see Map 10.5A21C)
Forecourt	permitted*

*Not allowed in the Downtown Overlay District

See **Map 10.5A21C** for additional requirements

ENCROACHMENT OF BUILDING ELEMENTS

Porches, Stoops, and other Elements may encroach the indicated yards by the following distances

Principal Front Yard	10 ft max
Secondary Front Yard	10 ft max
Rear Yard	5 ft max

This page left blank intentionally.

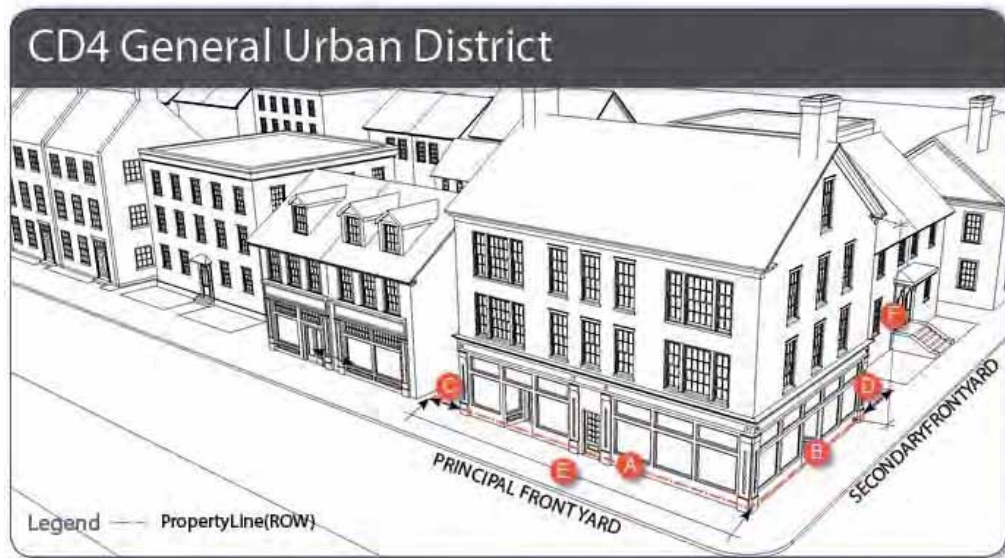
**FIGURE 10.5A41.10B CHARACTER DISTRICT STANDARDS
GENERAL URBAN DISTRICT (CD4)**

CD4 General Urban District.

This district consists of a medium-to-high density transitional area with a mix of building types and residential, retail, and other commercial uses. There are shallow or no front yards and medium to no side yards, with variable private landscaping. Streets have curbs, sidewalks and street trees, and define small to medium blocks.



**FIGURE 10.5A41.10B CHARACTER DISTRICT STANDARDS
GENERAL URBAN DISTRICT (CD4)**



BUILDING PLACEMENT – PRINCIPAL BUILDING

Principal Front Yard	0 - 10 ft	A
Secondary Front Yard	0 - 15 ft	B
Side Yard	0 - 20 ft	C
Rear Yard	Greater of 5 ft from rear lot line or 10 ft from center line of alley	D
Front Lot Line Buildout	50% min Except 50% max on Ceres St. (See Map 10.5A21C)	E

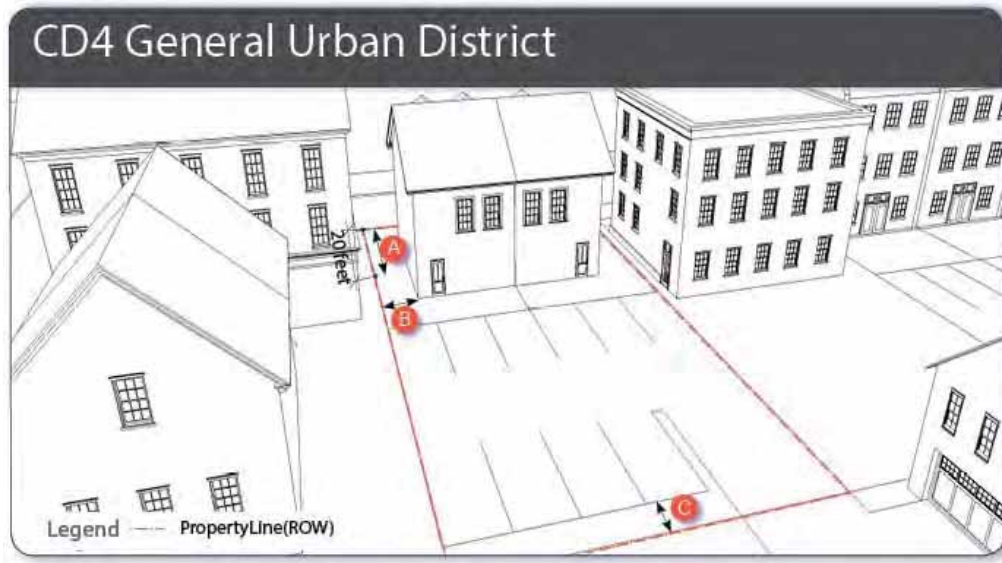
LOT OCCUPATION

Lot Width	18 ft min, 80 ft max	E
Façade Modulation	NR	
Building Coverage	90% max	
Max Building Footprint	10,000 SF (except parking structures, See Section 10.5A44.35)	
Min Lot Area	2,000 sf	
Min Lot Area/Dwelling Unit	NR	
Open Space	10% min	

BUILDING FORM – PRINCIPAL BUILDING

Building Height	See Map 10.5A21.B & Section 10.5A43.30	F
Finished Floor Surface of Ground Floor Above Sidewalk Grade	0”-36”	
Ground Floor Height	12 ft min	
Upper Story Height	9 ft min	
Façade Glazing	20% to 50% (70% min for shopfront)	
Roof Type	flat, gable, hip, gambrel, mansard	
Roof Pitch, if any	gable: 6:12 min, 12:12 max hip: 3:12 min mansard/gambrel: 6:12 min, 30:12 max	

**FIGURE 10.5A41.10B CHARACTER DISTRICT STANDARDS
GENERAL URBAN DISTRICT (CD4)**



BUILDING PLACEMENT – OUTBUILDING

Front Yard	Principal building setback +20 ft min	A
Side Yard	0 ft min	B
Rear Yard	3 ft min	C

PARKING

Location	20ft behind the Principal Building along the Front Yard(s)
----------	--

BUILDING TYPES

BUILDING TYPES	(See Figure 10.5A43.70)
House	not permitted
Duplex	not permitted
Rowhouse	permitted
Apartment Building	permitted
Live/Work Building	permitted
Small Commercial Building	permitted
Large Commercial Building	permitted

BUILDING & LOT USE

see **Section 10.5A32**

FAÇADE TYPES & ENCROACHMENTS

FAÇADE TYPES	(See Figure 10.5A43.10)
Except where a façade type is required (See Map 10.5A21C) the below standards apply:	
Porch	permitted
Stoop	permitted*
Step	permitted
Shopfront	permitted
Officefront	permitted
Forecourt	not permitted*

*Not allowed in the Downtown Overlay District

See **Map 10.5A21C** for additional requirements

ENCROACHMENT OF BUILDING ELEMENTS	
Porches, Stoops, and other Elements may encroach the indicated yards by the following distances	
Principal Front Yard	8 ft max
Secondary Front Yard	8 ft max
Rear Yard	5 ft max

**FIGURE 10.5A41.10C CHARACTER DISTRICT STANDARDS
URBAN CENTER DISTRICT (CD5)**

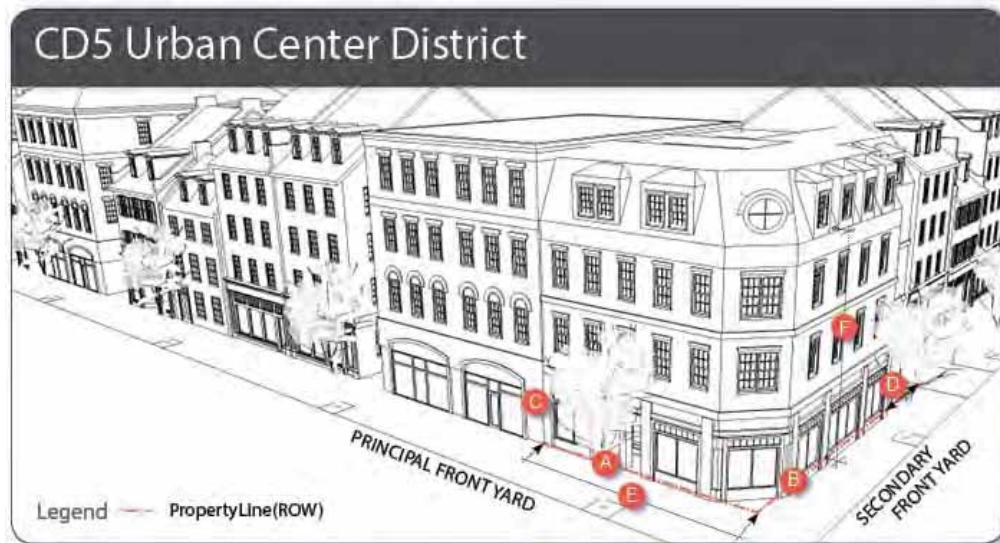
CD5 Urban Center District.

This district consists of a high density development center with a mix of building types and residential, retail and other commercial uses. There are no front yards or side yards, and limited landscaping. Streets have curbs, sidewalks and street trees, and define small to medium blocks.



This page left blank intentionally.

**FIGURE 10.5A41.10C CHARACTER DISTRICT STANDARDS
URBAN CENTER DISTRICT (CD5)**



BUILDING PLACEMENT – PRINCIPAL BUILDING

Principal Front Yard	0 ft max*	A
Secondary Front Yard	0 ft max	B
Side Yard	0 - 20 ft	C
Rear Yard	0 ft max	
Front Lot Line Buildout	100%**	

*Building yards may be increased where public access easements are accepted by the City
 **Except for truncated corners, building projections or other open spaces.

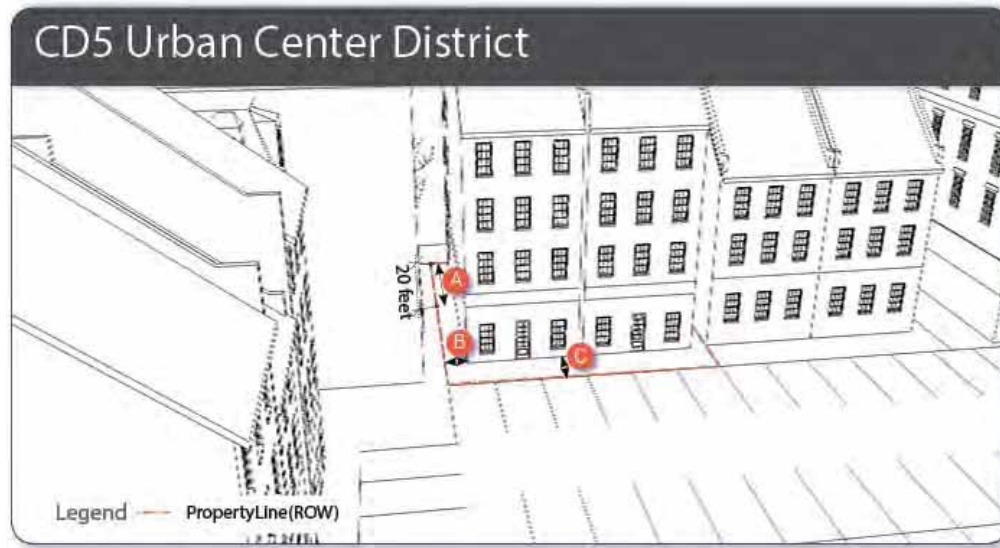
LOT OCCUPATION

Lot Width	18 ft min, 100 ft max	
Façade Modulation	100 ft max	E
Building Coverage	95% max	
Max Building Footprint	15,000 SF (except parking structures, See Section 10.5A44.35)	
Min Lot Area	2,000 sf	
Min Lot Area/Dwelling Unit	NR	
Open Space	5% min	

BUILDING FORM – PRINCIPAL BUILDING

Building Height	See Map 10.5A21.B & Section 10.5A43.30	F
Finished Floor Surface of Ground Floor Above Sidewalk Grade	0"-36"	
Ground Floor Height	12 ft min	
Upper Story Height	9 ft min	
Façade Glazing	20% to 50% (70% min for shopfront)	
Roof Type	flat, gable, hip, gambrel, mansard	
Roof Pitch, if any	gable: 6:12 min, 12:12 max hip: 3:12 min mansard/gambrel: 6:12 min, 30:12 max	

**FIGURE 10.5A41.10C CHARACTER DISTRICT STANDARDS
URBAN CENTER DISTRICT (CD5)**



BUILDING PLACEMENT – OUTBUILDING

Front Yard	Principal building setback +20 ft min	A
Side Yard	0 ft min	B
Rear Yard	3 ft min	C

PARKING

Location	20ft behind the Principal Building along the Front Yard(s)
----------	--

BUILDING TYPES

BUILDING TYPES	(See Figure 10.5A43.70)
House	not permitted
Duplex	not permitted
Rowhouse	not permitted
Apartment Building	not permitted
Live/Work Building	permitted
Small Commercial Building	permitted
Large Commercial Building	permitted

BUILDING & LOT USE

see **Section 10.5A32**

FAÇADE TYPES & ENCROACHMENTS

FAÇADE TYPES	(See Figure 10.5A43.10)
--------------	---------------------------------

Except where a façade type is required (See **Map 10.5A21C**) the below standards apply:

Porch	not permitted
Stoop	permitted*
Step	permitted
Shopfront	permitted
Officefront	permitted
Forecourt	not permitted*

*Not allowed in the Downtown Overlay District

See **Map 10.5A21C** for additional requirements

ENCROACHMENT OF BUILDING ELEMENTS

Porches, Stoops, and other Elements may encroach the indicated yards by the following distances

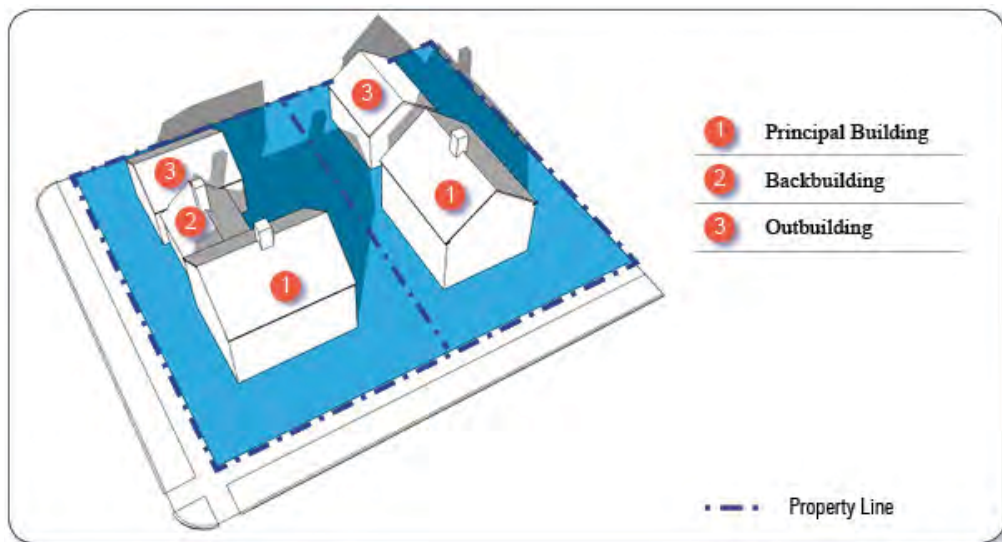
Principal Front Yard	NA
Secondary Front Yard	NA
Rear Yard	5 ft max

10.5A42 Building Placement

10.5A42.10 Backbuildings and Outbuildings

A detached outbuilding, or an outbuilding attached to a principal structure with a backbuilding, may be built on each lot to the rear of the principal building, as illustrated generally in Figure 10.5A42.10 (Principal Building/Backbuilding/Outbuilding). Except for multi-level parking structures, all enclosed above-ground parking shall be located within an outbuilding. All detached outbuildings shall conform to the requirements listed in Section 10.570.

FIGURE 10.5A42.10 PRINCIPAL BUILDING/BACKBUILDING/ OUTBUILDING



10.5A42.20 Building Façades

The building façade facing the principal front yard shall be built parallel to a straight front lot line or to the tangent of a curved front lot line, and along the indicated minimum and/or maximum percentage of the front yard width, as specified as Front Yard Buildout on Figures 10.5A41.10A-C (Character District Standards) and/or Map 10.5A21C (Façade Types and Uses).

10.5A42.30 Yards

10.5A42.31 Yards shall be as required in Figures 10.5A41.10A-C (Character District Standards).

10.5A42.40 Multiple Front Yards

10.5A42.41 Each lot shall have a front yard along each street to which it is adjacent. If a lot has more than one such front yard, one front yard shall be designated as the principal front yard and the other front yard or front yards shall be the secondary front yard.

10.5A42.42 With respect to lots with more than one front yard:

- (a) With respect to a corner lot, all requirements related to the front yard shall be applicable to both the principal front yard and the secondary front yard(s). The rear yard shall be determined based on the assigned street address.
- (b) With respect to a through lot, there shall be no rear yard.
- (c) All requirements related to the front yard shall be applicable to both the principal front yard and the secondary front yard.

10.5A43 Building Form and Building Types

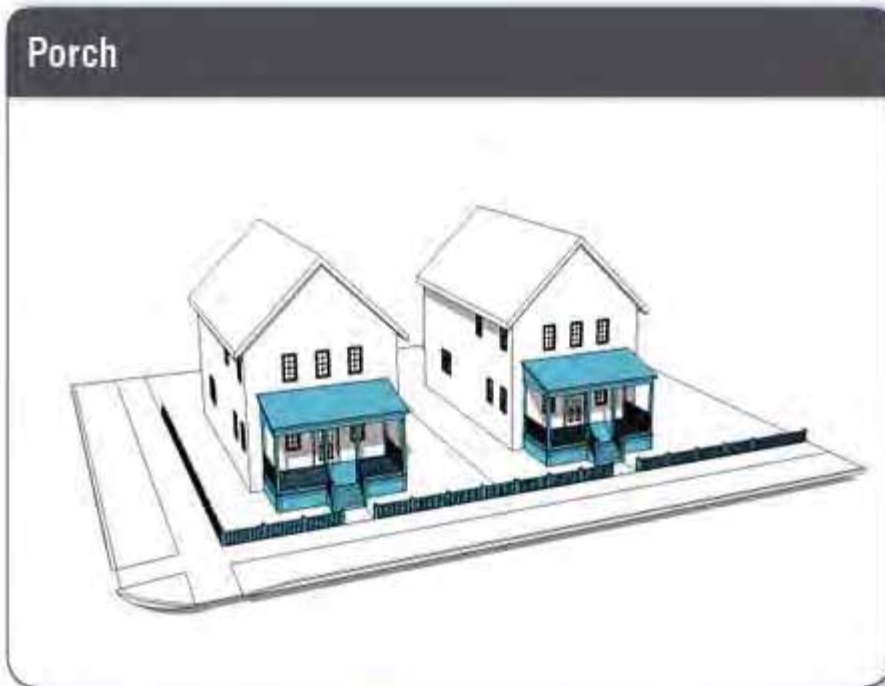
10.5A43.10 Façade Types– General

The façade of a building shall conform to Figure 10.5A43.10 (Façade Types) and Figure 10.5A41.10A-C (Character District Standards), as applicable, and any applicable façade type requirements indicated on the Regulating Plan.

10.5A43.20 Building Façade Modulation

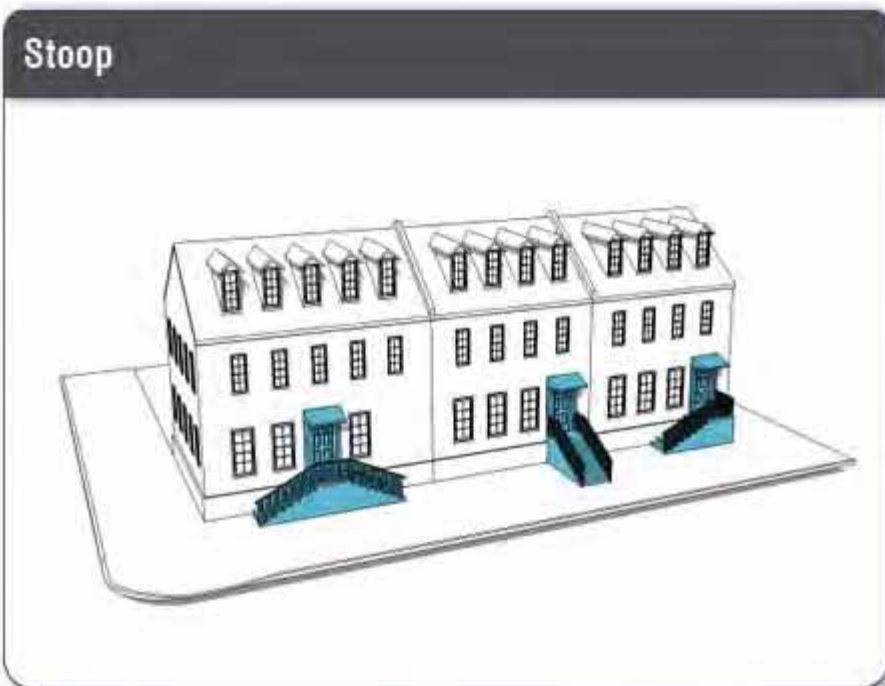
- 10.5A43.21 Except as listed in 10.5A43.22, any façade shall be modulated by major breaks in the façade plane and/or changes in exterior materials or rooflines, in order to render the appearance of individual buildings or wings no wider than the maximum façade modulation dimensions listed in Figures 10.5A41.10A-C.
- 10.5A43.22 Façades that are all brick or masonry and have a high degree of fenestration, traditional masonry detailing, and traditional window styling (including recessed windows in the openings and use of multi-panes) shall be exempt from the modulation requirements listed in Figures 10.5A41.10A-C.

FIGURE 10.5A43.10 FAÇADE TYPES



The façade is set back from the front lot line with an attached porch or stoop permitted to encroach. This may be used with or without a fence to maintain street spatial definition.

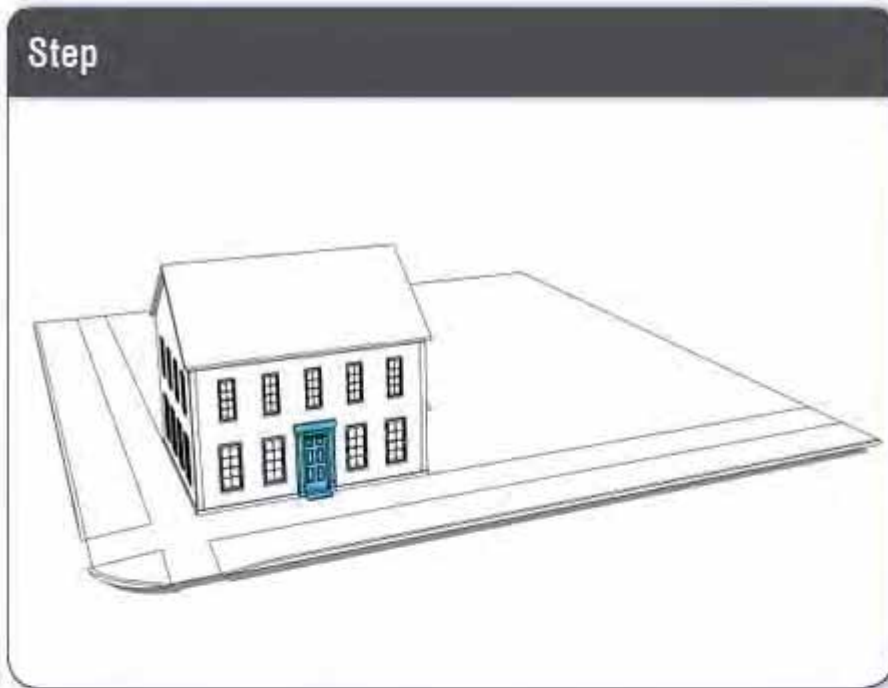
Allowed districts:
CD4, CD4-L1, CD4-L2



A façade type in which the façade is aligned close to the front lot line with the ground floor elevated from the sidewalk for privacy. The entrance has an exterior stair and landing. This type is recommended for ground floor residential use.

Allowed districts:
CD5, CD4, CD4-L1, CD4-L2
This façade type is not allowed in the Downtown Overlay District.

FIGURE 10.5A43.10 FAÇADE TYPES (CONTINUED)



A façade type in which the façade is aligned close to the front lot line with the ground floor elevated from the sidewalk for privacy. The entrance has an exterior single step without a landing. This façade type is recommended for ground floor residential office or retail use.

Allowed districts:

CD5, CD4
CD4-L1 & CD4-L2 only where required on Map 10.5A21C (Special Requirements for Façade Types, Front Lot Line Buildout, and Uses)

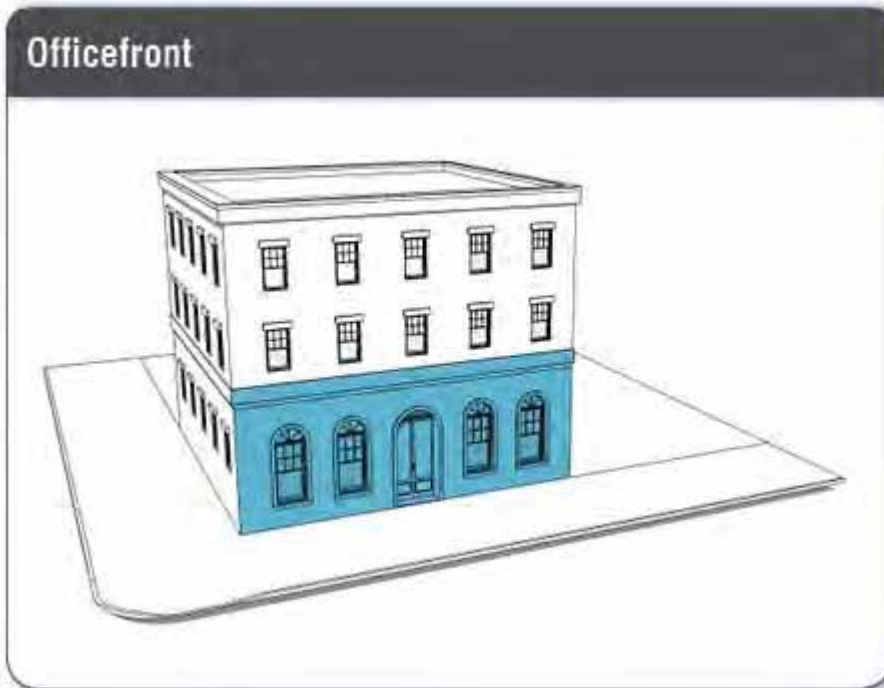


A façade type in which the façade is aligned close to the front lot line with the building entrance at sidewalk grade and with substantial glazing on the ground floor. The building may have an awning that may extend over the sidewalk to within 2 feet of the curb. This type is conventional for retail, office or restaurant use.

Allowed districts:

CD5, CD4
CD4-L1 & CD4-L2 only where required on Map 10.5A21C (Special Requirements for Façade Types, Front Lot Line Buildout, and Uses)

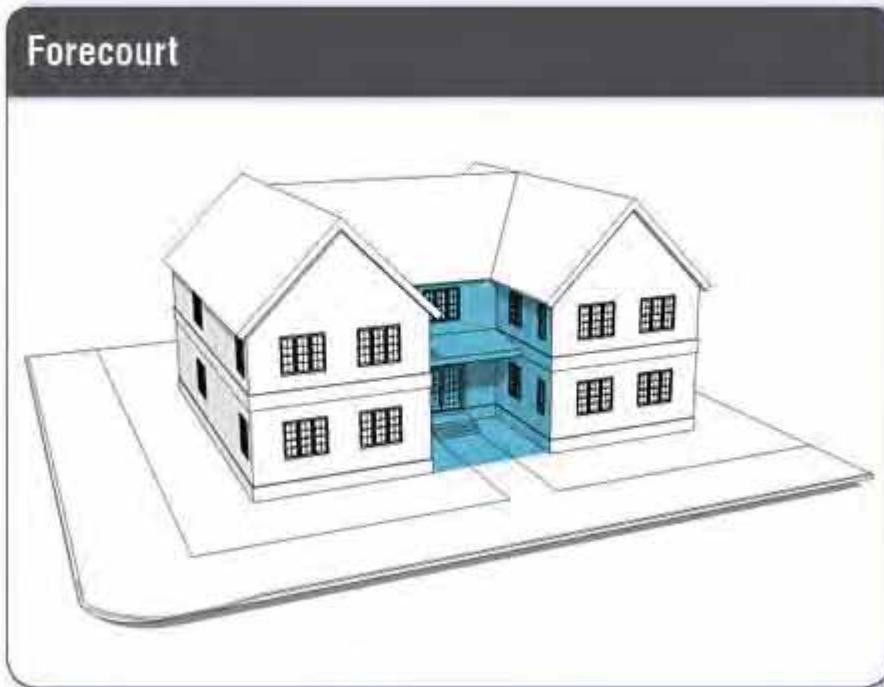
FIGURE 10.5A43.10 FAÇADE TYPES (CONTINUED)



A façade type in which the façade is aligned close to the front lot line with the building entrance at or elevated above sidewalk grade. It may have substantial glazing on the sidewalk level. This type is conventional for office use.

Allowed districts:

CD5, CD4
CD4-L1 & CD4-L2 only where required on Map 10.5A21C (Special Requirements for Façade Types, Front Lot Line Buildout, and Uses)



A façade type in which a portion of the façade is close to the front lot line and the central portion is set back. This type should be allocated in conjunction with other façade types.

Allowed districts:

CD4-L1, CD4-L2
This façade type is not allowed in the Downtown Overlay District.

10.5A43.30 Building and Story Heights

10.5A43.31 Specific height requirement areas are designated on Map 10.5A21B. The maximum building height in each height requirement area shall be as follows:

Height Requirement Area	Minimum Height in Stories	Maximum Height in Stories	Maximum Height in Feet
1 story	1	1	20
2 stories	2	2	35
2 stories (short 3 rd)	2	2 + short 3 rd	35
2-3 stories	2	3	40
2-3 stories (short 4 th)	2	3 + short 4 th	45
2-4 stories	2	4	50
2-4 stories (short 5 th)	2	4 + short 5 th	55
5 stories	2	5	60

10.5A43.32 In the Increased Building Height Area designated on Map 10.5A21B, the maximum height may be increased by one story or up to 10 feet, whichever is lower, provided that the applicable conditions of either paragraph 10.5A43.32(a) or (b) are met:

- (a) For a lot located adjacent to, or within 50 feet of, the North Mill Pond, Hodgson Brook or the Piscataqua River, the lot shall include a community space consisting of a continuous public greenway at least 20 feet in width that is parallel to the waterfront for the entire length of the rear lot line. The greenway shall include connections to abutting lots or public ways. When such a connection is not available due to current conditions on an abutting lot, provisions shall be made for future connections to such abutting lot in a location determined by the Planning Board.
- (b) For a lot not adjacent to North Mill Pond, Hodgson Brook or the Piscataqua River, the lot shall include either a community space or workforce housing units as specified below:
 - (i) Community space option – All of the following criteria shall be met:
 - (A) The community space shall be designed as one of the community space types allowed within the applicable Character District;
 - (B) The community space shall constitute at least 20% of the gross area of the lot and shall not have any dimension less than 20 feet;
 - (C) The community space shall adjoin the public sidewalk and shall be open on one or more sides to the sidewalk.

- (D) The community space shall be open to the public and shall be designed with pedestrian amenities such as benches, lighting and other street furniture;
- (E) The community space shall include trees and other landscaping to create a separation from the street, to provide shade, to reduce noise, and to mitigate fumes;
- (F) The community space shall be provided on the same lot where increased building height is proposed, unless the Planning Board grants a Conditional Use Permit as provided in Section 10.5A43.33.

- (ii) Workforce housing option – One or more of the following criteria shall be met:
 - (A) At least 10% of the dwelling units shall be workforce housing units for sale (affordable to a household with an income of no more than 100 percent of the area median income for a 4-person household); or
 - (B) At least 30% of the dwelling units shall be workforce housing units for rent (affordable to a household with an income of no more than 60 percent of the area median income for a 3-person household).

10.5A43.33 Conditional Use Permit – Off-Site Community Space

The Planning Board may grant a Conditional Use Permit to allow a proposed community space to be located on a different lot than the lot on which increased building height is proposed under Section 10.5A43.32(b)(i), provided that it finds that all of the following criteria will be met:

- (a) An appropriate community space cannot feasibly be provided on the lot on which increased building height is proposed.
- (b) The proposed community space is within the same Increased Building Height Area as the lot on which increased building height is proposed.
- (c) The proposed community space is suited to the scale, density, uses and character of the surrounding properties.

10.5A43.40 Maximum Building Footprint

No building or structure footprint shall exceed the applicable maximum building footprint listed in Figure 10.5A41.10A-C (Character District Standards); except for off-street parking structures designed in accordance with the standards in Section 10.5A44.

10.5A43.50 Loading Docks, Storage and Service Areas

Loading docks, storage and service areas shall not be permitted between the principal building and the front lot line along the principal or secondary front yard.

10.5A43.60 Streetscreens

Any streetscreen in a front yard shall be built on the same plane as the façade of the principal building and shall be between 3.5 and 4.0 feet in height.

10.5A43.70 Building Types

Buildings in each Character District shall be of one or more of the building types specified for such Character District in Figure 10.5A43.70 (Building Types).

FIGURE 10.5A43.70 BUILDING TYPES

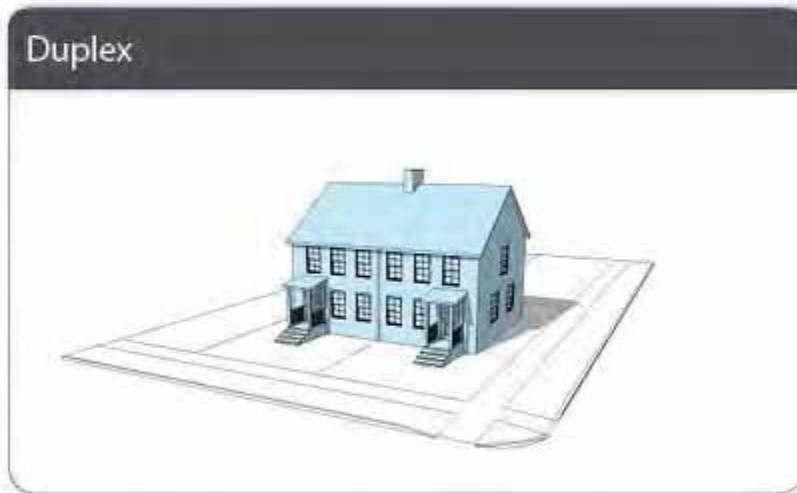


A residential building that has the appearance of a single-family dwelling, with yards on all sides.

Allowed districts:

CD4-L1, CD4-L2

This building type is not allowed in the Downtown Overlay District.



A residential building with two vertically-separated units with separate entrances. The building may have yards on all sides, or it may be divided along the party wall by a lot line where permitted by the standards of the Character District.

Allowed districts:

CD4-L1, CD4-L2

This building type is not allowed in the Downtown Overlay District.



A residential building that occupies the full width of the lot and shares a party wall with one or more buildings of the same type, with a minimal front yard.

Allowed districts:

CD4, CD4-L1, CD4-L2

This building type is only allowed outside the Downtown Overlay District.

FIGURE 10.5A43.70 BUILDING TYPES (CONTINUED)

Apartment Building



A building that has the appearance of a multifamily dwelling, with yards on all sides.

Allowed districts:

CD4, CD4-L1, CD4-L2

This building type is only allowed outside the Downtown Overlay District.

Live / Work Building



A building designed to accommodate a ground floor commercial use and a residential use above.

Allowed districts:

CD5, CD4, CD4-L1, CD4-L2

Small Commercial Building



A building with a shopfront or officefront façade type and minimal or no front yard, and that is no more than 3 stories in height.

Allowed districts:

CD5, CD4, CD4-L2

Only non-residential uses are allowed on the ground floor in the Downtown Overlay District.

FIGURE 10.5A43.70 BUILDING TYPES (CONTINUED)



A building with a shopfront or officefront façade type and minimal or no front yard, and that is 4 or more stories in height.

Allowed districts:
CD5, CD4

10.5A44 Off-Street Parking and Loading Requirements

10.5A44.10 General

10.5A44.11 Except as otherwise provided in this Section, all buildings, structures and uses in the Character Districts shall comply with the off-street parking requirements set forth in Section 10.1110.

10.5A44.12 Buildings, structures and uses in the Character Districts that are also within the Downtown Overlay District shall comply with the additional standards in Section 10.643.

10.5A44.20 Number of Required Spaces

10.5A44.21 Uses in the Character-Based Zoning Area that are not located in the Downtown Overlay District shall provide off-street parking in accordance with Section 10.1112.

10.5A44.22 Uses in the Character-Based Zoning Area that are included in the Downtown Overlay District shall comply with the off-street parking requirements for the Downtown Overlay District in accordance with Section 10.1115.

10.5A44.30 Parking, Loading, and Driveway Locations and Standards

10.5A44.31 No off-street parking area, garage or off-street loading area shall be located in any required front yard or between a principal building and a street.

10.5A44.32 Parking areas, parking lots and loading locations shall be screened from the street by a building or streetscreen except for any access driveway.

- 10.5A44.33 Driveways at the street and within the required front yard shall be no wider than 24 feet.
- 10.5A44.34 All parking lots, garages, and parking structures shall include a pedestrian exit directly to a front lot line, except for underground parking accommodations.
- 10.5A44.35 Parking structures shall have a footprint no greater than 40,000 square feet and a façade length of less than 300 feet along the front yard. All parking structures shall have liner buildings of at least 20 feet deep lining the parking structure throughout its entire height along the front yard except for access driveways and pedestrian entrances.
- 10.5A44.36 In addition to any walkway or sidewalk around such parking area or parking lot, each parking area or parking lot that exceeds 75 parking spaces shall have least one pedestrian walkway of a minimum width of eight (8) feet that is paved differently from the parking spaces with respect to texture, material, style, and/or color.

10.5A44.40 Surface Parking Lot and Parking Area Landscaping

Surface parking areas and parking lots that contain ten (10) or more spaces shall conform to the following:

- 10.5A44.41 Landscape islands:
- (a) Parking areas and parking lots shall contain one landscape island for every 10 parking spaces.
 - (b) Parking lots with more than one landscape island shall have such islands distributed throughout the parking lot.
 - (c) Each landscape island shall be a minimum of 325 square feet.
- 10.5A44.42 Trees:
- (a) For every 2,000 square feet of parking area or parking lot, at least one tree shall be planted or preserved within the parking area or parking lot.
 - (b) No parking space shall be more than 75 feet from a tree within the lot, as measured from the center of the tree to the nearest line demarcating the space.
 - (c) All trees shall be separated from parking area or parking lot paved surfaces by at least 3 feet.
- 10.5A44.43 All landscaping required pursuant to this Section 10.5A44.40 and adjacent to the paved portion of any parking area, parking lot,

loading area, accessway or street shall be located and designed in a manner to protect the vegetation from vehicular damage.

10.5A45 Architectural Design Guidelines

In reviewing a proposed project within the Historic District under Section 10.630, the Historic District Commission shall review the application for compliance with Architectural Design Guidelines adopted for the Character Districts or for the Historic District generally. The initial Guidelines shall be those contained in the document titled "Interim Architectural Design Guidelines for the Character-Based Zoning Ordinance," Recommended for Adoption by the HDC, dated November 18, 2013, which shall apply until superseded by new guidelines adopted by the Historic District Commission and approved by the City Council.

10.5A46 Community Spaces

- 10.5A46.10 Community space types are defined by the combination of certain physical constants, including the relationships among their intended use, their size, their landscaping and the buildings that front on them. The community space types are shown in Figure 10.5A46.10 (Community Spaces).
- 10.5A46.20 Any development having an aggregate area of 1/2 acres or more shall include at least 10% of its gross land area assigned and improved as community spaces. The Planning Board shall determine the size, location and type of the required community spaces based on the size and location of the development, and the proposed and adjacent uses.
- 10.5A46.30 Community spaces shall be designed as generally described in Figure 10.5A46.10 (Community Spaces) as related to the adjacent Character District, or if adjacent to more than one, as related to the highest numbered adjacent Character District.
- 10.5A46.40 Development, structures and lots within a community space shall comply with applicable requirements of Article 5A including, but not limited to, Section 10.5A40.
- 10.5A46.50 A Community spaces that is provided on site and otherwise qualifies as open space shall count towards the open space requirement for the development.

FIGURE 10.5A46.10 COMMUNITY SPACES



A natural preserve available for structured or unstructured recreation. A park may be independent of surrounding buildings. Other than active use areas, its landscape shall consist of paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be lineal, following the trajectories of natural corridors.

Allowed districts: CD4-L1, CD4-L2



A linear community space that may follow natural corridors providing unstructured and limited amounts of structured recreation. A greenway may be spatially defined by landscaping rather than buildings. Its landscape shall consist of paths and trails, waterbodies, and trees, naturalistically disposed.

Allowed districts: CD5, CD4, CD4-L1, CD4-L2



A paved/brick pedestrian connector between buildings. Pedestrian alleys provide shortcuts through long blocks and connect rear parking areas and other community spaces with streets. Pedestrian alleys may be covered by a roof and or lined by shopfronts.

Allowed districts: CD5, CD4, CD4-L1, CD4-L2

FIGURE 10.5A46.10 COMMUNITY SPACES (CONTINUED)



A community space available for unstructured recreation and community purposes. A square is spatially defined by buildings. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important streets. The minimum size shall be 1/8 acre.

Allowed districts: CD4, CD5



A Community Space available for community purposes and Commercial activities. A plaza shall be spatially defined by buildings. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets. The minimum size shall be 1/8 acre.

Allowed districts: CD4, CD5



A community space available for informal activities in close proximity to neighborhood residences. A pocket park is spatially defined by buildings. Its landscape shall consist of paths, lawns and trees, formally disposed. Pocket parks shall be in public places or in more intimate mid-block locations. There is no minimum size.

Allowed districts: CD5, CD4, CD4-L1, CD4-L2



A community space designed and equipped for the recreation of children. A playground should be fenced and may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a block. Playgrounds may be included within parks and greens. There shall be no minimum size.

Allowed districts: CD5, CD4, CD4-L1, CD4-L2

Section 10.5A50 Civic Districts

The following standards apply to properties in a Civic District:

- 10.5A51 Permitted uses in the Civic District are uses open to the general public and dedicated to arts, culture, education, religion, recreation, government, transit, gardening, horticulture, public gathering, assembly or meeting.
- 10.5A52 Structures may be converted to other civic uses permitted under 10.5A51 provided that no exterior changes are made to the existing structures.
- 10.5A53 When specified in the Site Plan Review Regulations, Site Plan approval is required for changes made to existing structures or the lot.
- 10.5A54 New structures, alterations and expansions of existing structures in the Civic District are exempt from the requirements of 10.5A42 and 10.5A43 provided that all uses remain civic.
- 10.5A55 Structures in the Civic District that are proposed for and/or converted to non-civic uses permitted under 10.5A32 shall require Regulating Plan amendment as set forth in Section 10.5A22.

Section 10.5A60 Definitions

This Section provides definitions for certain terms in Article 5A that are not otherwise defined in Article 15:

Backbuilding

A single-story structure connecting a principal building to an outbuilding. See Figure 10.5A42.10 (Principal Building/Backbuilding/Outbuilding).

Block

The aggregate of private lots, rear alleys and rear lanes, circumscribed by streets, paths or pedestrian alleys.

Building element

Any component or part of a building.

Character District

A zoning district shown on the Regulating Plan to which certain development, lot and building standards, and other elements of the intended built environment are applicable.

Civic District

A zoning district shown on the Regulating Plan to which certain standards are applicable.

Community space

An open area dedicated for public use which is owned and operated by a not-for-profit organization or entity or the City of Portsmouth.

Curb

The edge of the vehicular pavement that is raised to a granite curb. It usually incorporates the drainage system.

Encroach

To break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a yard, or above a height limit.

Encroachment

Any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a yard, or above a height limit, or the breaking of such limit by a structural element.

Façade

The side of a building facing a front yard.

Façade glazing

The portion of a façade that consists of transparent windows and doors.

Garage

An area within a building that provides space for parking vehicles as an accessory use. Not synonymous with parking structure.

Liner building

A building that is at least 24 feet deep measured from the façade and is specifically designed to mask a parking lot or a parking structure from the street.

Outbuilding

A building, usually located toward the rear of the same lot as a principal building, and sometimes connected to the principal building by a backbuilding. See Figure 10.5A42.10 (Principal Building/Backbuilding/Outbuilding).

Parking area

An off-street, ground-level open area within a lot for parking vehicles as an accessory use. Not synonymous with parking lot.

Parking lot

An off-street, ground-level open area within a lot for parking vehicles as a principal use. Not synonymous with parking area.

Parking structure

A structure containing one or more stories of parking as a principal use.

Path

A pedestrian way traversing a park, square or other open space, or otherwise separated from streets by landscaped areas, and ideally connecting directly with the urban sidewalk network.

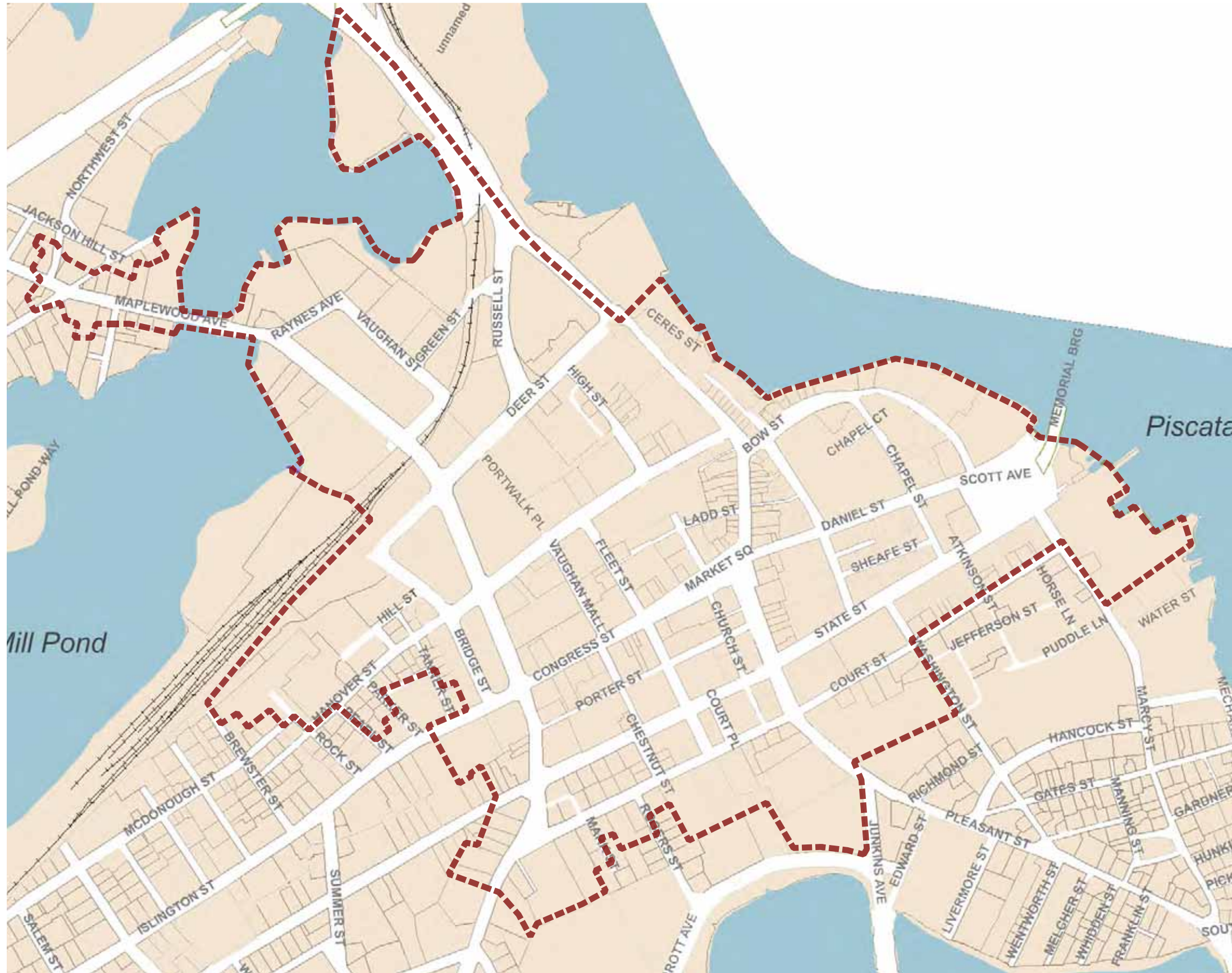
Regulating Plan

The zoning map or set of maps that shows the Character Districts, Municipal Districts, Civic Districts and any additional requirements of areas subject to, or potentially subject to, regulation by Article 5A.

Streetscreen

A freestanding wall built (1) on the same plane as the front façade or at or along any lot line and (2) which masks a parking lot, parking **area** or other use from the street, provides privacy to a side yard, and/or strengthens the spatial definition of the public realm.

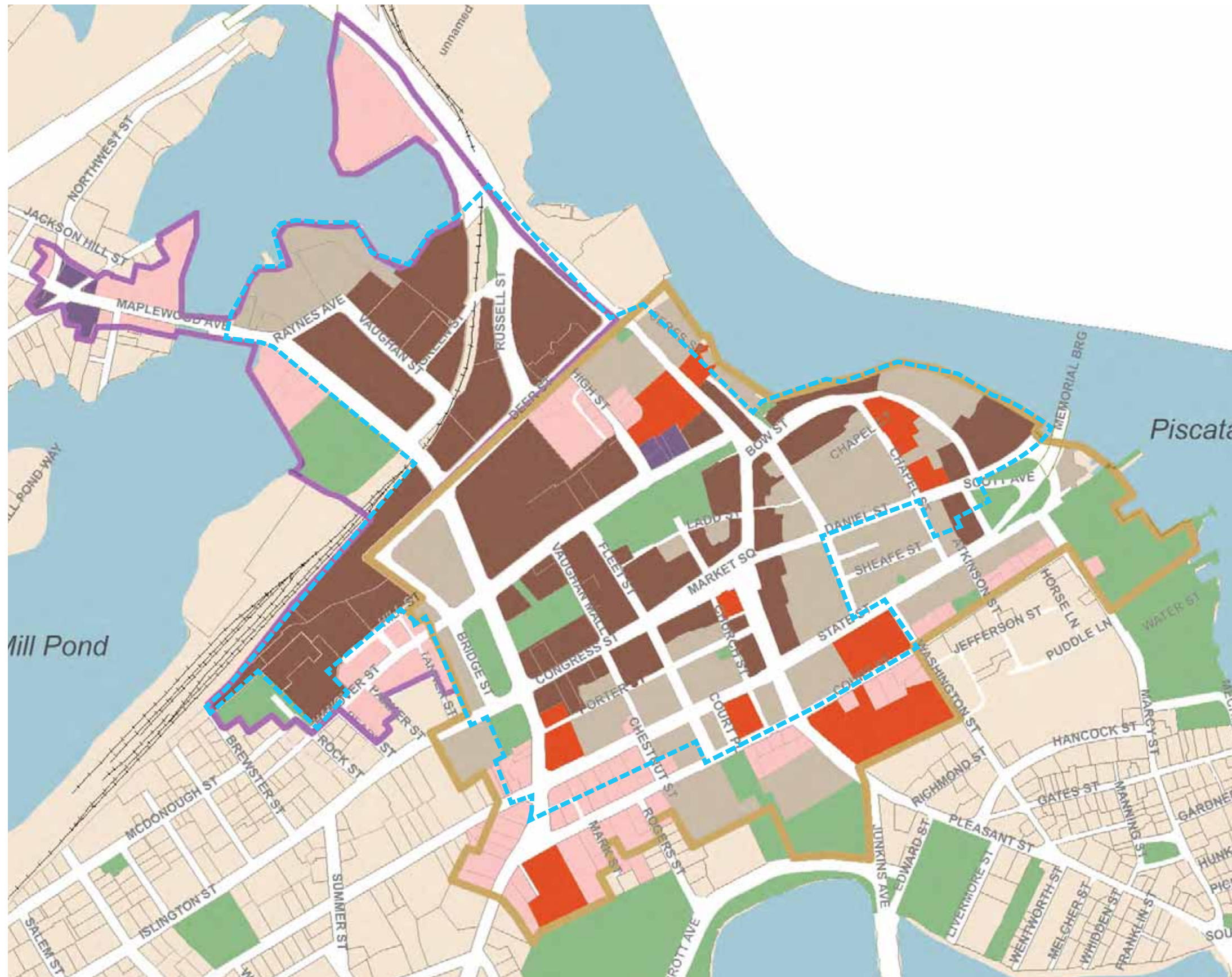
Boundary Map



LEGEND

- Portsmouth Character-Based Zoning Area

Map 10.5A21A Character Districts And Civic Districts



LEGEND

Character Districts

- CD4-L1
- CD4-L2
- CD4
- CD5

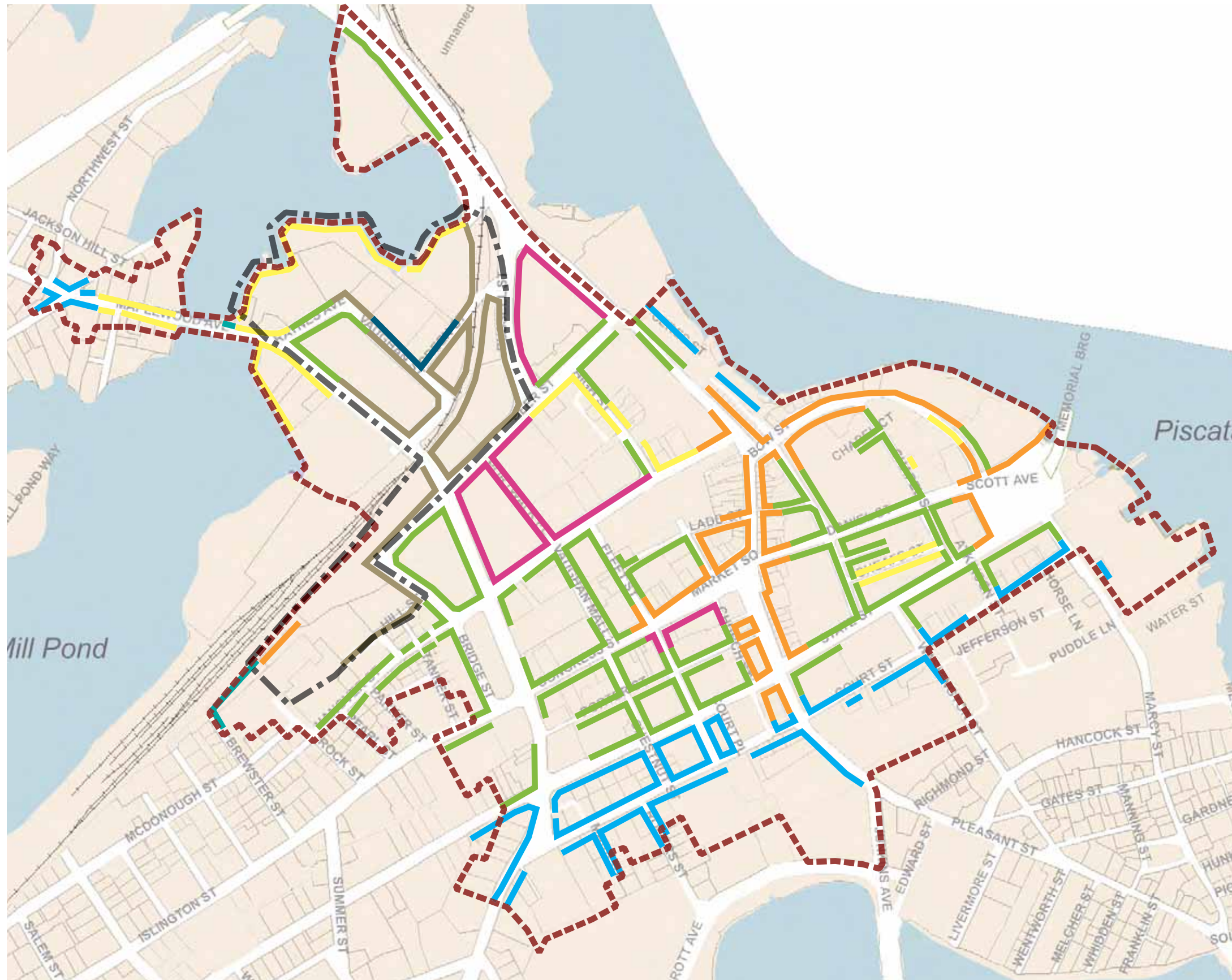
Civic District

- Civic Districts

Municipal District

- Municipal Districts
- Downtown Overlay District

Map 10.5A21B Special Requirements: Building Height Standards

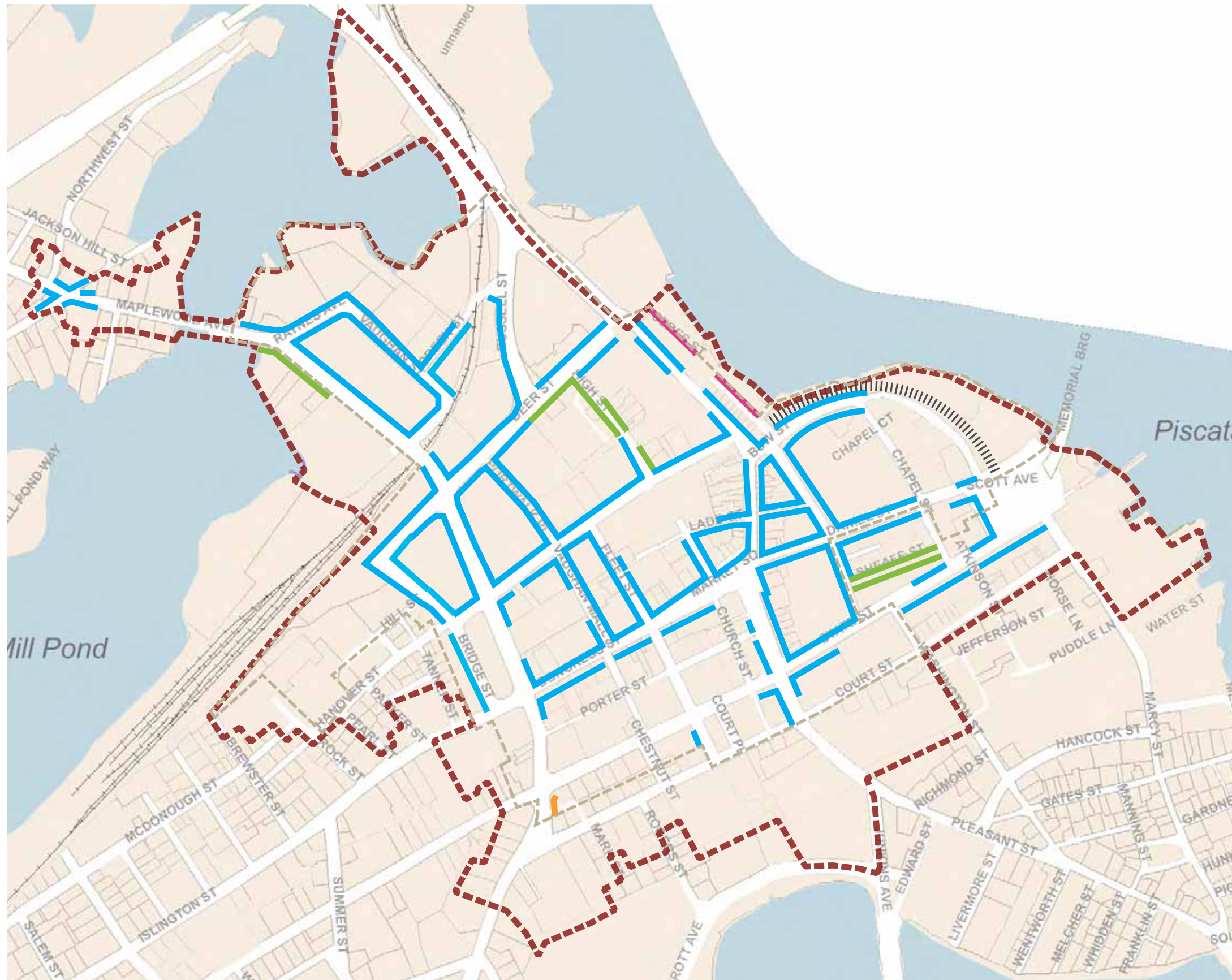


LEGEND

Height Requirement Area	Max. Building Height
1 story	20'
2 Stories	35'
2 Stories (short 3rd)	35'
2-3 Stories	40'
2-3 Stories (short 4th)	45'
2-4 Stories	50'
2-4 Stories (short 5th)	60'
5 Stories	65'
Density Bonus Area	
The indicated Maximum Building Heights may be increased pursuant to Section 10.5A43.32	
Character-Based Zoning Area	

1. A short story includes either:
 - (1) a top story that is below the cornice line of a sloped roof and is at least 20% shorter in height than the story below; or (2) a story within a mansard roof with a pitch no greater than 30:12.
2. When a lot is assigned to more than one Height Requirement Area, the lot shall be apportioned to the assigned height requirements as shown on the map. A structure located on a through lot shall be required to meet the assigned building height requirements within 20 feet of each street.
3. An attic within either a Gable, Gambrel, Hip, or Hip-Top Mansard Roof or a Penthouse Level on a flat roof is not considered a Story. Attic Space is permitted above the top story provided the proposed building is no greater than the maximum building height.

Map 10.5A21C Special Requirements: For facade types, front lot line build out & Uses



LEGEND

- No more than 50% Front Lot Line Buildout, wood-sided appearance, and Uses shall be those permitted in the Waterfront Industrial Zone & Section 10.830
- Shopfront Front Yard
- Step Front Yard
- Office Front Front Yard
- Downtown Overlay District
- Character-Based Zoning Area
- Waterfront Zone

Note: All buildings, other structures, and land within this Waterfront Zone shall comply with the regulations for the Central Business A District set forth in Section 10.440.

Conforming Amendments to Zoning Ordinance

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 10 – Zoning Ordinance be amended as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

A. ARTICLE 4 – ZONING DISTRICTS AND USE REGULATIONS

1. Amend Section 10.410, Establishment and Purpose of Districts, as follows:

Character Districts		
Character District 4-L	CD4-L	To promote the development of walkable, mixed-use, human-scaled places by providing standards for building form and placement and related elements of development.
Character District 4-L1	CD4-L1	
Character District 4-L2	CD4-L2	
Character District 4	CD4	
Character District 5	CD5	

2. Amend Section 10.440, Table of Uses – Residential, Mixed Residential, Business and Industrial Districts, as indicated on the attached table titled “Proposed Amendments to Table of Uses – April 2015”. Said amendments are as follows:

- (a) In the table heading row, insert “CD4-L1” under “MRO”, and insert “CD5” and “CD4” under “CBB”.
- (b) Insert a new column headed “CD4-L2” to the right of the column headed “MRO”.

B. ARTICLE 5 – DIMENSIONAL AND INTENSITY STANDARDS

1. Amend Section 10.517.30 as follows:

~~The total area of all~~ **All** roof appurtenances and other features that exceed the allowed structure height for the zoning district **shall be set back at least 10 feet from any edge of the roof** and shall not exceed 33 percent of the total roof area of the structure.

2. Delete Section 10.535.12, Central Business A and B – Maximum Elevation Above Street, in its entirety.

3. Delete Section 10.536, Central Business A – Maximum Floor Area Ratio, in its entirety.

C. ARTICLE 11 – SITE DEVELOPMENT STANDARDS

1. Amend Section 10.1112.30, Table of Off-Street Parking Requirements, by inserting the following new use and requirement under “1. Residential Uses”:

Use	Required Parking Spaces
Micro-unit	No requirement

D. ARTICLE 12 – SIGNS

1. Amend Section 10.1232 as follows:

Sign Districts	Underlying Zoning Districts
[...]	
Sign District 2	Mixed Residential Office Mixed Residential Business Waterfront Business Character District 4-L Character District 4-L1 Character District 4-L2

E. ARTICLE 15 – DEFINITIONS

1. Amend Section 10.1525 as follows:

10.1525 Terms that are used primarily in Article 5A, Character Districts, are defined in Sections **10.5A43.10, 10.5A43.70, 10.5A46.10** and 10.5A60, including:

Section 10.5A43.10 – Façade Types

Forecourt	Shopfront
Officefront	Step
Porch	Stoop

Section 10.5A43.70 – Building Types

House	Live/work building
Duplex	Small commercial building
Rowhouse	Large commercial building
Apartment building	

Section 10.5A46.10 – Community Spaces

Greenway	Plaza
Park	Pocket Park
Pedestrian Alley	Square
Playground	

Section 10.5A60 – Definitions

Adjacent	Mansard roof
Attic space	Officefront
Backbuilding	Outbuilding
Block	Park
Block face	Parking area
Building *	Parking lot
Building element	Parking structure
Character District	Path
Civic	Pedestrian alley
Civic District	Penthouse level
Civic space	Placement
Community space	Plaza
Configuration	Principal entrance
Cornice	Principal frontage
Curb	Private frontage
Development	Public frontage
Development Plan	Rearyard
Edgeyard	Regulating Plan
Elevation *	Second lot layer
Encroach	Secondary frontage
Encroachment	Setback
Façade	Shopfront
Façade glazing	Short story
Façade modulation	Sidewalk
First lot layer	Sideyard
Floor height	Special requirements
Frontage *	Square
Frontage line	Step frontage
Garage	Steep frontage
Green	Story *
Improvement *	Streetscreen
Liner building	Structure *

~~Lot layer~~

~~Third lot layer~~

~~Lot width~~

~~Thoroughfare~~

~~* These terms are defined differently for Section 10.5A60 than for other sections of this Ordinance.~~

2. In Section 10.1530, Terms of General Applicability, amend existing definitions and insert new terms and definitions in alphabetical order, as follows:

Adjacent

Touching or sharing a common lot line, or separated from a lot line by a street, right-of-way, alley or easement.

Affordable

Housing with combined rental and utility costs or combined mortgage loan debt service, property taxes, and required insurance that do not exceed 30% of a household's gross annual income.

Attic

The interior part of a building contained within a gable, gambrel, or hip-roof mansard roof, or within a penthouse on a flat roof.

Cornice

A crowning projected molded horizontal top of a building or some part of a building. A trimmed eave on the gable end of a gable-roofed building creates a cornice, consisting of two raking or sloping cornices with connected horizontal cornice.

Development

Any man-made alteration of land, a lot, a building or other structure whether horizontal, vertical, surface or subsurface.

Lot line

A property line bounding a lot.

Lot line, front

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

Lot width

The length of and horizontal distance measured along the principal front lot line.

Mansard roof

A four-sided flat- or hip-top roof characterized by two slopes on each of its sides with the lower slope punctured by dormer windows. The upper slope of the roof may not be visible from street level when viewed from close to the building.

Micro-unit

A dwelling unit with a gross floor area of 400 square feet or less in a multifamily dwelling.

Penthouse

A habitable space within the uppermost portion of a building above the cornice which is set back at least 15 feet from all edges of the roof and the total floor area of which does not exceed 50% of the area of the story below.

Sidewalk

A pedestrian way paved with concrete, bricks, pavers or other material, which is parallel and adjacent or close to the front lot line, and which is either within the public right-of-way or within an easement for public access.

Story

That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. It is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters. For the purpose of determining the number of stories in a building, a story above grade plane shall count as a full story. **An attic shall not be counted as a story, but a half story or a short story shall be counted as a story.** (See also: **attic**, building height, grade plane, half story, **short story** and story above grade plane)

Half story

A story immediately below a roof in which the floor area with a ceiling height of 7 feet or more is not greater than 50 percent of the total floor area of the story below. ~~Any exterior wall of a half story shall be set back at least 15 feet from any building wall of a lower story facing a street or public right-of-way.~~

Short story

Either (1) a top story that is below the cornice line of a sloped roof and is at least 20% shorter in height than the story below; or (2) a story within a mansard roof with a pitch no greater than 30:12.

Story Height

The distance between the finished floor and the finished ceiling of a story.

Workforce housing

Housing which is intended for sale and which is affordable to a household with an income of no more than 100 percent of the area median income for a 4-person household; or rental housing which is affordable to a household with an income of no more than 60 percent of the area median income for a 3-person household. Housing developments that exclude minor children from more than 20 percent of the units, or in which more than 50 percent of the dwelling units have fewer than two bedrooms, shall not constitute workforce housing for the purposes of this definition.

Yard

An open space from the ground upward and open to the sky on the same lot with a building or structure. (See also: setback)

Yard, front

A yard extending across the full width of a lot between the street right of way line and nearest point of any building. ~~In the case of a corner lot or waterfront lot, the front yard is the yard which borders the street address.~~ Front yard dimensions are to be measured from the street where a plan of the street is on file with the Rockingham County Registry of Deeds or in City records, or in the absence of such plan, from a line 25 feet from and parallel to the center line of the traveled way.

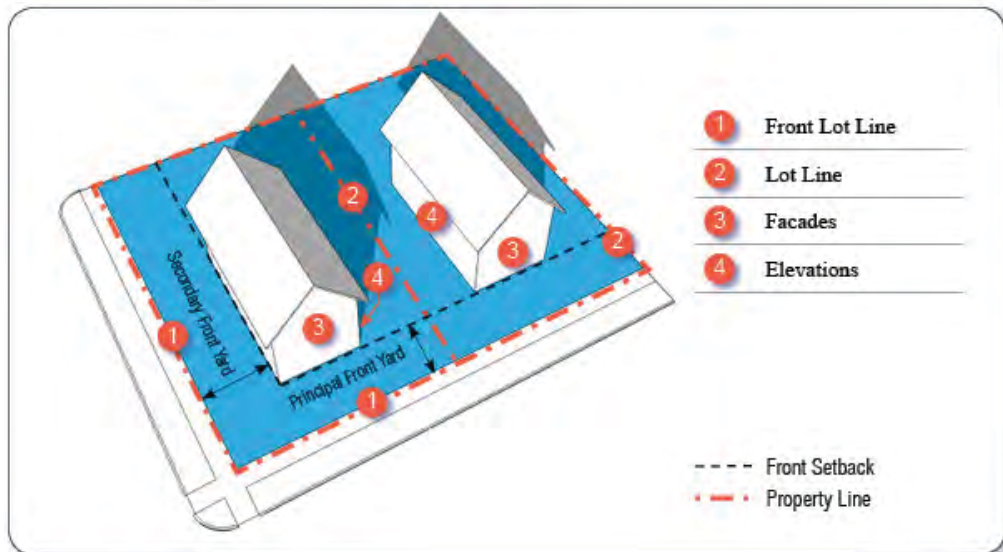
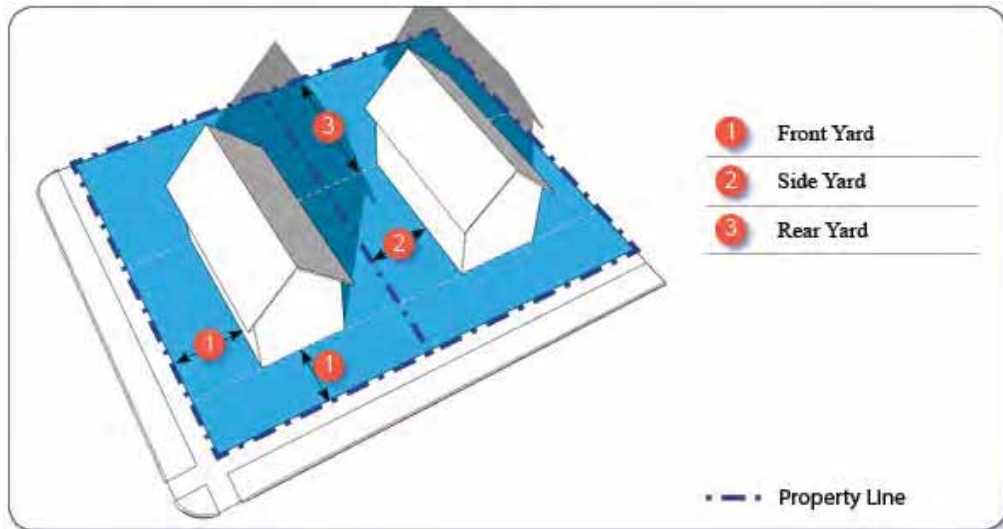
Principal front yard

On a lot with more than one front yard, the front yard designated to bear the address. On a lot with one front yard, that front yard may be referred to as the principal front yard.

Secondary front yard

On a lot with more than one front yard, the front yard that is not the principal front yard.

Yard Designations



The City Clerk shall properly alphabetize and/or re-number the ordinances as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Robert Lister, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

Proposed Amendments to Table of Uses – April 2015

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Section 10.440 Table of Uses – Residential, Mixed Residential, Business and Industrial Districts

Use	R		SRA		GRA		GRC		GA/		MRO		CBB		I	W1	Supplemental Regulations	
	SRB	GRB	GRB	GRB	(A)	MH	CD4-L1	CD4-L2	MRB	CBA	CD5	CD4	GB	GW				B
1. Residential Uses																		
1.10 Single family dwelling	P	P	P	P	P	N	P	P	P	P	P	P	P	P	N	N	N	N
1.20 Two-family dwelling	N	N	P	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N
1.30 Townhouse	N	N	P	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N
1.40 Multifamily dwelling	N	N	P	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N
1.41 3 or 4 dwelling units	N	N	P	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N
1.42 5 to 8 dwelling units	N	N	N	S	P	P	P	P	P	P	P	P	P	P	N	N	N	N
1.43 More than 8 dwelling units	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N	N	N	N
																		10.640 (Downtown Overlay district)
																		10.640 (Downtown Overlay district)
																		10.640 (Downtown Overlay district)
																		10.730 (Gateway district)
																		10.813 (Multifamily Dwellings in the Business District)

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MH		MIRO		CD4-		MRB		CBA		CBB		B	WB	OR	I	W1	Supplemental Regulations
	SRB	GRB	GRB	GRB	(A)	MH	CD4-L1	CD4-L2	MRB	CBA	CD5	CD4	B	GW	GB	CD4	CD4	CD4	CD4	CD4	CD4	CD4						
1.50 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	S	S	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.640 (Downtown Overlay District) 10.812 (Conversion of Existing Dwelling to Multifamily Dwelling)	
1.51 To 2 dwelling units	N	N	S	S	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
1.52 To 3 or 4 dwelling units	N	N	S	S	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
1.53 To 5 to 8 dwelling units	N	N	N	S	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
1.54 To more than 8 dwelling units	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
1.60 Live/work unit	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
1.70 Manufactured housing park	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
1.80 Planned unit development (PUD)	CU	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.720 (Planned Unit Developments)	
1.81 Open space PUD	N	N	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
1.82 Residential density incentive PUD	N	N	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
2. Institutional Residence or Care Facilities																												
2.10 Assisted living facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
2.11 Assisted living center	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
2.12 Assisted living home	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MH		MIRO		CD4-		L2		MRB		CBA		CBB		GB		GW		B		WB		OR		I		WI		Supplemental Regulations	
	SRB	GRB	GRA	GRB	GRA	GRB	GRA	GRB	GRA	GRB	GA	MH	CD4-	L1	CD4-	L2	MRB	CBA	CD5	CD4	GB	GW	B	WB	OR	I	WI													
3.52 Outdoor performance facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.592 (location) 10.822 (yards) 10.860 (hours of operation)			
3.521 Occupancy up to 500 persons	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N				
3.522 Occupancy more than 500	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N				
3.60 Cemetery	S	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N					
3.70 Club, fraternal or service organization	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N					
3.80 Municipally operated park and related activities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	For other municipal uses see Section 10.460 (Municipal districts)				
4. Recreational Uses																																								
4.10 Religious, sectarian or private non-profit recreational use	N	S	N	N	N	N	N	N	N	N	N	N	S	S	N	N	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	N	N	N					
4.20 Cinema or similar indoor amusement use with no live performance	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.825 (noise) 10.860 (hours of operation)			
4.30 Indoor recreation use, such as bowling alley or arcade	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.825 (noise) 10.860 (hours of operation)			
4.40 Health club, yoga studio, martial arts school, or similar use																																								
4.41 Up to 2,000 sq. ft. GFA*	N	N	N	N	N	N	N	N	N	N	N	N	S	S	P	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	N	N	S	N			
4.42 More than 2,000 sq. ft. GFA	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N		

* GFA = gross floor area.

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4- L1	CD4- L2	MRB	CBA	CBB CD5 CD4	GB	GW	B	WB	OR	I	WI	Supplemental Regulations
5.60 Publishing facility or similar electronic production operation	N	N	N	N	N	S	S	S	P	P	P	P	P	N	P	P	N	
5.70 Call Center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	N	
6. Medical Services and Health Care																		
6.10 Hospital	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	
6.20 Medical offices and clinics (outpatient only)	N	N	N	N	N	S	S	S	S	P	P	P	P	N	P	P	N	
6.30 Clinics with inpatient care	N	N	N	N	N	N	N	N	N	N	S	S	S	N	S	N	N	
6.40 Ambulatory surgical center	N	N	N	N	N	N	N	N	N	N	S	S	S	N	S	N	N	
6.50 Substance abuse treatment facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
6.60 Psychiatric hospital for the criminally insane	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
7. Services, Other Than Health Care																		
7.10 Day Care																		
7.11 Family day care facility	P	P	P	N	N	P	P	P	N	N	N	N	N	N	N	N	N	
7.12 Group day care facility including private preschool and kindergarten	S	S	S	S	N	S	S	P	P	P	P	P	P	P	N	N	N	10.824 (group day care facilities) 10.860 (hours of operation)
7.20 Personal services	N	N	N	N	N	N	N	S	P	P	P	P	P	P	N	N	N	

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MH		MIRO		CD4-		MRB		CBA		CBB		B	WB	OR	I	W1	Supplemental Regulations
	SRB	GRB	GRA	GRB	GRA	GRB	GRB	GRB	GRB	GRB	GRB	GRB	GRB	GRB	GRB	GRB	GRB	GRB	GRB	GRB	GRB	GRB						
8.80 Gateway planned development	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10,730 (Gateway Planned Development)	
8.90 Sexually oriented business	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10,930 (Sexually Oriented Businesses)	
9. Eating and Drinking Places																												
9.10 Nightclub or bar	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10,590 (location)	
9.11 Occupant load less than 250	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
9.12 Occupant load from 250 to 500	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
9.13 Occupant load greater than 500	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
9.20 Restaurant, take-out only	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
9.30 Restaurant, fast food	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
9.40 Restaurant with no accessory uses and with no nightclub or bar, place of public assembly or function room.	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
9.50 Restaurant, place of public assembly or function room	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10,590 (location)	
9.51 Occupant load less than 250	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10,860 (hours of operation)	
9.52 Occupant load from 250 to 500	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
9.53 Occupant load greater than 500	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MH		MIRO		CD4-		L1		L2		MRB		CBA		GB		GW		B		WB		OR		I		WI		Supplemental Regulations								
9.60 Permanently moored vessel used as restaurant or bar, with occupant load less than 250	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N					
10. Lodging Establishments																																															
10.10 Boarding house	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
10.20 Bed and breakfast	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
10.21 Bed and Breakfast 1	N	N	S	N	N	N	N	N	N	N	N	N	S	S	P	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N			
10.22 Bed and Breakfast 2	N	N	N	N	N	N	N	N	N	N	N	N	S	S	P	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
10.30 Inn	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
10.40 Hotel or motel	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
9.51 Up to 125 rooms	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.837 (Office Research districts)	
9.52 126 to 250 rooms	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.837 (Office Research districts)	
9.52 251 to 500 rooms	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
9.53 More than 500 rooms	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
10.50 Conference hotel	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
10.60 Conference center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MH		MRO		CD4-		MRB		CBA		CBB		WB	OR	I	W1	Supplemental Regulations
	SRB	GRB	GRB	(A)	GRB	(A)	MH	CD4-	L1	CD4-	L2	MRB	MRB	CBA	CD5	GB	CD4	CD4	CD4	CD4	CD4	CD4					
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	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.592 (location) 10.843 (motor vehicle related uses)
11.20 Motor vehicle service station, motor vehicle repair or washing facility for passenger cars and light trucks	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.581 (lot area) 10.592 (location) 10.843 (motor vehicle related uses)	
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	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.581 (lot area) 10.592 (location) 10.843 (motor vehicle related uses)	
11.40 Impound lot (principal or accessory use)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
11.50 Truck fueling facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.581 (lot area) 10.592 (location) 10.843 (motor vehicle related uses)	
11.60 Truck termina	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.592 (location) 10.843 (motor vehicle related uses)	

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MH		MIRO		CD4-		MRB		CBA		CBB		B	WB	OR	I	W1	Supplemental Regulations
	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA						
12. Marine Craft Related Uses																												
12.10 Boat landings, boat docks, boathouses and associated marine uses																												
12.11 Non-commercial	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	N	10.838.10 (Residential districts)
12.12 Fishing boat landing 1	N	S	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
12.13 Fishing boat landing 2	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
12.20 Marina																												
12.21 With no repair, servicing or fueling facilities	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
12.22 With repair, servicing or fueling facilities	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.581 (lot area) 10.592 (location) 10.860 (hours of operation)
12.30 Repair of commercial marine craft and marine-related structures	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	S	P	10.581 (lot area) 10.592 (location) 10.860 (hours of operation)
12.40 Landside support facility for commercial passenger vessel	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MH		MIRO		CD4-		MRB		CBA		CBB		B	WB	OR	I	W1	Supplemental Regulations		
	SRB	GRB	GRA	GRB	GRA	GRB	GRA	GRB	GA	MH	CD4-L1	CD4-L2	CD4-L1	CD4-L2	MRB	CBA	CD5	GB	CD4	CD4										
13. Wholesale Trade, Warehousing and Distribution.																														
13.10 Wholesale use																														
13.11 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
13.12 Marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	
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	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
13.22 Occupying 21% to 40% of gross floor area of establishment	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
13.30 Wholesale lumber yards, lumber and contractor sales																														
13.31 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	
13.32 Marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	S	
13.40 Warehousing or distribution of non-flammable, non-hazardous materials, not classified as a high hazard use																														

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MH		MIRO		CD4-		L2		MRB		CBA		CBB		CD5		GB		GW		B		WB		OR		I		WI		Supplemental Regulations						
	SRB	GRB	GRA	GRB	GRA	GRB	GRA	GRB	GRA	GRB	GA	MH	CD4-	L1	CD4-	L2	MRB	CBA	CD5	GB	CD4	GW	B	WB	OR	I	WI																				
13.41 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N							
13.42 Marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N						
14. Industrial Uses																																															
14.10 Light industry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N					
14.11 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N				
14.12 Marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N				
14.20 Research and development	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N				
14.21 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N			
14.22 Marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N			
14.30 Food processing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.592 (location)	10.851 (use contained in building)		
14.31 Not including seafood processing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N				
14.32 Including seafood processing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N			
14.40 Electronics manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N			
14.50 General manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N			
14.51 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
14.52 Marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MIRO		CBB		W1	Supplemental Regulations	
	SRB	GRB	GRB	(A)	MH	CD4- L1	CD4- L2	MRB	CBA	CD5	GB	GW	B	WB			OR
14.60 Biological or chemical laboratory																	
14.61 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
14.62 Marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
14.70 Recycling facility and plant	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
14.80 High hazard use, including other uses listed in this section but not including uses described in 14.90	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.592 (location) 10.853
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	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	10.593 (location)

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MH		MIRO		CD4-		MRB		CBA		CBB		CD5		GB		GW		B		WB		OR		I		WI		Supplemental Regulations				
	SRB	GRA	GRB	(A)	MH	CD4-L1	CD4-L2	MRB	CBA	CBB	CD5	GB	GW	B	WB	OR	I	WI																									
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	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S						
15.11 Essential to service the area in which it is located	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N				
15.12 Providing community-wide or regional service																																											
15.20 Helipad or helipad																																											
15.21 Helipad, as an accessory use to a permitted hospital use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N			
15.22 Helipad	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MH		MIRO		CD4- L1		CD4- L2		MRB		CBA		GB		GW		B		WB		OR		I		WI		Supplemental Regulations			
	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA	SRB	GRA						
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	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
16.12 Ground-mounted, complying with all yard requirements for the district	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	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	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
16.22 Ground-mounted, complying with all yard requirements for the district	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
16.30 Whip antenna not more than 30 feet in height	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
16.40 Other wireless telecommunications facility not included above	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

10.460 (Municipal districts)
10.970 (Wireless telecommunications facilities)

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MH		MIRO		CD4-		MRB		CBA		CBB		B	WB	OR	I	WI	Supplemental Regulations
	SRB	GRB	GRB	(A)	(A)	MH	CD4-L1	CD4-L2	MRB	CBA	CD5	GB	GW	GB	CD4	CD4												
17. Agricultural Uses																												
17.10 Farm, not including the keeping of farm animals	P	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
17.20 Keeping of farm animals	S	S	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
18. Temporary Uses																												
18.10 Construction trailer	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
18.20 Temporary structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
18.21 Up to 30 days	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
18.22 31 to 90 days	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
18.23 91 to 180 days	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
18.24 More than 180 days	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	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	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
18.31 Up to 180 days	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
18.32 More than 180 days																												

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MIRO		CBB		W1	Supplemental Regulations			
	SRB	GRB	GRB	(A)	MH	CD4-L1	CD4-L2	MRB	CBA	CD5	GB	GW	B	WB			OR	I	
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	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	P	P	
19. Accessory Uses																			
19.10 Accessory use to a permitted principal use, but not including any outdoor storage	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	10.811 (residential accessory uses)
19.20 Home occupation																			
19.21 Home occupation 1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	N	N	N	
19.22 Home occupation 2	S	S	S	S	N	S	S	S	N	S	S	P	P	P	P	N	N	N	
19.30 Concessions and services located within the principal building	N	N	N	N	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
19.40 Drive-through facility, as accessory use to a permitted principal use	N	N	N	N	N	N	N	N	N	N	N	N	N	CU	CU	N	CU	N	10.816 (accessory drive-through uses)
20. Accessory Storage																			
20.10 Indoor storage of motor vehicles or boats as an accessory use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MH		MIRO		CD4-		MRB		CBA		CBB		B	WB	OR	I	WI	Supplemental Regulations
	SRB	GRB	GRA	GRB	GRA	GRB	GRA	GRB	GA/	MH	CD4-	L1	CD4-	L2	MRB	CBA	CD5	GB	CD4	CD4								
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	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	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	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	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	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
20.40 Outdoor storage of lobster traps, lobster buoys and associated rope	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	10.811.20	
20.50 Outdoor storage of raw or partially finished material	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
20.51 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
20.52 Marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		

P = Permitted S = Special Exception CU = Conditional Use Permit N = Prohibited

Use	R		SRA		GRA		GRC		GA/		MRO		CBB		I	W1	Supplemental Regulations
	SRB	GRB	GRB	(A)	MH	CD4- L1	CD4- L2	MRB	CBA	CD5	GB	GW	B	WB			
20.60 Outdoor storage of machinery, equipment and vehicles	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
20.61 Not marine-dependent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
20.62 Marine-dependent (other than allowed by 20.30 or 20.40 above)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

Proposed Amendments to Table of Uses – April 2015

P = Permitted	S = Special Exception
CU = Conditional Use Permit	
N = Prohibited	



development • commercial • residential • brokerage

April 13, 2015

Mayor Robert Lister
c/o City Manager John P. Bohenko
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Request for Sidewalk and Parking License Agreement

Dear Mayor Lister and the City Council,

On behalf of Dale and Sharyn Smith and Green & Company, we are requesting that the City Council grant a Sidewalk and Parking License Agreement for the 275 Islington street property.

Attached you will find the detailed request and the associated drawing. This will allow us to get to work on this property efficiently and with minimized interference with normal parking and traffic flow.

Should you have any questions or if I can be of service, please email or call me at 603.765.6515. Thank you for your time and attention to this matter.

Best Regards,

Michael Green
Green & Company
603.765.6515
mgreen@greenandcompany.com

Attachments: Sidewalk & Parking Request
Sidewalk and Parking Plan



development • commercial • residential • brokerage

April 13, 2015

Mayor Robert Lister
c/o City Manager John P. Bohenko
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Applicant: Green And Company
Po Box 1297
North Hampton NH 03882

RE: Request for Sidewalk and Parking Licensing Agreement

Property: Tax map 144, Lot 8
275 Islington Street

1. Area 1 (Islington Street, see attached plan *yellow*)

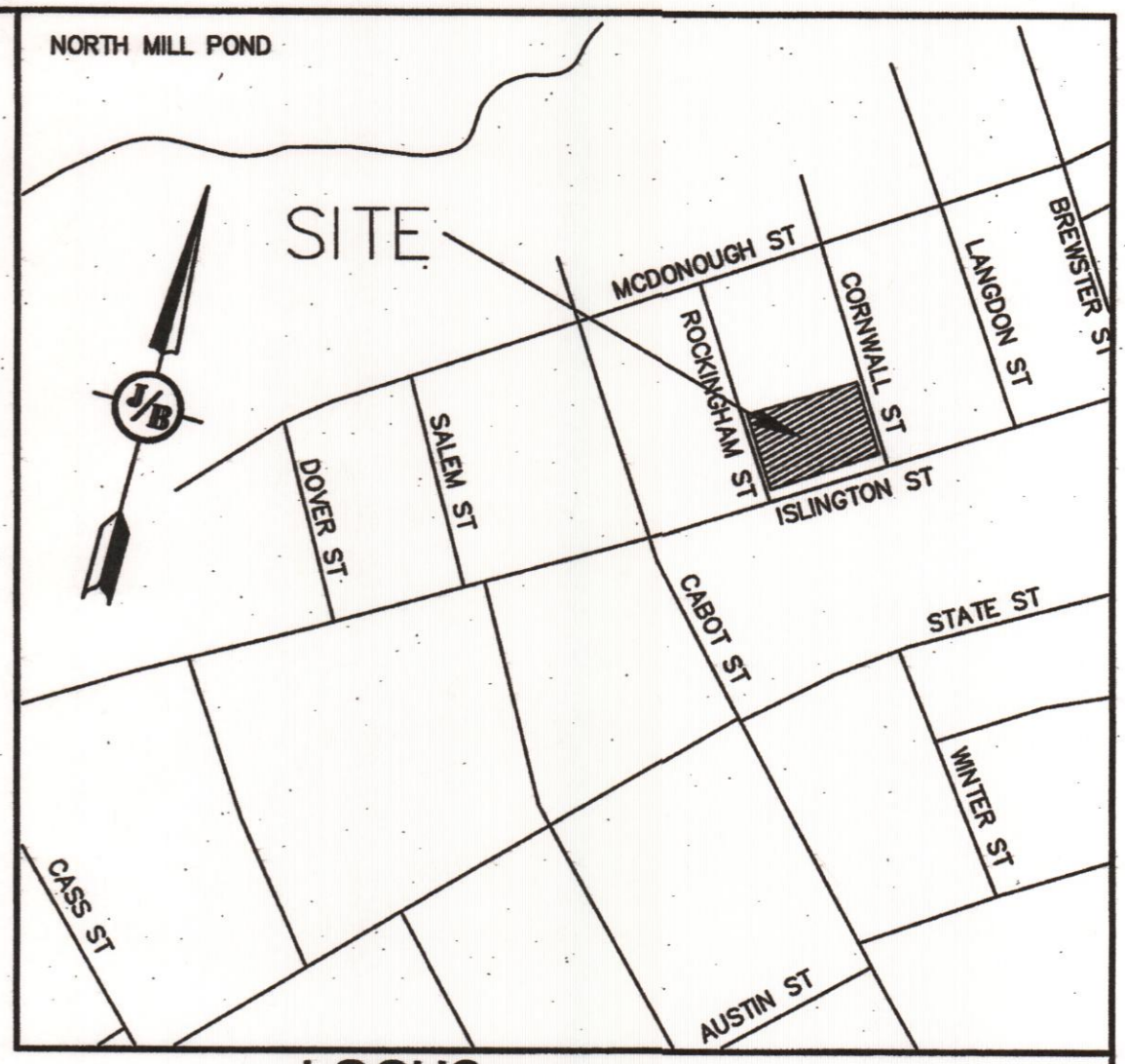
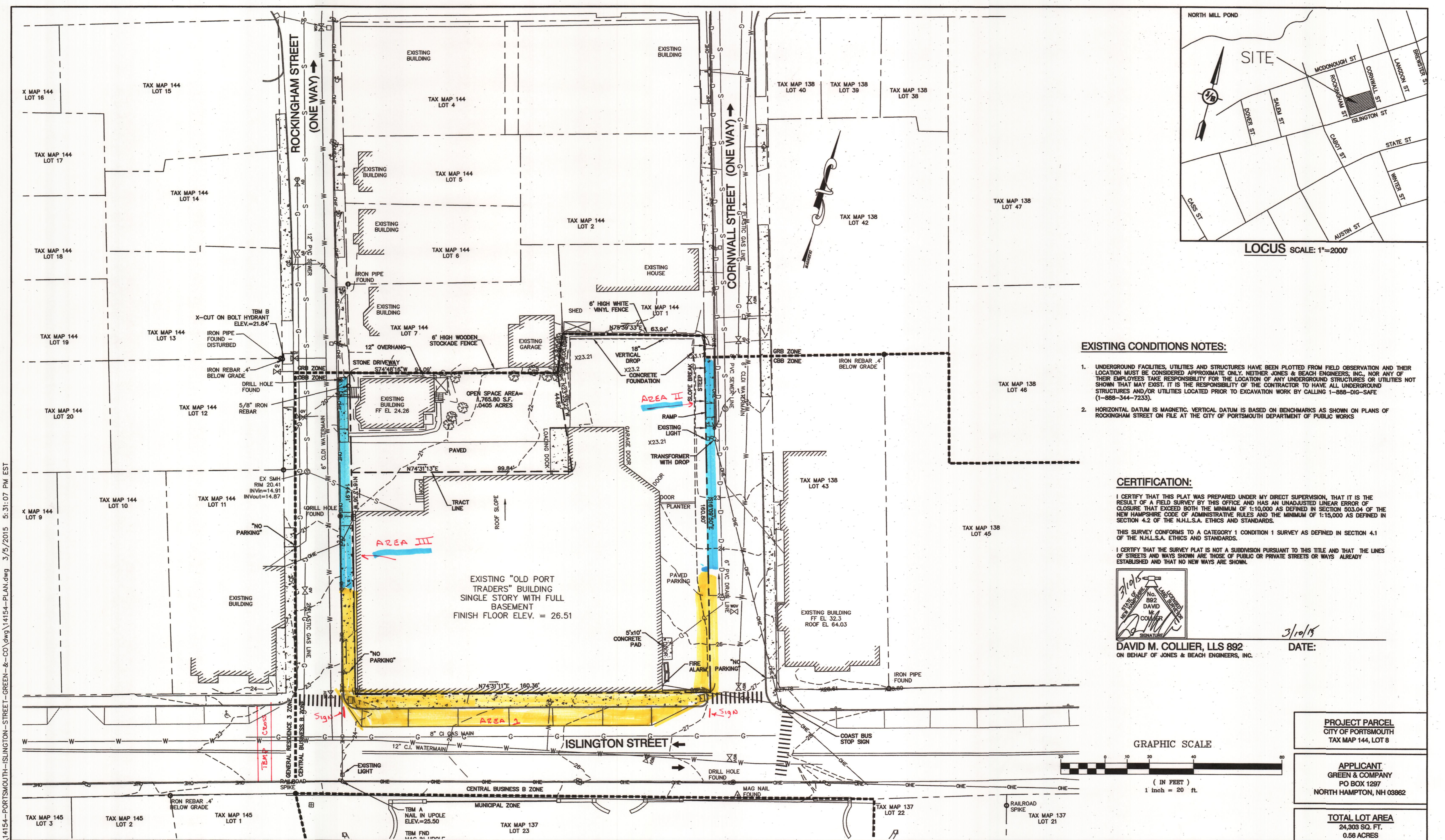
Requesting the city allow the applicant permission to encumber the pedestrian access on Islington Street along with the 6 parking spots on Islington street. These spots currently are assessed no fees. The time period would be from the commencement of construction (estimated May 4 earliest) to Dec 7 2015. (Date given by Public Works). This area will be used as a staging area and delivery area. Public will be directed to cross Islington Street and utilize the sidewalk on the opposite side.

2. Area 2 (Cornwall Street see attached plan *Blue*)

Requesting the city allow the applicant permission to encumber the pedestrian access on Cornwall Street. The time period would be from the commencement of construction (estimated May 4 earliest) to Dec 7 2015. (Date given by Public Works). Further encumbrance on the back section of the property (phase two areas see attached plan), this area will be encumbered until November 15 2016. This area will be used as a staging area and delivery area. Public will be directed to cross Cornwall Street and utilize the sidewalk on the opposite side.

3. Area 3 (Rockingham Street see attached plan *Blue*)

Requesting the city allow the applicant permission to encumber the pedestrian access on Rockingham Street. The time period would be from the commencement of construction (estimated May 4 earliest) to Dec 7 2015. (Date given by Public Works). Further encumbrance on the back section of the property (phase two areas, see attached plan), this area will be encumbered until November 15 2016. This area will be used as a staging area and delivery area. Public will be directed to cross Rockingham Street and utilize the sidewalk on the opposite side.



EXISTING CONDITIONS NOTES:

- UNDERGROUND FACILITIES, UTILITIES AND STRUCTURES HAVE BEEN PLOTTED FROM FIELD OBSERVATION AND THEIR LOCATION MUST BE CONSIDERED APPROXIMATE ONLY. NEITHER JONES & BEACH ENGINEERS, INC., NOR ANY OF THEIR EMPLOYEES TAKE RESPONSIBILITY FOR THE LOCATION OF ANY UNDERGROUND STRUCTURES OR UTILITIES NOT SHOWN THAT MAY EXIST. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO HAVE ALL UNDERGROUND STRUCTURES AND/OR UTILITIES LOCATED PRIOR TO EXCAVATION WORK BY CALLING 1-888-DIG-SAFE (1-888-344-7233).
- HORIZONTAL DATUM IS MAGNETIC. VERTICAL DATUM IS BASED ON BENCHMARKS AS SHOWN ON PLANS OF ROCKINGHAM STREET ON FILE AT THE CITY OF PORTSMOUTH DEPARTMENT OF PUBLIC WORKS

CERTIFICATION:

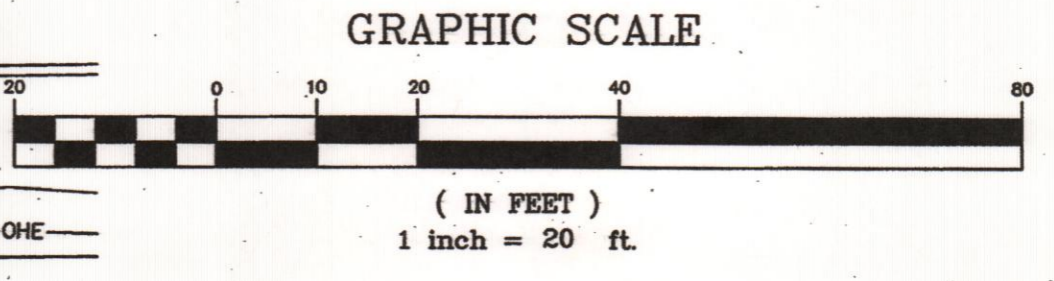
I CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN UNADJUSTED LINEAR ERROR OF CLOSURE THAT EXCEEDS BOTH THE MINIMUM OF 1:10,000 AS DEFINED IN SECTION 503.04 OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES AND THE MINIMUM OF 1:15,000 AS DEFINED IN SECTION 4.2 OF THE N.H.L.S.A. ETHICS AND STANDARDS.

THIS SURVEY CONFORMS TO A CATEGORY 1 CONDITION 1 SURVEY AS DEFINED IN SECTION 4.1 OF THE N.H.L.S.A. ETHICS AND STANDARDS.

I CERTIFY THAT THE SURVEY PLAN IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

David M. Collier
 No. 892
 DAVID M. COLLIER
 LICENSED PROFESSIONAL ENGINEER

DAVID M. COLLIER, LLS 892
 ON BEHALF OF JONES & BEACH ENGINEERS, INC. DATE: 3/10/15



PROJECT PARCEL
 CITY OF PORTSMOUTH
 TAX MAP 144, LOT 8

APPLICANT
 GREEN & COMPANY
 PO BOX 1297
 NORTH HAMPTON, NH 03862

TOTAL LOT AREA
 24,303 SQ. FT.
 0.56 ACRES

Design: JAC Draft: LAZ Date: 10/17/14
 Checked: MJK Scale: 1"=20' Project No.: 14154
 Drawing Name: 14154-PLAN.dwg

THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.



REV.	DATE	REVISION	BY
5	3/09/15	REVISED PER TAC MEETING	MJS
4	1/20/15	REVISED PER SITE PLAN SUBMISSION	LAZ
3	1/14/15	REVISED PER PSNH & DPW MEETING	PSL
2	1/08/15	REVISED PER TAC COMMENTS	PSL
1	10/31/14	REVISED PER MEETING WITH PLANNERS	JMG

Designed and Produced in NH

J/B Jones & Beach Engineers, Inc.
 Civil Engineering Services

85 Portsmouth Ave. PO Box 219 Stratham, NH 03885
 603-772-4746 FAX: 603-772-0227
 E-MAIL: JBE@JONESANDBEACH.COM

Plan Name: **EXISTING CONDITIONS PLAN**

Project: **275 ISLINGTON STREET, PORTSMOUTH, NH**

Owner of Record: **DALE W. & SHARYN W. SMITH BK 3087/PG2413 275 ISLINGTON STREET PORTSMOUTH, NH 03801**

DRAWING No. **C1**
 SHEET 2 OF 12
 JBE PROJECT NO. 14154

F:\Land Projects\3\14154-PORTSMOUTH-ISLINGTON-STREET-GREEN-&-CO.dwg\14154-PLAN.dwg 3/5/2015 5:31:07 PM EST



0 25 50 100 150 Feet



Event Listing by Date

Starting Date: 4/ 6/2015
Ending Date: 12/31/2015

Start End	Type Description	Location	Requestor	Vote Date
4/11/2015 4/11/2015	RACE	St. John's Lodge	St. John's Lodge	3/16/2015
4/15/2015 4/15/2015	POLL Sandra Yarne, Tax Day Coordinator is the contact for this event. Contact #436-2424 This event is from 11:30 a.m. to 1:00 p.m.	Market Square	Seacoast Peace Response	4/ 6/2015
4/18/2015 4/18/2015	WALK Emily Christian is the contact for this event. Telephone: 781-693-5154 This event begins at 10:00 a.m. to 2:00 p.m., start and finish at Little Harbour School.	Little Harbour School - start and finish	National Multiple Sclerosis So	10/20/2014
5/ 1/2015 5/ 1/2015	PUBLIC Nancy Pape of the NH Conference United Church of Christ is the contact. This celebration is from 5:00 p.m. to 6:30 p.m.	Market Square	Immigration Working Group	4/ 6/2015
5/ 3/2015 5/ 3/2015	BIKE TOUR This event begins and ends at Redhook Brewery. Beginning at 7:00 a.m. and ending by 3:00 p.m 400 cyclists expected.	Redhook Brewery	American Lung Association	3/17/2015
5/ 3/2015 5/ 3/2015	FESTIVAL Barbara Massar is the contact for this event. This event begins at Noon to 4:00 p.m. Street closure - Pleasant Street - State Street to Market Square; no parking on Market Street - Bow Stree to ISSCo. entrance.	Downtown	Pro Portsmouth, Inc. - Childre	9/22/2014
5/ 3/2015 5/ 3/2015	WALK Richard B. Wagner is the contact for this event. This walk is from 10:00 a.m. to 5:00 p.m.	Lower Parking Lot of City Hall	AIDS Response Seacoast	1/20/2015
5/ 9/2015 5/ 9/2015	ROAD RACE Carolyn Ostrom, Community Relations Specialist (603) 610-5530 Cell: (617) 501-2728 costrom@vtnhkomen.org This race begins on the Peirce Island Bridge and finishes at Strawberry Banke - Hancock Lot	Strawbery Banke	Susan G. Komen New Hampshire R	9/22/2014
5/17/2015 5/17/2015	RACE Renee T. Bouchard is the contact for this event.(603) 431-5454. Date changed from May 3, 2015 by PDA.	Pease Tradeport	Madeline's Daughter Bridal Sho	12/ 8/2014
5/20/2015 5/20/2015	ART EXH David Moore is the contact for this event. He may be reached at 610-7226. This event is with African Burial Ground Sculptor and Students	Chestnut Street	African Burying Ground	/ /
5/22/2015 5/22/2015	VIGIL David Moore, Community Development Director is the contact. Contact #610-7226 This is the overnight African Burying Ground Ancestral Vigil.	New Hope Baptist Church - 236 Peverly Hill Road	African Burying Ground	/ /

Event Listing by Date

Starting Date: 4/ 6/2015
Ending Date: 12/31/2015

Start End	Type Description	Location	Requestor	Vote Date
5/23/2015 5/23/2015	ART EXH David Moore, Community Development Director is the contact for this event. This unveiling is at 8:30 a.m. Contact # 610-7226	Chestnut Street - Street Artwork Unveiling at Afri	African Burying Ground	/ /
5/23/2015 5/23/2015	CELEBRATIC David Moore, Community Development Director is the contact for this event. Contact #610-7226 This event begins at 10:30 a.m.	Portsmouth Middle School	African Burying Ground	/ /
5/23/2015 5/23/2015	MEMORIAL David Moore, Community Development Director is the contact for this event. Contact #610-7226 This reburial ceremony begins at 9:00 a.m.	Chestnut Street - Reburial Ceremony	African Burying Ground	/ /
5/24/2015 5/24/2015	ROAD RACE Jeanine Sylvester is the contact for this event. Telephone Number 603-430-1212 This event begins at 11:00 a.m.	Redhook Ale Brewery	Runner's Alley	1/20/2015
5/30/2015 5/30/2015	WALK Cynthia Rybczyk, Heart Walk Director, New Hampshire is the contact for this event. The event registration is at 8:30 a.m. and the walk begins at 10:00 a.m. Contact info: (603) 518-1557 or via e-mail at Cynthia.rybczyk@heart.org	Little Harbour School	American Heart/Stroke Associat	3/ 2/2015
5/31/2015 5/31/2015	WALK Shamera Simpson, Community Director is the contact for this event. This event begins at 8:00 a.m. until 12:00 p.m.	Little Harbour School	March of Dimes	4/ 6/2015
6/13/2015 6/13/2015	FAIR Barbara Massar is the contact for this event. This event begins at 9:00 a.m. to 4:00 p.m. throughout downtown	Downtown	38th Market Square Day - Pro P	9/22/2014
6/13/2015 6/13/2015	ROAD RACE Barbara Massar is the contact for this event. This event begins at 9:00 a.m. with roving closures for race course	Market Square	38th 10K Road Race - Pro Ports	9/22/2014
6/20/2015 6/20/2015	FUND Alyssa Salmon is the contact of this event. Contact No. 430-1140 x14.	Pleasant Street	Big Brothers Big Sisters of th	8/ 4/2014
6/27/2015 6/27/2015	FILM EXPO Ashleigh Tucker, Special Events Manager is the contact for this event. She can be reached at 433-3100 ex. 6014	Chestnut Street	The Music Hall	2/17/2015
6/27/2015 6/27/2015	MUSIC Barbara Massar is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Market Square - Pleasant Street	Summer in the Street Music Ser	9/22/2014
7/ 4/2015 7/ 4/2015	MUSIC Barbara Massar is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Market Square - Pleasant Street	Summer in the Streets Music Se	9/22/2014

Event Listing by Date

Starting Date: 4/ 6/2015

Ending Date: 12/31/2015

Start End	Type Description	Location	Requestor	Vote Date
7/ 4/2015 7/ 4/2015	RACE This race is part of the Run Portsmouth Road Race Series 5K Races for 2015. David Hampson is the contact for this event. david.hampson@willis.com; Tel. 334-3032	Strawbery Banke	Easter Seals Veteran's Count	12/22/2014
7/11/2015 7/11/2015	MUSIC Barbara Massar is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Market Square - Pleasant Street	Summer in the Street Music Ser	9/22/2014
7/18/2015 7/19/2015	BIKE TOUR Chris Vlangas, Development Director and Thomas MacLennan, Logistics Specialists are the contacts for this event.	Coastline and Mainland from Kittery, ME	Cystic Fibrosis Foundation	12/22/2014
7/18/2015 7/18/2015	MUSIC Barbara Massar is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Market Square - Pleasant Street	Summer in the Street Music Ser	9/22/2014
7/25/2015 7/25/2015	MUSIC Barbara Massar is the contact for this event. The event begins at 5:00 p.,m. to 9:30 p.m.	Market Square - Pleasant Street	Summer in the Street Music Ser	9/22/2014
8/ 1/2015 8/ 1/2015	MUSIC Barbara Massar is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Market Square - Pleasant Street	Summer in the Streets Music Se	9/22/2014
8/ 1/2015 8/ 1/2015	RACE This is part of the Run Portsmouth Road Race Series 5K Races for 2015 Justin Finn is the contact for this event. justinf@secureplanninginc.com; Tel. 433-5515	Strawbery Banke Museum	Portsmouth Rotary Club - Thund	12/22/2014
8/22/2015 8/22/2015	BIKE TOUR Emily Christian is the Logistics Associate This event begins in Stratham Hill, over to Kittery, back through Portsmouth by way of Marcy Street to 1B.	Through the City to and from Stratham Hill Park	National Multiple Sclerosis So	1/ 5/2015
9/13/2015 9/13/2015	ROAD RACE This is part of the Run Portsmouth Road Race Series 5K Races for 2015 Wendy McCoolle is the contact for this event. wendy@mybreakfastcancersupport.org Telephone No. 759-5640	Portsmouth Middle School	Celebrate Pink 5K Road Race &	12/22/2014
9/19/2015 9/19/2015	WALK Ken La Valley is the contact for this event. This event is from 10:00 a.m. to Noon Registration begins at 8:30 a.m.	Peirce Island	American Foundation for Suicid	3/ 2/2015
9/26/2015 9/27/2015	BIKE TOUR Donna Hepp is the contact for this event. dhepp3@gmail.com or 414-258-3287	Rte. 1B over Memorial Bridge	Granite State Wheelmen	11/17/2014
9/26/2015 9/27/2015	FESTIVAL David Hollowell is the contact for this event.	Pleasant Street	Portsmouth Maritime Folk Festi	12/ 8/2014

Run: 4/16/15
12:00PM

Event Listing by Date

Page: 4

Starting Date: 4/ 6/2015

Ending Date: 12/31/2015

Start End	Type Description	Location	Requestor	Vote Date
9/26/2015 9/27/2015	TOUR This event is for two days. Caroline Amport Piper is the contact. Tel. (603) 686-4338	South End	Friends of the South End	11/17/2014
10/10/2015 10/10/2015	RACE This is part of the Run Portsmouth Road Race Series 5K Races for 2015. Catherine Edison of Community Child Care Center of Portsmouth is one of the contacts. CEdison@communitycampus.org and Ben Anderson or Meghan Toner of Prescott Park Arts Festival Tel. 436-2848	Start Memorial Bridge Portsmouth - Finish Prescott	Memorial Bridge Road Race	12/22/2014
10/17/2015 10/17/2015	FUND Mary-Jo Monusky, Executive Director is the contact for this event. This event is a 5k walk/fundraiser. Starts and ends at 11 Jewell Court from 9:00 a.m. to 11:00 a.m.	11 Jewell Court - start and finish	Arts in Reach	4/ 6/2015
11/26/2015 11/27/2015	RACE Matt Junkin of Seacoast Rotary Club is the contact for this event. mrjunkin@gmail.com; Tel. 591-0083	Strawbery Banke	Seacoast Rotary Club - Turkey	12/ 8/2014

M E M O R A N D U M

TO: John Bohenko, City Manager
FROM: Brinn Chute, Senior Services
DATE: April 2014
RE: Senior Activity Center – Winter/Spring update

As of May 6, 2015 the senior activity center will celebrate its one-year anniversary of the doors opening at the temporary space at Community Campus.

Drop in Lounge:

A daily drop in lounge is offered with complimentary coffee/tea, snacks, wifi, games, puzzles, cable tv, music, dvds, and social companionship with other guests or staff.

Fitness:

- 5 fitness activities weekly: chair yoga, strength & balance, tai chi, line dancing, gentle yoga (fee-based), and walking
- Summer season additional fitness class offered 2x/week
- Healthy Rhythms Drumming offered monthly
- New in April: Zumba Gold via DVD
- May 2014: Senior Fitness Day

Wellness:

- Diabetic shoe and back brace clinics 2x per year
- Alzheimer's Café offered monthly
- Fall: 3-Flu shot clinics by Cornerstone VNA (Medicare billed)
- Fall: On-site Sign ups for Fuel & Electric Assistance & SNAP
- Starting April 2015: Diabetes support group & diabetes education class
- Widow/widower peer support group
- Car Fit program – highlights safety features of your vehicle
- Hearing Clinics 2x per year
- Foot care clinics monthly by Cornerstone VNA (fee-based service)
- ServiceLink on site every Thursday starting March 26, 2015
- Partnership with Meals on Wheels: Congregate meals can be received at the center Mon-Fri.

Social:

- Senior Luncheons offered 2x per month. New holiday themed luncheons introduced in 2015. Holiday cookie decorating, Valentine's Day hot lunch and the upcoming 4th of July BBQ.
- Lunch Bunch – dining out social group offered monthly
- Drop-in Lounge Monday-Friday 9am-3pm
- Friday Café each week from 9-11am
- Yarn Works! Knitting group each week
- Dinner Date social supper offered monthly at area restaurants
- Scrabble Club

Enrichment:

- Art Class weekly
- Summer: Intro to Sketch-book Drawing
- Senior Luncheon special guests: Presidential Trivia, accordion player, OLLI presentation
- Growing plants by seed to create summer garden
- Movie series every Friday
- Cooking class offered – not enough registration...will try again

Special Events/Activities:

- Special Event: Gundalow trip each August
- Spring: Bedrock Garden tour
- Craft stores in Manchester field trip
- Seacoast Senior Provider Networking Breakfast – February 2015
- April: Senior Moments acting group spring performance
- Coming in July: Free chamber music concert
- Acquisition of additional 50 senior transportation passes via donation.
- So Much for Seniors TV show on Portsmouth Public Media TV (PPMTV). Innovative project by an all volunteer crew. They are currently working on the 8th show.
- Daycare kids come to watch their “senior friends” perform their monthly line dancing show.
- Card swap – free cards offered with stamps and onsite mailbox.

Senior Activity Center - Current Schedule

Mondays:

Drop in Hours: 9:00am-3:00pm
NEW!! Zumba Gold Video 10:00am.
 Scrabble Every Monday 1:00-3:00pm
 Toe nail cutting clinic 2nd Monday of the month starting at 10:00am. \$25
 Alzheimer's Café Moved to Library. 1:00-2:30pm. April 27, May 18

Tuesdays:

Drop in Hours 9:00am-3:00pm
 Walking Tuesdays 9:00-10:00am – walk around the gymnasium.
 Strength & Balance 10:00-11:00am
 Healthy Rhythms Drumming 11:15am-12:00pm; 3rd Tues of the month; April 21,
 Chair Yoga 1:00-2:00pm
 Senior Luncheon 2nd Tues of the month at noon. \$5. April 14, May 12
 Widow/Widower support group 2nd Tue of the month from 2-3pm
 Senior Fitness Day Save the Date: May 26 from 9am-2pm.

Wednesdays:

Drop in Hours 9:00am-3:00pm
 Gentle Yoga 10:00-11:00am; \$5 per class. Instructor Sherry Evans
 Drop in Art 12:00-1:00pm

Thursdays:

Drop in Hours 9:00am-3:00pm
 ServiceLink on site Every Thursday from 9:00am-3:00pm
 Walking Tuesdays 9:00-10:00am – walk around the gymnasium
 Line Dancing 9-10:30am (recital 4th Thur of the month before lunch)
 Yarn Works! Knitting, crocheting, cross-stitch, etc. 12:30-2:30pm
 Senior Luncheon 4th Thurs of the month 12pm; \$5. April 23, May 28

Fridays:

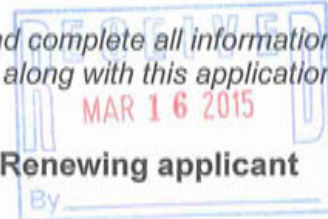
Drop in Hours 9:00am-3:00pm
 Tai Chi 10:00am
 Friday Café 9:30-11:30am – Keurig coffee, snacks, walk, games, etc
 Movies 11:45am – free movie

Senior Activity Center Attendance			
	2014	2015	
January		409	
February		268	
March		560	
April			
May	Opened		
June	255		
July	403		
August	376		
September	450		
October	353		
November	280		
December	236		
Total	2353	1237	

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information
Please submit resume' along with this application



Committee: CABLE COMMISSION

Renewing applicant

Name: RONALD POULIN Telephone: 603-319-8441

Could you be contacted at work? YES/NO - If so, telephone # 603-319-8441

Street address: 203 ALBACORE WAY

Mailing address (if different): _____

Email address (for clerk's office communication): RONPOULIN36@COMCAST.NET

How long have you been a resident of Portsmouth? 7 YEARS

Occupational background:

Sr. ENGINEER TEXTRON
DEFENSE SYSTEMS
WILMINGTON MASS

Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to continue serving: CONTINUE TO
MONITOR THE PERFORMANCE OF
OUR CABLE PROVIDER COMCAST FOR
THE SERVICE EXPECTED FOR
THE CITIZENS OF PORTSMOUTH



Please list any organizations, groups, or other committees you are involved in:

SENIOR SUBCOMMITTEE OF THE
RECREATION BOARD

Please list two character references not related to you or city staff members:
(Portsmouth references preferred)

- (617) 694-7993 PORTSMOUTH NH
- 1) JEFFREY WOODS 57B ALBACORNEWAY
Name, address, telephone number
(603) 501-0165 PORTSMOUTH NH
 - 2) JEFFREY VEINO 13B ALBACORNEWAY
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This reappointment application is for consideration and does not mean you will necessarily be reappointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: [Signature] Date: 3/16/2015

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 7/1/2018

Annual Number of Meetings: 0 Number of Meetings Absent: 0

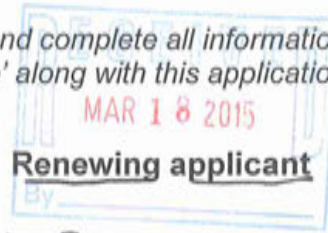
Date of Original Appointment: 6/17/2013

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information
Please submit resume' along with this application



Committee: Conservation Commission

Name: MaryAnn Blanchard Telephone: 436-7008

Could you be contacted at work? YES/NO - If so, telephone # N/A

Street address: 34 Harrison Avenue

Mailing address (if different): _____

Email address (for clerk's office communication): maryannblanchard@gmail.com

How long have you been a resident of Portsmouth? 47 years

Occupational background:

Poets. Subs. Teacher, former Police Comm 6 yrs, Library Trustee
Trustee Strawberry Banke, State Rep 18 years: sponsored water and
land use legs for many years - 6 years an House Finance Comm.

Would you be able to commit to attending all meetings? YES NO

Reasons for wishing to continue serving: Currently vice chair of the Commission.

To continue the Public Under-taxed hands work begun 5 years ago
and to support the important natural resource protection
work in Portsmouth for which this Commission is responsible.

Also this is a complex regulatory environment that requires a "learning
Curve" and my prior service helps balance the

6/27/2012

even-changing Board needs.



Please list any organizations, groups, or other committees you are involved in:

Member, Farmer Trustee NH Forest & Society
Portsmouth Garden Club

Please list two character references not related to you or city staff members:
(Portsmouth references preferred)

1) Lea Aeschliman, 314 Middle St. 436-9006
Name, address, telephone number

2) Rich DiPentima, 16 Dunlin Way 559-9765
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This reappointment application is for consideration and does not mean you will necessarily be reappointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: MaryAnn Blanchard Date: March 16, 2015

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 07/01/18

Annual Number of Meetings: 12 Number of Meetings Absent: 0

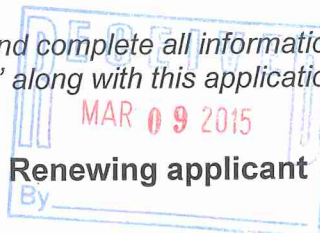
Date of Original Appointment: 5/1/2006

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information
Please submit resume' along with this application



Committee: Portsmouth Housing Authority

Name: Gibson "Mike" Kennedy Telephone: (347)276-6542

Could you be contacted at work? YES/NO - If so, telephone # N/A retired

Street address: 267 Mercy St Portsmouth NH 03801

Mailing address (if different): _____

Email address (for clerk's office communication): t2250es335@msn.com

How long have you been a resident of Portsmouth? 3 1/2 yrs

Occupational background:

V.P. Chief Information Officer at BAE Systems North America. During my 30 year
tenure I also served as Director IT Strategic Planning and Programs in Lockheed
Martin Enterprise Information Systems

Would you be able to commit to attending all meetings? YES NO

Reasons for wishing to continue serving: I believe in the mission of the housing
authority - "to provide affordable housing to those who can't afford it on their own.
I believe I have successfully added to the discussions and deliberations of
the housing authority and have provided useful guidance to the
Executive Director and his staff.

OVER
➔

Please list any organizations, groups, or other committees you are involved in:

Portsmouth Historical Society, United Way of Greater New England (past)


Please list two character references not related to you or city staff members:
(Portsmouth references preferred)

1) Peter Morin 49 Pickering St, Portsmouth (603) 433-7070
Name, address, telephone number

2) Kathy Logan 21 Blossom St, Portsmouth (603) 591-2624
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This reappointment application is for consideration and does not mean you will necessarily be reappointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature:  Date: March 4, 2015

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 7/1/2020

Annual Number of Meetings: 12 (10) Number of Meetings Absent: 0

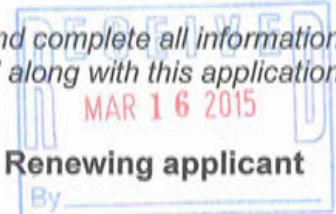
Date of Original Appointment: 2/18/2015

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801

CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information
Please submit resume' along with this application



Committee: RECREATION

Name: KATHRYN R LYNCH Telephone: 603-431-5287
603-396-8651 (mobile)

Could you be contacted at work? YES/NO - If so, telephone # NA

Street address: 3 BOYAN PLACE PORTSMOUTH NH 03801

Mailing address (if different): Ø

Email address (for clerk's office communication): kathrynlynch@hotmail.com

How long have you been a resident of Portsmouth? 32 years

Occupational background:

RN 1973 → present including hospital staff, hospital education,
university faculty, office staff, professional organization service
Volunteer president Portsmouth Little League 1997-2000; 2002-present

Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to continue serving: finishing an open term for
another member and just beginning to take involved role;
long standing involvement in youth sports with interest in assuring
appropriate safety and instruction for our children; Spinnaker
Point member; desire to participate in improving senior services



Please list any organizations, groups, or other committees you are involved in:

PORTSMOUTH LITTLE LEAGUE

NEW HAMPSHIRE NURSES ASSOCIATION

AMERICAN HEART ASSOCIATION

YARNOLD SCHOLARSHIP TRUSTEE

WEBBER-GOODWIN INVESTIGATION PANEL

Please list two character references not related to you or city staff members:
(Portsmouth references preferred)

1) THOMAS / VICKI DECKER 182 RICHARDS AVE PORTSMOUTH NH 03801 603-433-8098
Name, address, telephone number

2) STEPHEN ROBERTS HPLR LAW FIRM 127 PARROT AVE PORTSMOUTH NH 03804
Name, address, telephone number 603-436-0666

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This reappointment application is for consideration and does not mean you will necessarily be reappointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: Kathryn R. [Signature] Date: 3/9/15

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 4/1/2018

Annual Number of Meetings: 2 Number of Meetings Absent: 2
2014

Date of Original Appointment: April 2014

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801

Wednesday, April 15, 2015

Making The Webber Investigation Public And Transparent

To: Portsmouth City Councilors:

I have asked that the following be placed on the City Council Agenda for Monday, April 20, 2015:

Motion: "The City Council requests that the investigative report into the Webber Estate matter conducted by the Roberts task force panel be submitted jointly to the City Council and the Police Commission when it is completed, and that it become fully public and transparent at that time."

THE BACKGROUND AND SIGNIFICANCE OF THIS MOTION:

1. In 2014, the City Council determined that an independent investigation into the Webber Estate matter was essential to restore public confidence in city government, and to make sure that something like this 'never happens again' -- and that the investigation should *"go to where the facts and evidence may lead."* Several Councilors expressed the importance of transparency and thoroughness in order to avoid the creation of public sentiment that the independent investigation was inadequate, which could lead to concerned citizens then calling for "an investigation into the investigation."
2. To *"go to where the facts and evidence may lead"* was so agreed to by the Police Commission in a meeting on Wednesday, October 29, 2014 that the City Council authorized Mayor Bob Lister and Assistant Mayor Jim Splaine to attend with the Police Commission members.
3. The taxpayers requested that this City Council spend \$20,000 of taxpayer funds to pay for the costs associated with the investigation, and they are entitled to the report for which they paid.
4. The purpose of the investigation was, in part, to "clear the air" regarding what had occurred in the Webber Estate matter, to protect all involved.
5. The Police Commission has the obligation to review the investigative report and determine if improvements of process and policy are needed, but since this is a

taxpayer-paid and Council-endorsed report, it must be released to the City Council, which may have other obligations to fulfill when the report is viewed.

6. The report should be released to the members of the media and placed on the City of Portsmouth WEBSITE at the same time it is provided to the Police Commission and City Council. Full transparency is imperative on this matter, and nothing less should be accepted.

7. In the event that this report is not released in time for the upcoming Probate Court trial, the city could be denied over \$1 million of income if critical information was uncovered in the investigation, but is unavailable to the Court. It was originally estimated for a December, 2014 completion.

Many good citizens have asked for this investigation to occur, and have been advocating for greater transparency into the circumstances of the Webber Estate matter for nearly 5 years.

It is imperative that in the interest of public integrity, and for the protection of all involved in the investigation, that the report be made fully public and transparent upon its completion -- reducing suspicion about its contents and scope, and learning what the public needs to know about its contents and/or recommendations.

Thank You,

Jim Splaine
City Councilor

Portsmouth
Parking & Traffic Safety Committee
8:00 AM – March 12, 2015
City Hall – Eileen Dondero Foley City Council Chambers

- ON SITE COMMITTEE:** Please meet on Tuesday, March 10 at 8:00 AM in the upper parking lot at City Hall, 1 Junkins Avenue, to view the following locations:
- Sheafe Street.
 - 51 Islington Street.
-

AGENDA

- I. CALL TO ORDER
- II. ROLL CALL
- III. ACCEPTANCE OF THE MINUTES
- IV. FINANCIAL REPORT
- V. NEW BUSINESS (No action required):
 - A. On-street Handicap parking request, 51 Islington Street, by Marjorie Crean
 - B. Sheafe Street Pay and Display meter installation.
- VI. OLD BUSINESS/ACTION ITEMS:
 - A. HarborCorp development project, Deer Street, Russell Street and Maplewood Avenue.
Proposed Motion: To accept staff recommendation for parking, traffic signal and intersection configuration changes, as specified in memo from Eric Eby.
- VII. PUBLIC COMMENT
- VIII. INFORMATIONAL
 - A. Andrew Jarvis Drive and Lafayette Road intersection improvement project (presentation by GPI)
 - B. Woodbury Avenue traffic study Request For Proposals

ADJOURNMENT

MINUTES
PARKING and TRAFFIC SAFETY COMMITTEE MEETING

8:00 A.M. – Thursday, March 12, 2015
City Hall – Eileen Dondero Foley Council Chambers

I. CALL TO ORDER:

Chairman Lown called the meeting to order at 8:00 a.m.

II. ROLL CALL:

Members Present:

Councilor Brad Lown
James Heinz, Deputy Fire Chief
Frank Warchol, Police Captain
Peter Rice, Public Works Director
Ted Gray, Member
Harold Whitehouse, Member
Shari Donnermeyer, Member
Ronald Cypher, Member
Mary Lou McElwain, Alternate

Staff Advisors Present:

Eric Eby, Parking & Transportation Engineer
Juliet Walker, Transportation Planner

Absent

John P. Bohenko, City Manager

III. ACCEPTANCE OF THE MINUTES:

Moved to accept meeting minutes of February 12, 2015.

Motion passed

IV. FINANCIAL REPORT:

Moved to accept February, 2015 Financial Report and place on file.

Motion passed

V. NEW BUSINESS:

A. On-Street Handicap parking request 51 Islington Street– **No action required**

Staff will review on-street parking spaces in the area and make a recommendation next month.

Marge Crean, resident at Keefe House, 20 Islington Street, asked if there would be a time limit for parking in this handicap parking space.

Mr. Rice responded that there would be no time restrictions on this space.

B. Sheafe Street Pay and Display meter – **No action required**- City Parking and Transportation Engineer Eby provided an overview of the proposed road project with the intent for parking in this high occupancy area to become part of the Pay and Display meter program during working hours. After 7:00 pm, parking would be free. Parking is currently restricted to a 2-hour time limit during the day. 200-300

parking tickets a year have been issued over the past 5 years. It's the only street without meters in the area.

VI. OLD BUSINESS:

A. Action Item – HarborCorp Project - On a unanimous roll call 8-0, voted to recommend the HarborCorp project proceed to the Planning Board, given the conditions presented by the Technical Advisory Council (TAC) are met.

VII. PUBLIC COMMENT:

Public Comment – Rick Bickstead, 1395 Islington Street, provided his view of the information gathered from the study conducted for the HarborCorp project. Mr. Bickstead was concerned about moving forward with this project because he feels there would be a loss in revenue for the City when 41 parking spaces are removed. A new garage would not compensate for this loss, alternatively the City could request payment from HarborCorp for the 41 spaces to compensate the City for the loss in revenue. Mr. Bickstead is not in favor of this project and suggests additional review of the project design.

Mr. Rice responded that the intent of this committee is to move this project along to the Planning Board where stipulations for this project are considerably more binding rather than recommendations from this committee.

VIII. INFORMATIONAL:

A. Informational – Andrew Jarvis Drive and Lafayette Road intersection improvement project – City consultant for the project, Joe Johnson, with Greenman Pedersen, Inc. (GPI), provided an overview of the road design for the project. The project will widen Route 1 and Andrew Jarvis Drive to provide turning lanes, and a fully automated traffic control signal.

Mr. Rice added that there would be changes to this intersection to increase safety within the area by providing crosswalks, and implementing a pedestrian fully-actuated push button crosswalk stop light.

B. Woodbury Avenue in the vicinity of New Franklin School - Mr. Rice said a request for the Woodbury Avenue traffic study proposal (RFP) was advertised. Whatever the findings are relative to the work proposed for that roadway, would be incorporated into the New Hampshire Department of Transportation Woodbury Ave Bridge reconstruction project, to increase the safety of traffic entering and exiting into the New Franklin School.

ADJOURNMENT - At 8:45 a.m., voted to adjourn.

Respectfully submitted by:

Cynthia Huyghue-Fancy
Secretary to the Committee

WORKING SESSION MINUTES
PARKING and TRAFFIC SAFETY COMMITTEE

TO: John P. Bohenko, City Manager

FROM: Cynthia Huyghue-Fancy, Secretary to the Committee

RE: Actions Taken By The Portsmouth Parking And Traffic Safety Committee Meeting Held On Thursday March 05, 2015, At Eileen Dondero Foley Council Chambers, Municipal Complex, One Junkins Avenue, Portsmouth, New Hampshire.

PRESENT: Councilor Lown, City Manager Bohenko, Deputy Fire Chief Heinz, Public Works Director Rice, Parking & Transportation Engineer Eby, And Members: Gray, Whitehouse, and Alternate Member: Mcelwain, Ronald Cypher

STAFF ADVISORS: Juliet Walker, Transportation Planner

ABSENT: Shari Donnermeyer

Work Session began with roll call at 8:00am

Work Session Consultant Attendees:

Harborcorp Representatives

Giles Ham, Vanasse & Associates-Traffic Consultant

Travis Center, Platt Associates- Parking Garage

Chris Thompson-Harborcorp

Cliff Grimes- Harriman Architectural Engineers

Will Gatchell – Harriman Architectural Engineers

City of Portsmouth

Kevin Dandrade-Principal, TEC, Consultant

Harborcorp Project Presentation-

Mr. Giles Ham provided an overview of the project as it relates to traffic and parking. Mr. Ham explained that an in-depth two year traffic study was conducted on traffic during the summer season, peak times of the day and Saturdays. The study also projected out a ten-year horizon consistent with New Hampshire standards, taking into consideration existing and planned developments within the City. They performed level of service analysis, and incorporated comments and suggestions from neighbors, peer consultants, City Staff, and the City's Technical Advisory Committee (TAC) which resulted in changes to the project design.

City Staff directed the developer's study to include 12 intersections including major intersections along Russell Street, Deer Street, Market Street, and Maplewood Avenue. The three signalized intersections along Maplewood Avenue at Deer Street, Hanover Street, and Congress Street were

included, as well as Market Street at Albacore Drive. The traffic generation components include Supermarket, Small Retail, Hotel and Conference Center, Residential condos and Public Garage.

Total traffic generation during the weekday is 5,600 trips, and 9,000 trips daily on a Saturday; during peak morning hours the project will generate 249 trips, with 668 trips during the Saturday mid-day peak hour. Not all traffic is new to the area, and the traffic coming into the area will be dispersed to all three access points on Deer Street, Russell Street, and Maplewood Avenue. All signalized intersections level of service would be maintained with signal timing adjustments to mitigate traffic impacts. The changes that are being made to signals and intersections will allow the area to accommodate the increase in traffic.

Maplewood Avenue has been designed as an entrance only access, and the truck route allows trucks to enter from Market Street and loop around out back. Typically there are two or three trailer trucks per day that deliver to Whole Foods, with two to three deliveries of single unit trucks such as FedEx and UPS accessing the site as well. Maplewood Avenue will have bike lanes and a bike box at the traffic signal with Deer Street, and the project will maintain at least 8 foot wide sidewalks which would be the narrowest sidewalks in the project. There are three signals on Maplewood Avenue; the applicant will continue to monitor them a year after project is complete to ensure they are operating in an efficient manner.

Deer Street will maintain an 11-foot wide sidewalk along the site and have bike racks and share the road sharrows; a serrated concrete island will be added to prohibit left turns into the site. The applicant will realign the Deer Street and Russell Street intersection to slow traffic and help reduce the pedestrian crossing distance.

There are bus pull-outs and bus spaces on Russell Street across from the Sheraton Hotel, and on Market Street the City is proposing a roundabout. Today there are a total of 48 parking spaces on Deer Street and Russell Street, but some of those spaces will be eliminated due to widening of sidewalks and the addition of bike lanes. Once completed, a total of 7 on-street spaces will remain on Deer Street and Russell Street.

Regarding off-street spaces, the Sheraton Hotel has 160 parking spaces which will be maintained and the garage has 523 spaces, for a total of 683 parking spaces that will support the development.

The current proposed parking supply offers 683 parking spaces and during peak times the applicant can offer valet services which would increase parking spaces by 115 additional parking spaces which brings the total parking supply to 798 parking spaces. An estimated parking demand created by Whole Foods, the hotel, and retail stores on a Saturday would be 612 parking spaces; with a convention of 750 attendees the parking demand would increase by 250; this would cause a slight shortfall in supply, and the applicant would offset this by having employees park off-site to free up spaces.

The City's peer review consultant, Mr. Dandrade, explained that he reviewed this project very closely, and provided feedback on design changes, consulted on analysis profiles, while examining crash data, and the times the study was conducted and the traffic counts collected. Mr. Dandrade then reviewed the data provided on supermarket Saturday peak flow traffic generation, and found that the analysis of using alternative routes to the project satisfied his concerns on intersection impacts, but suggested tightening up some of the turning radii near Deer Street and Russell Street. Overall it was determined that the project and its revised design would create a pedestrian scaled environment and mitigate the progression of traffic around Deer Street and Russell street and the downtown area. In

response to a request from the fire department to install Opticom on the traffic signals, Mr. Dandrade explained that Opticom is an electric transmitting device that allows the Fire department to control the traffic signals.

Public Comment –

Jerry Zelin provided the committee a memorandum dated March 4th, and Patricia Bagley provided a letter that was written to Mary-Lou McElwain.

Robin Normandeau, 15 Pickering Avenue, spoke on behalf of her Mother who owns a condo unit at 33 Deer Street. Robin is concerned about the Sheraton Hotel taking parking from the circle and not having fire lanes. Mr. Rice responded that the committee does understand her challenges and has heard the same concerns from other residents, but this challenge is an issue that needs to be addressed with the condo association and the Sheraton Hotel, but it is not a part of this review.

Rick Bickstead, 1393 Islington Street, expressed his concern with large trucks that make a right turn from Russell Street onto Deer Street having to turn into the on-coming lane for a short period of time. He was also concerned that this will also happen when turning on to Maplewood Avenue, and Harborcorp has said at the TAC meeting that they have constraints from what the City has requested for parking and bike paths. "Take for instance 175-173 Market Street project, due to the five feet radius requirements the project was stopped, maybe we should have the same requirements with this project. Harborcorp also said they would post signs for exit 7 and create a new route for trucks and with these new routes we will be creating more traffic issues and concerns."

Joe Caldarola, 170 Dennett Street, agrees with the shortening of sidewalk crossings, but has questions with the turning radius into oncoming traffic onto Maplewood Avenue with respect to the tractor trailers, as an accepted practice. Regarding Russell Street and Deer Street, this project design needs to be re-evaluated to deter trucks from turning into oncoming traffic, and provide an honest evaluation and a better compromise to avoid trucks from taking this route.

Mr. Rice responded to Mr. Caldarola saying that he mentioned a very important point, that there is a balance between the radii and shortening the distance and the risk associated with this type of activity.

Mr. Dandrade explained that the applicant's design process that they went through was recommended by Mr. Dandrade. He explained that they should tighten up the turning radius, knowing that this type of access creates a calm, controlled, slow atmosphere when creating a tight intersection, with a standard geometry when possible. There is guidance from different state agencies that have been formally published that there needs to be flexibility for large trucks so we don't have excessively wide intersections. There is not a high risk environment with this project and design, and we know there is a need to be flexible when handling trucks, pedestrians and bike paths.

Patricia Bagley, 213 Pleasant Street, she would like to hear from the Fire and Police department from a safety point of view as it relates to the design of the roadway and the safety of the citizens.

Police Captain Warchol stated that they will take into consideration how the project will tax police services, but will also work with the City to manage the design and determine how it will impact the services, downtown area and the safety of the citizens.

Fire Deputy Chief Heinz, stated the fire department would like to see wide intersections everywhere, but at a minimum they need to be able to move cars to get their apparatus through safely. "This project design has been a compromise for all but we are satisfied with the design plan."

Paul Mannle, 1490 Islington Street, quoted Mrs. Normandeau "If the City can step in and make some sort of accommodations to residents living in the condos, I think that would be a good thing. The City is making Harborcorp's design work instead of suggesting a different design to meet the needs of the residents. I have suggested different designs to address the parking, traffic and safety issue for the last 14 months." His concern is Maplewood and the additional traffic on this road.

Doug Roberts, 247 Richards Avenue. Expressed concern with how many parking spots on Russell Street and Deer Street are being lost and what are the trade-offs for having bike lanes, parking and sharrows, and street widths.

Mr. Dandrade responded that they were trying to conserve parking on Russell Street and Deer Street, due to constraints to meet all needs the design had to be adjusted to accommodate safety of pedestrians, and bike lanes.

John Stephson, 197 Miller Avenue. "Thousands of cars a day, hundreds of cars an hour, these numbers do not sit well with me, and if you move forward with this project it will cause a traffic nightmare and safety issues for decades into the future."

Patricia Bagley responded; "When I hear the words compromise and we are talking about safety, you can't compromise safety and we are talking about 18-wheelers turning and people getting to work and school, the City needs to do more work to address this issue."

Mr. Ham stated that they are absolutely not compromising on safety, but there is a balance. "Do you want to have wider roadways and wider crosswalks which aren't safe for pedestrians or bikes, or do you want to have narrower roadways and shorter crosswalks which are safer for pedestrians and bikes. The templates used are very conservative, for example on another project where the templates suggested a truck couldn't make a turn, they tested the design template by bringing a tractor trailer out to see if the turns could be made and indeed they were made with no problems."

Rick Bagley, "This study takes into consideration all projects taking place in the City which we should keep in mind. It may be that we test the turning theory before making a decision and maybe we look at eliminating the bike path on Russell Street and as far as parking concerns how will Whole Foods guarantee that visitors won't park in their parking lot and take off and go touring the City."

Mr. Rice explained that staff will review and provide recommendations on the questions presented for the committees review where possible for the next meeting.

Adjournment – At 9:35 AM, **Voted** to adjourn.

Respectfully submitted by:

Cynthia Huyghue-Fancy
Secretary to the Committee

City of
Portsmouth
Department of Public Works



MEMORANDUM

TO: Parking and Traffic Safety Committee

FROM: Eric Eby, P.E., Parking and Transportation Engineer

DATE: March 10, 2015

SUBJECT: HarborCorp Project Recommendation

At a special workshop session of the Parking and Traffic Safety (PTS) Committee on March 5, 2015, the applicant for the North End Portsmouth Development, HarborCorp, LLC, presented their proposed project and the parking and traffic impacts associated with the project. The City's traffic peer review consultant, TEC, was also present at the meeting to provide the Committee with the results of their review of the parking, traffic and transportation aspects of the project to date and to answer any questions from the Committee. Members of the public were also given an opportunity to express their thoughts and ideas on the project after the workshop session of the meeting had finished.

City staff has worked for many months on their review of the project, and has met many times with the developer, as well as TEC, and the Technical Advisory Committee (TAC) to ensure that the project meets the goals and objectives of the City's Master Plan and supporting plans and policies and complies with the City's site plan review regulations. On March 4, 2015, the TAC voted to recommend approval of the project with several stipulations. The letter of approval from the TAC is attached to this memo. The project now moves on to the Planning Board for review, as well as the Historic District Commission for a Conditional Use Permit.

As part of the site plan that has been submitted for approval to the Planning Board, the HarborCorp project proposes several changes to on-street parking, bus stops, and intersection configurations which will ultimately require City Council approval. The role of the PTS Committee at this stage in the site plan review process is to provide a recommendation to the Planning Board regarding the proposed parking and traffic control changes and traffic mitigation measures associated with the project. This is a recommendation only, which is subject to the final approval of the site plan by the Planning Board and subsequent approvals from the City Council related to any land transfers, easements, licenses and on-street parking changes associated with the approved site plan. The PTS Committee does not have jurisdiction over other aspects of the project, such as land use and zoning, landscaping, building size and appearance, or revenue impacts to the City.

The HarborCorp project proposes to make changes to the on-street parking supply on Russell Street and Deer Street. Based on input and review from City staff and the City's peer reviewer, in an effort to provide for safe accommodations for all modes of transportation, including pedestrians, bicycles, buses, trucks and cars, the project will remove 20 on-street parking spaces on Deer Street and all 21 on-street parking spaces on Russell Street. The loss of on-street parking will be offset by the available public

parking within the parking garage proposed as part of the project. The garage will provide a total of 523 parking spaces. Based on calculations provided in the applicant's traffic study, on a typical weekday there will be 172 spaces in the garage available to the public, with 71 spaces available to the public on a typical Saturday.

To accommodate buses, bus bays will be provided in both directions on Russell Street. On the northbound side in front of the Sheraton Hotel the bus bay will provide space for one bus. On the southbound side in front of the proposed project, the bus bay will provide room for 3 buses.

To provide safer accommodations for bicycles, bike lanes will be provided on Russell Street for its entire length between Market Street and Deer Street. Sharrow markings will be provided on Deer Street between Russell Street and Maplewood Avenue, and a bike box and bike lane provided on Maplewood Avenue at its intersection with Deer Street. Bike racks for 50 bicycles will be provided around the perimeter of the site.

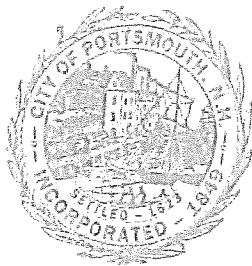
Pedestrian safety will be accommodated by providing crosswalks across each site driveway, across all three legs of the Deer Street and Russell street intersection, across both legs of Russell Street at the site driveway intersection, across Green Street at its intersection with Russell Street, across Deer Street at the Portwalk Place intersection, and across all four legs of the Deer Street and Maplewood Avenue intersection. Wheelchair ramps will be provided at all new crosswalks. Pedestrian warning signs will be provided at the crosswalk on Deer Street at Portwalk Place, and on Russell Street at the site driveway. Colored, patterned concrete pavers will be installed within the intersection of Russell Street, the site driveway and the Sheraton driveway, as well as within the intersection of Russell Street and Deer Street to provide a visual and tactile indication to both motorists and pedestrians that these are areas of pedestrian priority. Curb radii and street widths have been narrowed wherever possible to provide shorter pedestrian crossing distances, while still allowing large trucks to access the site.

The intersection of Deer Street and Russell Street will be realigned to form a 90 degree "T" intersection. Stop sign control will remain on the Russell Street approach, with the stipulation that stop signs could be added to the Deer Street approaches after monitoring and observations of the traffic operations within one year after the opening of the project.

The railroad crossing signs and pavement markings on Maplewood Avenue will be refreshed, and new pavement markings provided at the Green Street crossing. In addition, the applicant will contribute \$25,000 to the city for the long-term upgrade of the Maplewood Avenue railroad crossing.

The applicant will optimize the traffic signal timings at each of the four signals along Maplewood Avenue at Deer Street, Hanover Street, Congress Street and State Street, to ensure that traffic flows efficiently through the corridor. The traffic signal operations will also be monitored and optimized within one year of the project opening. All changes to the signals will first be reviewed and approved by the City Department of Public Works.

With the changes and modifications to traffic and parking as described, City staff believes that the traffic and parking impacts associated with the project will be adequately and safely mitigated. City staff therefore recommends that the PTS Committee vote to approve the parking and traffic changes proposed by the applicant, subject to approvals by the Planning Board and City Council.



CITY OF PORTSMOUTH

Community Development Department
(603) 610-7232

Planning Department
(603) 610-7216

TECHNICAL ADVISORY COMMITTEE

March 10, 2015

Chris Thompson
Harborcorp, LLC
501 Danforth Street
Portland, ME 04102

RE: Site Plan Approval for Property Located off Deer Street & Russell Street

Dear Mr. Thompson:

The Technical Advisory Committee, at a special meeting scheduled on March 4, 2015, considered your application for Site Plan Review for a proposed 5-story mixed use development with a footprint of 63,000 ± s.f. and gross floor area of 327,900 ± s.f., including a hotel/event center with 103,700 s.f. of event center space and 96 hotel rooms, 14 residential condominiums, a 40,000 s.f. retail supermarket, and 540 parking spaces (390 spaces in a garage structure and 150 below-grade spaces serving the retail use), with related paving, lighting, utilities, landscaping, drainage and associated site improvements. As a result of said consideration, the Committee voted to **recommend approval** with the following stipulations:

A. Plan Revisions

C-1.1 – General Notes

1. Under "Property Notes", correct item 5, Zoning Requirements regarding building height, to indicate that the maximum structure height is 45 feet or 3½ stories, whichever is less, but may be increased to 60 feet through the granting of a conditional use permit.

C-2.3 – Land Transfer and Easement Plan

2. Clarify ownership of proposed aerial connector, i.e., whether Sheraton parcel or new project parcel will require the easement from the City.

C-3.0 – Site Layout Plan

3. Further revise the intersection of Green and Russell Streets to make the intersection more of a “T” for cars and to make the pedestrian crossing distance narrower. The design intent is to accommodate the periodic use by large WB-67 trucks leaving the site while maintaining an intersection configuration that is appropriately scaled for pedestrians, bicyclists and the majority of vehicles that will be moving through the intersection. The applicant shall work with the Department of Public Works (DPW) to develop a design that achieves these objectives.
4. Terminate the concrete driveway apron behind the building behind the right-of-way line both at Green St and Maplewood Ave.
5. Change the reference to Detail “I” to Detail “G” for the raised concrete paver crossings at Deer St and Russell St parking garage and Sheraton entrances.

C-3.1 – Pavement Marking and Signage Plan

6. At the intersection of Deer and Russell Streets, change the 3-way stop to a 1-way stop on the Russell Street approach. The applicant shall conduct a post-occupancy review at this intersection and monitor the traffic conditions for one year after the full operation of the project to determine if the intersection should be migrated to an all-way stop condition. During construction, a small formed opening shall be created for the other two stop signs should those need to be added in the future.
7. On Russell Street north of Deer Street intersection, change sign #4 (R3-8) to #23 (R3-8L Modified)
8. Revise the sign table as follows:
 - a. Signs #2 (R1-1), #5 (W11-2) and #6 (R5-1_ – change to 30”x30” when placed on the street (when on private property, may be 24”x24” as shown).
 - b. Sign #14 (R10-6) – change to 24”x36”.
 - c. Sign #17 (R1-5) –delete from table.
 - d. Sign #19 (R7-107) – change to 12”x18”.
 - e. Sign #21 (R10-11A) – change to 36”x48”, and place on the mast arm for visibility.
9. Remove sign #24 (LED Traffic Controller) from the Deer Street and Maplewood Avenue garage entrances and relocate sign #24 at the Russell Street entrance back into the ramp so that it is clear that it applies only to the upper garage and so that vehicles exiting the lower garage will be able to see it.
10. Tie the proposed lane striping for the project on Maplewood Avenue to the existing conditions outside of the limit-of-work boundary and make the following off-site modifications to the existing lane striping: eliminate the centerline within the intersection of Maplewood/Vaughan for approximately 30 feet; modify the centerline to provide positive guidance for the through movement and definition for the left-turn lane; add railroad pavement markings and static signs on the northwest side of the tracks, similar to what is proposed to the southeast. Add a note regarding coordination with the City.
11. In the bus spaces on Russell Street, delete the painted lines shown on the plans at the ends of the pulloffs adjacent to the transition curbing.

C-4.0 – Grading and Drainage Plan

12. Revise drainage plan per discussions with the DPW. The revised plan shall be subject to review and approval by DPW and the City's independent peer reviewer prior to Planning Board action on the application.
13. Remove all contours in the street except where the existing grade is proposed to be changed.
14. Add a new pavement plan showing the limits of paving vs. milling/overlay. Include note that all areas of utility and drainage work shall be milled/overlayed.

C-6.0 – Utility Plan

15. Revise proposed 8" sewer connection between PSMH6 and PSMH7 to be PVC (not AC) and adjust PSMH6 so that there is a minimum 3' separation between the sewer line and the gas line.
16. Final Utility plans shall be approved by DPW prior to Planning Board action on the application.

C-8.0 – Details

17. In the Raised Crossing detail (G), change the painted white borders to flush granite borders.

C-8.3 – Details

18. Consider reducing the overall fence height (needs to be at least 42" above the service drive) and replacing with a more crashworthy design.

C-8.6 – Details

19. Add a plan view of the Deer Street & Russell Street Paver Crosswalk (detail C).

A-1.2 – Average Grade Plan Analysis

20. Add a note stating average building height per the Zoning Ordinance.

A-1.3 – A.1.4

21. Show actual height from sidewalk grade to the cornice line indicating height as perceived by pedestrians to assist Planning Board in making its report to Historic District Commission relative to the conditional use permit for building height.
22. Label the street names and add a key plan showing the location of each section.

A-1.5

23. Provide additional views as necessary to show all sides of the project.
24. Modify the illustration (by color banding or other method) to indicate the height at 45 feet above average grade and at 5-foot intervals up to 60 feet to assist the Planning Board and the HDC in understanding the proposed conditional use permit.

B. Additional Information To Be Provided for Review by the City

Parking

1. The applicant shall provide further detail regarding off-site parking provisions for major events, including locations where off-site parking will be provided, shuttling methods for employees, and agreements or commitments demonstrating the long-term availability of the sites.
2. The applicant shall provide documentation regarding the parking easements on the site benefitting the Sheraton hotel and the Deer Street condominiums.

Traffic

3. The applicant shall provide a traffic signal design plan for the intersection of Maplewood Avenue and Deer Street and coordination timing plan for the Maplewood Avenue system for DPW review and approval prior to construction.
4. The applicant shall provide a plan for communicating recommended routes for delivery vehicles and patrons to access the site, emphasizing access via Market Street rather than Maplewood Avenue.
5. The applicant shall be responsible for a post-occupancy analysis of traffic, intersections, and traffic signal operations, to be conducted after one year of full operations including, at a minimum, each of the signalized intersections on Maplewood and the unsignalized intersection at Deer St and Russell St.
6. The applicant shall provide more detail about the types of facilities being proposed for the long-term enclosed bicycle parking in the parking garage as well as an explanation of the intended users and how those areas will be managed as part of the overall traffic demand management program for this project.

Other

7. The applicant shall provide a narrative describing how snow removal will be accomplished in the service road area.
8. All land and easement transfers shall happen prior to the issuance of a building permit.

C. Recording of Plans

The following plans shall be recorded at the Registry of Deeds by the City or as determined appropriate by the Planning Department:

1. Sheet C-2.3 – Land Transfer and Easement Plan
2. Sheet C-2.4 – Lot Consolidation Plan
3. Sheet C-3.0 – Site Layout Plan
4. Sheet L1.0 – Landscape Plan

D. Off-Site Traffic Mitigation

1. The applicant shall make a \$50,000 fair share contribution to the Russell St / Market St intersection off-site improvements as stated in the applicant's letter "Response to TEC Traffic & Parking Engineering Peer Review Comments" dated February 17, 2015 in addition to the required land transfer / easements as shown on the site plan.

Page 5

RE: Property Located Off Deer Street and Russell Street
March 10, 2015

2. The applicant shall make a \$25,000 fair share contribution for future improvements at the Maplewood Ave railroad crossing to be done by the City and PanAm as stated in the applicant's letter "Response to TEC Traffic & Parking Engineering Peer Review Comments" dated February 17, 2015.

This matter will be placed on the Planning Board Agenda for Thursday, March 19, 2015 at 7:00 pm. Twelve (12) copies of revised plans and/or exhibits must be filed in the Planning Department no later than Wednesday, March 11, 2015.

The minutes and audio recording of this meeting are available through the Planning Department.

Very truly yours,



Rick Taintor, Planning Director
Chairman of the Technical Advisory Committee

RT/jms

cc: Robert T. Marsilia, Building Inspector
Stephen R. Bushey, P.E., Fay, Spofford & Thomdike
Clifton Greim, Harriman
Susan Duprey, Devine Millimet

MEMO

TO: Honorable Mayor Robert Lister & Members of the City Council

FROM: Jack Thorsen, Councilor

DATE: March 30, 2015

SUBJECT: Transportation Services Ordinance Policy Analysis

The following Transportation Services Ordinance Policy Analysis is offered to you for your consideration.

The Taxi Commission was right.

The Taxi Commission was right to recognize the need for sweeping changes in the city's transportation ordinance to align them with today's reality. I applaud the Taxi Commission for taking this bold step, especially with regard to eliminating the medallion system, removing fare regulation, and restructuring the commission into a new form.

I believe, however, that the proposed ordinance change went too far by folding limousine services into the regulatory structure for taxis. Nevertheless, I agree with many of the reasons to simplify the ordinance, its definitions, and its regulatory requirements.

Basic definitions.

Current city ordinances (Section 7.201) define taxis in very general terms, and then specifically exempt limousine services that fit a narrower definition, as follows:

A taxi service is:

- 1) Any motor vehicle used for the transportation of passengers for hire; and
- 2) The destination and route of which are under the direction and control of the passenger.

A limousine service is a taxi service that is:

- 1) Made by prior appointment;
- 2) And either
 - a) Provides a designated luxury or specialty vehicle for a discrete function; or
 - b) Whose operator is limited to the transport of passengers from locations within the City of Portsmouth to destinations located outside of the City or the reverse.

How limousine services are different.

The differentiating elements in the current definition of a limousine service are:

- 1) Whether the service is providing a luxury or specialty vehicle for a discrete function;
- 2) Whether the service originates or terminates outside the city;
- 3) Whether a service is made by prior appointment.

It is my opinion that the first element (vehicle type and purpose of trip) doesn't help us determine whether a service should be regulated. I believe that this distinction arose from an effort to make accommodations to limousine services, which do not need to be regulated the same way as taxis services hailed on the street, while protecting taxis; it was a carving up of the marketplace, based on historical considerations. This element should be eliminated, as it is merely a marketplace contrivance.

The next element (origin/destination) has a complexity that makes uniform regulation unfeasible. That is, rides that originate or terminate outside of the city often involve companies that do not exclusively operate in the city. It seems to me impractical to try to regulate all transport companies in New England, just because some trip locations might include the city. Further, it would be unfair to put a greater burden on local companies than those the city is not able to regulate. So, this element alone argues that we cannot have a uniform definition for transportation services. We are left with the need to make a distinction and continue an exemption. Nevertheless, this element does not help us determine the need for regulation, so it is also inconsequential for classification purposes.

That leaves us with the final and only possible distinguishing element that has a bearing on public safety, and that is whether a service is made by prior appointment, or whether it makes direct public contact. For purposes of this discussion, direct public contact means soliciting fares on the street as opposed to obtaining fares by prior appointment.

(There are other policy considerations, such as whether there is a robust and verifiable process for vetting drivers, the level of autonomy and checks and balances in the record generation process, liability insurance, inspection of vehicles, and other business practices that are very important, but which are not useful in making distinctions in the classification of services.)

Recommendation #1: Transportation services that make no direct public contact do not need to be regulated by the city.

This is already proven by the fact that limousine services have operated in the city for many years without concern.

Limousine services acquire fares through advertising and word of mouth. They rely on customers to contact them. The contact is essentially a private interaction, away from the public eye. Other than having no direct public contact, they are otherwise allowed to operate within the city and between the city and other cities, just like taxis.

By contrast, a taxi may pick up a fare without appointment, usually by the rider hailing the taxi, or at taxi stands. There are safety factors that arise from public operation and direct public contact, including but not limited to sudden stopping in traffic to do a pickup or drop off, anonymous interaction with riders, street level competition between taxis, and a higher potential for unrecorded transactions and service details. Taxis operate in the public square much like street vendors, buskers, or political rallies. Permits are reasonable.

Recommendation #2: Transportation services made by appointment are better regulated at the state level.

Limousine services, to the degree they are regulated, are already regulated by the state. It is my opinion that the state is the proper jurisdiction for regulating any transportation service made by prior appointment. If we believe that a transportation service made by prior appointment is not adequately regulated, then our job would be to point that out to our state delegation, legislatures, or the Governor's office for action.

Recommendation #3: Ride sharing services are made by prior appointment and should be classified alongside limousine services.

Ride sharing services (e.g. Uber and Lyft) are transportation services made by prior appointment, through an Internet service, and do not make direct public contact, so it is my opinion that they do not need to be regulated by the city. In this regard, they resemble a limousine service more than they do a taxi service.

The many concerns raised about these services suggest, however, that it may be prudent for the city to take action by notifying the state of these concerns, so that the state can determine if regulation is needed.

Recommendation #4: The proposed ordinance should be sent back for modification.

The following modifications should be considered:

- 1) A transportation service that is made by prior appointment should not be regulated by the city. The limousine service exemption should be reinstated in the new ordinance as an exemption for all services made by prior appointment.
- 2) The vehicle type, function type, and location elements in the definition of exempt services should be removed, as these are distinctions without substance.

- 3) Medallions should be eliminated, as the new ordinance sets forth; taxis only need a permit to make direct public contact within the city.
- 4) Taxi stands should be made available only to taxis that are permitted to make direct public contact.
- 5) Any public safety concern regarding transportation services made by prior appointment should be sent to the state for review and action.

Thank you for reading and considering this analysis. I hope that it is useful to you in your evaluation of the new transportation ordinance before us.

Sincerely and respectfully,

*Jack Thorsen
City Councilor
City of Portsmouth, New Hampshire*

MEMO

TO: Honorable Mayor Robert Lister & Members of the City Council

FROM: Jack Thorsen, Councilor

DATE: April 15, 2015

SUBJECT: Parking Fees

The following discussion regarding parking fees is offered to you for consideration

I greatly enjoyed the recent presentation on parking given by Michael Manville at the request of PS 21. Not only was his academic analysis of parking supply and demand informative, he changed my thinking about how to set prices, and why.

Principle: Parking fees should be priced to set occupancy at 85% with no time limit.

Manville said that correct pricing would ensure that there is always a parking space when one is needed, where it is needed. He said that the community service provided by parking is not the number of parking spaces, which could all be filled, but the availability of a space when needed, at or near the location desired.

To achieve this, Manville said that the first ten actions a municipality should take, even before considering more parking spaces, is to set parking fees correctly. Only after pricing is set properly can more spaces be considered.

At the presentation, I asked Manville if business revenue would go down if Portsmouth is already at 90+% parking occupancy and we reduced that to 85% by increasing rates. He said no. He said that increased turnover, despite there being no time limit, would make up for the reduction in parked cars.

Principle: Pricing structure should reflect demand at different locations and times

Manville presented slides that showed that the 85% occupancy could be analyzed by the city block and for different times, and prices set accordingly. This would mean that a single city block might have a higher parking fee at lunchtime or the dinner hour than other times of the day, and that a spot in Market Square would have a higher fee than at the Parrot Ave lot.

Manville suggested that the hours of operation should be extended as long as demand was there. So, by extrapolating his theories, we could say that parking is a

24hr operation, but that we might reach 85% occupancy at a zero price sometime late at night, which would be the same as ending the parking fees at that time.

Portsmouth has taken some steps in this direction with the tiered parking fees implemented a few years ago, which is based on location. We have not implemented a time-of-day fee structure, other than ending fees at night.

Principle: If parking fees are set correctly, entrepreneurs will put in more parking

Manville opined that the reason no one wants to build parking garages is the parking prices are kept artificially low. There is no benefit to a builder to add adequate parking to a development project when the revenue can't support it.

Principle: If parking spaces are required in residential developments, then residences will tend towards large expensive units rather than smaller units.

Manville said that this is the main reason that micro-apartments and workforce housing are so difficult to build. There is a diminishing return to the value of a property when the size of the residence shrinks, but the parking space does not.

Finally, a consideration for residents

It could be that parking fees rise to the point that they become too high for residents to enjoy their own downtown! Manville suggested that it is ok to offer residents discounts or free parking, but that this would have a distorting effect on the capacity analysis, causing fees to rise even higher to meet the 85% requirement.

Recommendations for discussion

Should we start a "Price to Capacity" program for all available parking spaces – even those that are currently free.

Should we set pricing so that we achieve an 85% occupancy, measured by block and time period.

Should we implement a 24 hour operation and only cut off fees when capacity is proven to be below 85% when free (or close to free).

Should we expand parking fees to all areas of the city that experience an occupancy greater than 85%.

Should we consider removing a parking space requirement for affordable/micro housing developments, and what other issue would arise from doing so.

Should we offer residents free parking or parking discounts.

Next step

If the above makes sense to you and we decide to take action, I recommend sending a request to the Parking and Safety Committee for their consideration of the matter, and for a report back.

Thank you for reading and considering this memo.

Sincerely,

*Jack Thorsen
City Councilor
City of Portsmouth, New Hampshire*