

Proposed Zoning Amendments to Sections Below. Unchanged portions of sections are not shown, and divisions between sections are shown with a line, as immediately below.

---

### 10.633.20 **Staff Level Exemptions from Certificate of Approval**

The following activities shall not require a Certificate from the Commission but require review and certification by the **Code Official**:

- (7) Placement or replacement of roof-mounted mechanical **or** electrical equipment and ventilation terminators **or roof-mounted solar energy systems** where the equipment: (1) is **not visible**; (2) is not located on a roof surface that faces a public way; and (3) does not extend more than 3 feet above the roof plane.
- 

### 10.633.30 **Administrative Approval**

10.633.31 The **Code Official** may grant administrative approval for minor modifications **to an existing structure ~~or~~ for work for which a Certificate of Approval has previously been issued**, provided that the **Code Official** determines that the modifications do not alter the overall quality or character of the structure and the determination is certified as appropriate by the Commission. **In the case of work for a modification to a prior approval, the Code Official shall indicate compliance with this section as a written addendum to an existing Certificate of Approval.** Such approval shall be subject to Historic District Commission approval at the next meeting of the Historic District Commission. A list of the administrative approvals shall be submitted to the Historic District Commission prior to the meeting and the administrative approvals shall be automatically ratified unless rejected specifically by the Historic District Commission at that meeting.

### 10.633.32 **Administrative Approval for Roof Mounted Solar Energy Systems**

**A property owner or authorized representative may submit for administrative approval for the installation of roof-mounted solar energy systems, and any associated support structures and conduit lines provided that the application satisfies all of the following requirements:**

- (1) The elements of the proposed roof-mounted solar energy system will be placed in a regular manner with no disjointed panels (example: symmetrically placed or in even rows and columns) and shall be minimally visible;**
- (2) The Accessory elements of the roof-mounted solar energy system including associated support structures and conduit lines shall be minimally visible and not cause damage to or alteration of character defining architectural features of the structure (such as the removal of slate or wood shingled roofs, chimneys, dormers or altering existing roof lines);**
- (3) Any roof-mounted solar energy systems proposed to be mounted on a sloped roof will be flush mounted and minimally visible;**
- (4) Any roof-mounted solar energy systems proposed to be mounted on a flat roof shall be set back from the edge of the roof, and angled as**

necessary, to be **minimally visible**; and,

- (5) The applicant has provided a statement from a licensed architect or engineer that the roof proposed for the **roof-mounted solar energy system** is adequate to support the proposal without significant external modification to the structure.
  - (6) Any proposed **roof-mounted solar energy system** that does not satisfy all of the above requirements shall be reviewed with an application submission to the Commission, as elaborated in 10.634.
- 

**10.634.24** A letter of certification from a licensed architect or engineer may be required for any application proposing elements that will create a new structural load by the addition to or removal of elements from a structure. Such a letter will certify that the proposal will not require significant external modification to the structure, or if the proposal will require such modification, then the details of those modifications shall be furnished to the Commission for inclusion in its review.

---

### **10.635.30 Public Hearings**

**10.635.32** Public hearings may include a Consent Agenda for consideration of applications for which Commission approval is anticipated to be routine or expeditious, subject to the following:

- (1) An application may be included on the consent agenda if
    - (a) the **Code Official** and the **Chair** of the Commission jointly recommend in favor of approval;
    - and (b) the applicant concurs in writing with any stipulations or limitations included in the **Code Official**'s recommendation.
- 

**10.636.12 Notice of Disapproval:** If the majority of the Commission members present and voting decides that the applicant's proposal does not meet the objectives of this Section, the Commission shall issue a Notice of Disapproval signed by the **Chair** of the Commission and which states the manner in which the proposal does not comply with the purpose and objectives set forth in Section 10.631, or the review criteria set forth in Section 10.635.70. The issuance of such a denial shall prohibit the **Code Official** from issuing a **demolition permit, building permit, change of use permit** or other permits for the specified work.

---

## Section 10.1530 Definitions

**Character Defining Architectural Features:** Tangible aspects of a building and its setting, including the overall shape of the building, its materials, craftsmanship, decorative details, the character of its site, its history and related aspects its site and environment.

**Code official** Any employee of the City of Portsmouth authorized to administer or enforce the Zoning Ordinance, including but not limited to the Director of Planning and Sustainability, the Chief Building Inspector, and their designees.

**Minimally Visible:** Minimally visible from those portions of any public **way** immediately adjacent to and abutting the property, and not blocking any **Character Defining Architectural Features**.

**Not Visible:** Not visible from those portions of any public **way** immediately adjacent to and abutting the property.

**Roof-mounted solar energy system:** A solar energy system that converts solar energy directly into electricity, the primary components of which are solar panels, mounting devices, inverters, and wiring that is attached to the roof of a building or structure.

**Way:** The entire width between the wider of either the rights of way or boundary lines of any public highway, street, avenue, road, alley, park or parkway.