

Proposed 105 Bartlett St Zoning Amendments

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

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

A. Amend Article 5A Character-Based Zoning – Figure 10.5A41.10A Development Standards, as follows:

- (1) Revise building and lot occupation requirements for Character District 4 – Limited (CD4-L1/CD4-L2) to increase maximum building block length to 100 ft.
- (2) Amend the table of building and facade types for Character District 4 – Limited (CD4-L1/CD4-L2) as follows (additions to existing language **bolded**; remaining language unchanged from existing):

**BUILDING TYPES**

See Figure 10.5A43.60 for building type definitions	
House	permitted*
Duplex	permitted*
Rowhouse	permitted*
Apartment building	permitted*
Live/work building	permitted**
Small commercial building	CD4-L1: not permitted CD4-L2: permitted
Large commercial building	not permitted
<b>Cottage</b>	<b>not permitted</b>
<b>Paired House</b>	<b>permitted*</b>
<b>Gateway Townhouse</b>	<b>not permitted</b>
<b>Mixed-Use Building</b>	<b>permitted**</b>
<b>Flex Space Building</b>	<b>permitted</b>
<b>Community Building</b>	<b>permitted</b>

\*Not permitted in the Downtown Overlay District

\*\*Residential uses are not permitted on the ground floor in the Downtown Overlay District

**FAÇADE TYPES**

Figure 10.5A43.10 for façade type definitions	
Except where required façade types are indicated on Map 10.5A21C, the below standards apply:	
Porch	permitted
Stoop	permitted*
Step	only permitted where indicated on Map 10.5A21C

Shopfront	CD4-L1: only permitted where indicated on Map 10.5A21C CD4-L2: permitted
Officefront	only permitted where indicated on Map 10.5A21C
Forecourt	permitted*
Recessed-entry	permitted
<b>Dooryard</b>	<b>permitted</b>
<b>Terrace</b>	<b>not permitted</b>
<b>Gallery</b>	<b>not permitted</b>
<b>Arcade</b>	<b>not permitted</b>

\*Not permitted in the Downtown Overlay District

- (3) Amend the table of building and facade types for Character District 4 – West End (CD4-W) as follows (additions to existing language **bolded**; remaining language unchanged from existing):

#### BUILDING TYPES

See Figure 10.5A43.60 for building type definitions	
House	not permitted
Duplex	not permitted
Rowhouse	permitted
Apartment building	permitted
Live/work building	permitted*
Small commercial building	permitted
Large commercial building	permitted
<b>Cottage</b>	<b>not permitted</b>
<b>Paired House</b>	<b>not permitted</b>
<b>Gateway Townhouse</b>	<b>not permitted</b>
<b>Mixed-Use Building</b>	<b>permitted*</b>
<b>Flex Space Building</b>	<b>permitted</b>
<b>Community Building</b>	<b>permitted</b>

\*Residential uses are not permitted on the ground floor

#### FAÇADE TYPES

Figure 10.5A43.10 for façade type definitions	
Except where required façade types are indicated on Map 10.5A21C, the below standards apply:	
Porch	not permitted
Stoop	permitted
Step	permitted
Shopfront	permitted
Officefront	permitted
Forecourt	not permitted
Recessed-entry	permitted

<b>Dooryard</b>	<b>permitted</b>
<b>Terrace</b>	<b>not permitted</b>
<b>Gallery</b>	<b>permitted</b>
<b>Arcade</b>	<b>permitted</b>

- (4) Amend the table of building and facade types for Character District 4 (CD4) as follows (additions to existing language **bolded**; remaining language unchanged from existing):

#### BUILDING TYPES

See Figure 10.5A43.60 for building type definitions	
House	not permitted
Duplex	not permitted
Rowhouse	permitted*
Apartment building	permitted*
Live/work building	permitted**
Small commercial building	permitted
Large commercial building	permitted
<b>Cottage</b>	<b>not permitted</b>
<b>Paired House</b>	<b>not permitted</b>
<b>Gateway Townhouses</b>	<b>not permitted</b>
<b>Mixed-Use Building</b>	<b>permitted**</b>
<b>Flex Space Building</b>	<b>permitted</b>
<b>Community Building</b>	<b>permitted</b>

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#### FAÇADE TYPES

Figure 10.5A43.10 for façade type definitions	
Except where required façade types are indicated on Map 10.5A21C, the below standards apply:	
Porch	not permitted
Stoop	permitted
Step	permitted
Shopfront	permitted
Officefront	permitted
Forecourt	not permitted
Recessed-entry	permitted
<b>Dooryard</b>	<b>permitted</b>
<b>Terrace</b>	<b>not permitted</b>
<b>Gallery</b>	<b>permitted</b>
<b>Arcade</b>	<b>permitted</b>

- (5) Amend the table of building and facade types for Character District 5 (CD5) as follows (additions to existing language **bolded**; remaining language unchanged from existing):

**BUILDING TYPES**

See Figure 10.5A43.60 for building type definitions	
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
<b>Cottage</b>	<b>not permitted</b>
<b>Paired House</b>	<b>not permitted</b>
<b>Gateway Townhouse</b>	<b>not permitted</b>
<b>Mixed-Use Building</b>	<b>permitted*</b>
<b>Flex Space Building</b>	<b>permitted</b>
<b>Community Building</b>	<b>permitted</b>

\*Residential uses are not permitted on the ground floor in the Downtown Overlay District

**FAÇADE TYPES**

Figure 10.5A43.10 for façade type definitions	
Except where required façade types are indicated on Map 10.5A21C, the below standards apply:	
Porch	not permitted
Stoop	permitted
Step	permitted
Shopfront	permitted
Officefront	permitted
Forecourt	not permitted
Recessed-entry	permitted
<b>Dooryard</b>	<b>not permitted</b>
<b>Terrace</b>	<b>not permitted</b>
<b>Gallery</b>	<b>permitted</b>
<b>Arcade</b>	<b>permitted</b>

- B. Amend Article 5A Character-Based Zoning – Figure 10.5A43.10 Façade Types, as follows:

- (1) In the definition of Dooryard, add the following under permitted districts:

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

(2) In the definition of Terrace, add CD4-W to permitted districts.

(3) In the definition of Gallery, add CD4-W to permitted districts.

(4) In the definition of Arcade, add CD4-W, CD4, and CD5 to permitted districts.

C. Amend the table in Section 10.5A43.31 as follows (additions to existing language **bolded**; remaining language unchanged from existing):

<b>Height Requirement Area</b>	<b>Minimum Height in Stories</b>	<b>Maximum Height in Stories</b>	<b>Maximum Height in Feet</b>
1 story	1	1	20
<b>1 story (short 2<sup>nd</sup>)</b>	<b>1</b>	<b>1</b>	<b>25</b>
2 stories	2	2	35
2 stories (short 3 <sup>rd</sup> )	2	2 + short 3 <sup>rd</sup>	35
2-3 stories	2	3	40
2-3 stories (short 4 <sup>th</sup> )	2	3 + short 4 <sup>th</sup>	45
2-4 stories	2	4	50
2-4 stories (short 5 <sup>th</sup> )	2	4 + short 5 <sup>th</sup>	60
2-5 stories	2	5	60

D. Amend Article 5A Character-Based Zoning – Figure 10.5A43.60 Building Types, as follows:

(1) Amend the definition of Duplex as follows (additions to existing language **bolded**; remaining language unchanged from existing):

A residential building with two vertically-separated units with separate entrances. The building may have yards/**setbacks** 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.

(2) Amend the definition of Rowhouse as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

A building that may occupy 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~~ **yard/setback along the front of the lot or development site**.

- (3) Amend the definition of Apartment Building as follows (additions to existing language **bolded**; remaining language unchanged from existing):

A building **designed for residential use** that has the appearance of a multifamily dwelling, with yards/**setbacks** on all sides.

- (4) Amend the definition of Small Commercial Building as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

A building **designed for non-residential use** with a shopfront or officefront façade type and minimal or no yard/setback along the front of the lot or development site ~~front yard~~, and that is no more than 3 stories in height.

- (5) Amend the definition of Large Commercial Building as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

A building with a shopfront or officefront façade type and minimal or no **yard/setback along the front of the lot or development site** ~~front yard~~, and that is 4 or more stories in height.

- (6) Amend the definition of Paired House as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

A ~~residential~~-building **designed for residential use** type with narrow massing and horizontally attached or semi-attached dwelling units generally perpendicular to the **front of the lot or development site** ~~front lot line~~. These buildings contain up to 3 dwelling units and are often designed to resemble large farmhouses with attached carriage houses.

Permitted districts: G1, G2, **CD4-L1, CD4-L2**

**This building type is not permitted in the Downtown Overlay District.**

- (7) In the definition of Mixed Use Building, add CD4, CD4-W, and CD5.

- (8) In the definition of Flex Space / Fabrication Building, add CD4-W.

- (9) In the definition of Community Building, delete G1, G2 under permitted districts and add All Districts.

E. Amend Article 5A Character-Based Zoning – Figure 10.5A45.10 Community Spaces, as follows:

- (1) Add Permitted Districts: All Districts to the definitions of all community space types except Outdoor Dining Café.
- (2) Amend the definition of Outdoor Dining Café by adding “The area must provide deeded public access to qualify as Community Space in the Character Districts” and add CD4-L2, CD4, CD4-W, and CD-5 to the permitted districts.
- (3) Amend the definition of Courtyard by inserting “a landscaped park” after “enclosed”.

F. Amend the Table in Section 10.5A46.10 Incentives to Development Standards as follows (deletions to existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

DEVELOPMENT STANDARDS	INCENTIVES	
	North End Incentive Overlay District	West End Incentive Overlay District
Maximum building coverage	No Change	80%
Maximum building footprint	30,000 sf	30,000 sf <sup>1</sup>
Minimum lot area	No Change	2,000 sf
Minimum lot area per dwelling unit	No Change	No minimum
Maximum building height	Plus 1 story up to 10 ft <sup>2,4</sup>	Plus 1 story up to 10 ft <sup>2,3,4,2</sup>
<b>Minimum ground story height</b>	<b>No Change</b>	<b>9 feet</b>
<b>Ground story parking</b>	<b>Permitted with a liner building<sup>4</sup></b>	<b>Permitted with a liner building<sup>4</sup></b>
Minimum off-street parking	Residential: 1 space per dwelling unit 0.5 space per micro-unit	Residential: 1 space per dwelling unit 0.5 space per micro-unit Non-residential: 25% reduction from underlying standard

<sup>1</sup> Except for CD4-L2 where the maximum building footprint shall be 3,500 SF. In the CD4-W a single story, recessed connector building that is no taller than 12’ in height and 30’ in length may connect two 30,000 SF

**building footprints if the connector is used exclusively for pedestrian and/or vehicular access to the buildings.**

<sup>1,2</sup> In order to receive the building height incentive, the sidewalk width in front of any façade shall be at least 10 feet plus two feet for each story of building height above three stories. Any property area needed to comply with this requirement shall count as open space as listed in Figures 10.5A41.10A-D (Development Standards) as community space; even if less than 15 feet in width.

<sup>2,3</sup> For parcels over 80,000 sq. ft. in area that are located south of Islington Street, up to two stories or 20 feet may be added to the maximum building height provided both requirements listed under Section 10.5A46.22 (1) and (2) are met.

**<sup>4</sup> If ground floor parking is proposed, at least 50% of the ground story facing the street shall include a liner building designed as a shopfront for commercial space.**

- G. Amend Section 10.5A46.20 Requirements to Receive Incentives to the Development Standards as follows (deletions to existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

10.5A46.21 For a lot located adjacent to, or within 100 feet of, North Mill Pond, Hodgson Brook or the Piscataqua River, the development shall ~~include~~ **provide** community space ~~consisting of equal to 20% of the lot area~~ **that includes** a continuous public greenway at least 20 feet in width **with a multi-use path and** that is parallel to **and located within 50 feet of** the waterfront ~~for the entire length of the rear or side lot line.~~ **There shall be no buildings between the waterfront and the greenway unless otherwise approved by the Planning Board.** The greenway shall include legal and physical access to abutting lots or public ways. When access is not available due to current conditions on an abutting lot, provisions shall be made for future access in a location determined by the Planning Board.

- H. Amend Section 10.5A60 – Definitions, as follows:

(1) In the definition of liner building, insert **“with a least 50% of the ground story along the façade as commercial space in order”** before the words “to mask.”

- I. Amend Article 15 – Definitions, Section 10.1530 – Terms of General Applicability, as follows:

(1) In the definition of building block length revised as follows (deletions to existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

Measured along a street-~~or~~, public way, **or public greenway**, the building block length shall be the total length of a continuous building façade regardless of fire



separation, common walls, or property lines. Individual building blocks shall be separated by open space or community space areas of at least 15 feet in width.

- J. Amend Map 105A21B Building Height Standards as set forth in document titled "Proposed Zoning Map (10.5A21B) Amendment for 105 Bartlett Street and the North Mill Pond" revised 4-10-18.

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:

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Jack Blalock, Mayor

ADOPTED BY COUNCIL:

\_\_\_\_\_  
Kelli L. Barnaby, City Clerk

## **Article 5A Character-Based Zoning**

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- Section 10.5A10 General**
- Section 10.5A20 Regulating Plan**
- Section 10.5A30 Character District Use Standards**
- Section 10.5A40 Character District Development Standards**
- Section 10.5A50 Civic Districts**
- Section 10.5A60 Definitions**

### **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 districts and Civic districts as shown on the Regulating Plan.
- 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 other 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 all standards and requirements for the 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 in the Character districts and Civic districts.

## 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 and definitions in the following figures are an integral part of Article 5A:
  - Figure 10.5A41.10A – Development Standards: Character District 4– Limited (CD4-L1/CD4-L2)
  - Figure 10.5A41.10B – Development Standards: Character District 4– West End (CD4-W)
  - Figure 10.5A41.10C – Development Standards: Character District 4 (CD4)
  - Figure 10.5A41.10D – Development Standards: Character District 5 (CD5)
  - Figure 10.5A43.10 – Façade Types
  - Figure 10.5A43.60 – Building Types
  - Figure 10.5A45.10 – Community Spaces
- 10.5A16.20 The diagrams, photographs and illustrations contained in the above figures are provided only to provide reference to certain regulating elements and 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 districts and Civic districts. 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**

10.5A21.21 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.

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

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

#### **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) Specific façade type requirements apply to designated properties at the sidewalk level. Where a permitted building type conflicts with a required façade type, the façade type shall supersede.

- (b) For waterfront lots on Ceres Street, the maximum front lot line buildout shall be 50%, and buildings shall have a wood-sided appearance.
- (c) Specific use requirements apply to designated properties along the waterfront area (see Sections 10.5A34-35).

## 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 District Use Standards

- 10.5A31 Buildings, structures and land within a Character district shall comply with the use regulations set forth for the applicable district in Section 10.440, except as specified below:
- 10.5A32 A lot within the Downtown Overlay District shall comply with the requirements of Section 10.642 Ground Floor Uses.
- 10.5A33 In addition to the uses permitted in the underlying Character districts, lots in the Waterfront Use Overlay as shown on Map 10.5A21C shall also permit uses 9.60, 12.20, 12.22 and 12.40 as set forth in Section 10.440 (Table of Uses).
- 10.5A34 In addition to the uses permitted in Character District 4, waterfront lots on Ceres Street as shown on Map 10.5A21C shall also permit the uses permitted in the Waterfront Industrial district as set forth in Section 10.440.

## Section 10.5A40 Character District Development Standards

### 10.5A41 Development Standards

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

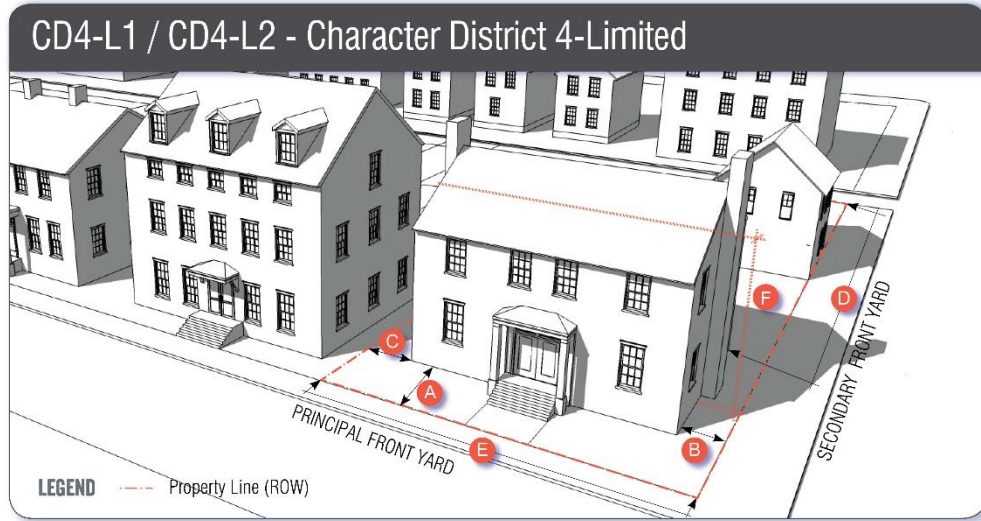
**FIGURE 10.5A41.10A DEVELOPMENT STANDARDS  
CHARACTER DISTRICT 4—LIMITED (CD4-L1/CD4-L2)**

These districts consist of medium density areas with a mix of medium to large 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 side yards, with variable private landscaping, and on-site accessory parking. Streets have sidewalks and street trees, and define medium to large blocks.





**FIGURE 10.5A41.10A DEVELOPMENT STANDARDS  
CHARACTER DISTRICT 4—LIMITED (CD4-L1/CD4-L2)**



**BUILDING PLACEMENT – PRINCIPAL BUILDING**

Maximum principal front yard	15 ft	A
Maximum secondary front yard	12 ft	B
Side yard	5 ft min. to 20 ft max.	C
Minimum 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.	

**BUILDING AND LOT OCCUPATION**

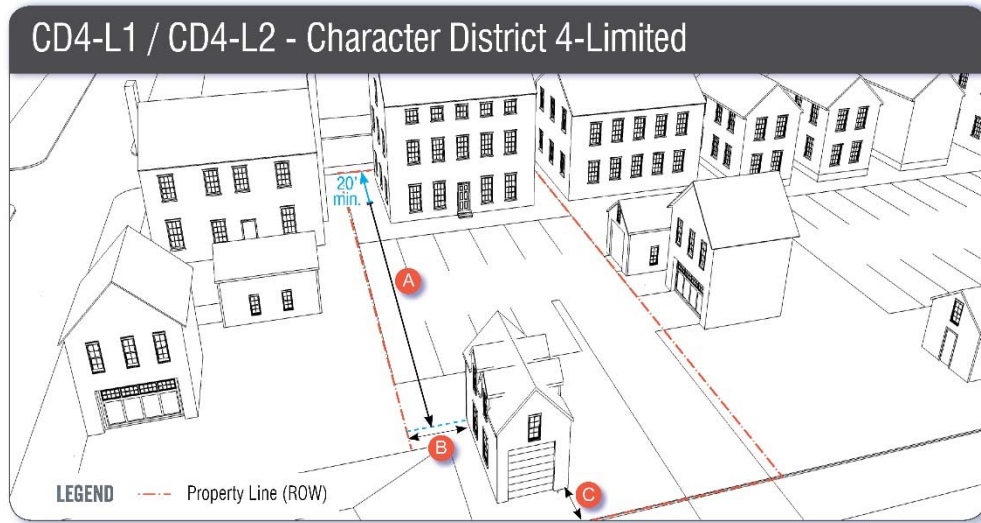
Maximum building block length	<del>80</del> <u>100</u> ft	E
Maximum façade modulation length	50 ft (see Section 10.5A43.20)	
Maximum entrance spacing	NR	
Maximum building coverage	60%	
Maximum building footprint	2,500 sf	
Minimum lot area	3,000 sf	

Minimum lot area per dwelling unit	3,000 sf
Minimum open space	25%
Maximum ground floor GFA per use	NR

**BUILDING FORM – PRINCIPAL BUILDING**

Building height	See Map 10.5A21.B & Section 10.5A43.30	F
Maximum finished floor surface of ground floor above sidewalk grade	36"	
Minimum ground story height	11 ft	
Façade glazing:		
Shopfront façade	70% min.	
Other façade types	20% min. to 40% max.	
Roof type	flat, gable, hip, gambrel, mansard	
Roof pitch, if any		
Gable	6:12 min. to 12:12 max	
Hip	3:12 min.	
Mansard/gambrel	6:12 min. to 30:12 max.	

**FIGURE 10.5A41.10A DEVELOPMENT STANDARDS  
CHARACTER DISTRICT 4—LIMITED (CD4-L1/CD4-L2)**



**BUILDING PLACEMENT – OUTBUILDING**

Minimum front yard	20 ft behind a façade of a principal building	A
Minimum side yard	3 ft	B
Minimum rear yard	3 ft	C

**BUILDING TYPES**

See Figure 10.5A43.60 for building type definitions

House	permitted*
Duplex	permitted*
Rowhouse	permitted*
Apartment building	permitted*
Live/work building	permitted**
Small commercial building	CD4-L1: not permitted CD4-L2: permitted
Large commercial building	not permitted
<u>Cottage</u>	<u>not permitted</u>
<u>Paired House</u>	<u>permitted*</u>
<u>Gateway Townhouse</u>	<u>not permitted</u>
<u>Mixed-Use Building</u>	<u>permitted**</u>
<u>Flex Space Building</u>	<u>permitted</u>
<u>Community Building</u>	<u>permitted</u>

\*Not permitted in the Downtown Overlay District  
 \*\*Residential uses are not permitted on the ground floor in the Downtown Overlay District

**BUILDING & LOT USE**

See Sections 10.5A30 and 10.440

**FAÇADE TYPES**

See Figure 10.5A43.10 for façade type definitions  
 Except where required façade types are indicated on Map 10.5A21C, the below standards apply:

Porch	permitted
Stoop	permitted*
Step	only permitted where indicated on Map 10.5A21C
Shopfront	CD4-L1: only permitted where indicated on Map 10.5A21C CD4-L2: permitted
Officefront	only permitted where indicated on Map 10.5A21C
Forecourt	permitted*
Recessed-entry	permitted
<u>Dooryard</u>	<u>permitted</u>
<u>Terrace</u>	<u>not permitted</u>
<u>Gallery</u>	<u>not permitted</u>
<u>Arcade</u>	<u>not permitted</u>

\*Not permitted in the Downtown Overlay District

**PARKING**

See Section 10.5A44.30

**COMMUNITY SPACE**

See Section 10.5A45

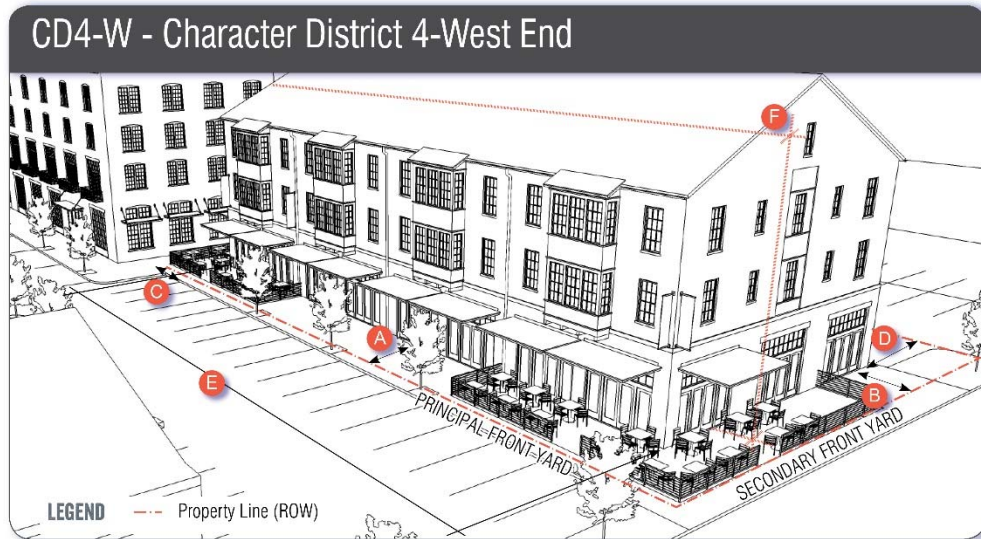


**FIGURE 10.5A41.10B DEVELOPMENT STANDARDS  
CHARACTER DISTRICT 4—WEST END (CD4-W)**

This district consists of a medium-to-high density 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 and on-site accessory parking. Streets have sidewalks and street trees or other pedestrian amenities, and define medium blocks.



**FIGURE 10.5A41.10B DEVELOPMENT STANDARDS  
CHARACTER DISTRICT 4—WEST END (CD4-W)**



**BUILDING PLACEMENT – PRINCIPAL BUILDING\***

Maximum principal front yard	10 ft	A
Maximum secondary front yard	15 ft	B
Side yard	NR	C
Minimum rear yard	Greater of 5 ft from rear lot line or 10 ft from center line of alley	D
Minimum front lot line buildout	50%	

\* Except for items listed under Section 10.5A42.12

**BUILDING AND LOT OCCUPATION**

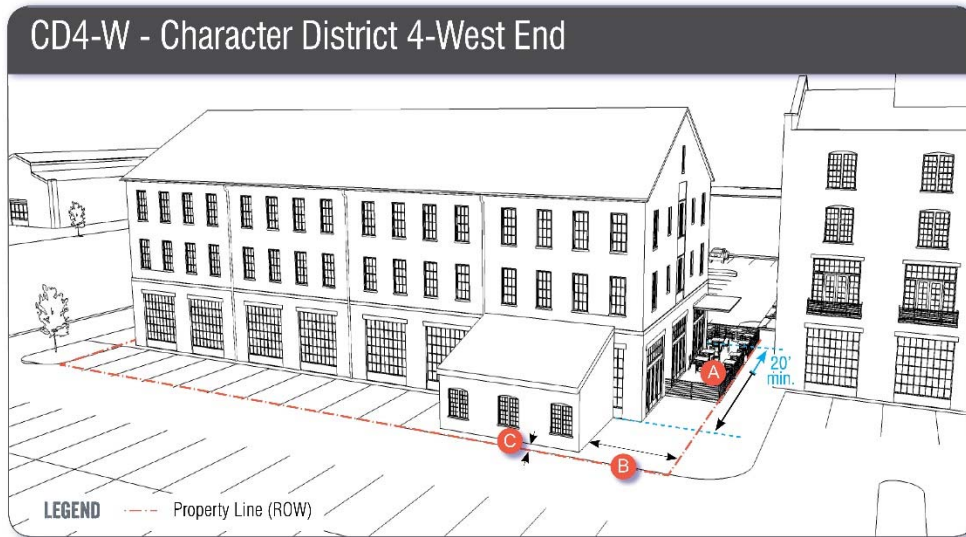
Maximum building block length	200 ft	E
Maximum façade modulation length	80 ft (see Section 10.5A43.20)	
Maximum entrance spacing	50 ft	
Maximum building coverage	60%	
Maximum building footprint	15,000 sf (or as allowed by Section 10.5A43.40)	

Minimum lot area	5,000 sf
Minimum lot area per dwelling unit	2,500 sf
Minimum open space	15%
Maximum ground floor GFA per use	15,000 sf

**BUILDING FORM – PRINCIPAL BUILDING**

Building height	See Map 10.5A21.B & Section 10.5A43.30	F
Maximum finished floor surface of ground floor above sidewalk grade	36"	
Minimum ground story height	12 ft	
Façade glazing:		
Shopfront façade	70% min.	
Other façade types	20% min. to 50% max.	
Roof type	flat, gable, hip, gambrel, mansard	
Roof pitch, if any		
Gable	6:12 min. to 12:12 max	
Hip	3:12 min.	
Mansard/gambrel	6:12 min. to 30:12 max.	

**FIGURE 10.5A41.10B DEVELOPMENT STANDARDS  
CHARACTER DISTRICT 4–WEST END (CD4-W)**



**BUILDING PLACEMENT – OUTBUILDING**

Minimum front yard	20 ft behind a façade of a principal building	A
Minimum side yard	0 ft	B
Minimum rear yard	3 ft	C

**BUILDING TYPES**

See Figure 10.5A43.60 for building type definitions

House	not permitted
Duplex	not permitted
Rowhouse	permitted
Apartment building	permitted
Live/work building	permitted*
Small commercial building	permitted
Large commercial building	permitted
<u>Cottage</u>	<u>not permitted</u>
<u>Paired House</u>	<u>not permitted</u>
<u>Gateway Townhouses</u>	<u>not permitted</u>
<u>Mixed-Use Building</u>	<u>permitted*</u>
<u>Flex Space Building</u>	<u>permitted</u>
<u>Community Building</u>	<u>permitted</u>

\*Residential uses are not permitted on the ground floor

**BUILDING & LOT USE**

See Sections 10.5A30 and 10.440

**FAÇADE TYPES**

See Figure 10.5A43.10 for façade type definitions  
Except where required façade types are indicated on Map 10.5A21C, the below standards apply:

Porch	not permitted
Stoop	permitted
Step	permitted
Shopfront	permitted
Officefront	permitted
Forecourt	not permitted
Recessed-entry	permitted
<u>Dooryard</u>	<u>permitted</u>
<u>Terrace</u>	<u>not permitted</u>
<u>Gallery</u>	<u>permitted</u>
<u>Arcade</u>	<u>permitted</u>

**PARKING**

See Section 10.5A44.30

**COMMUNITY SPACE**

See Section 10.5A45

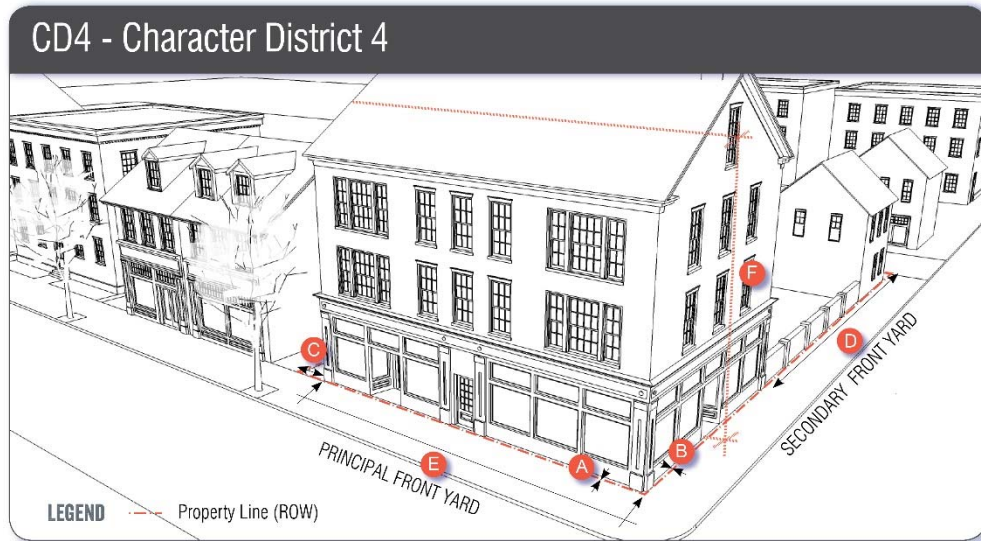


**FIGURE 10.5A41.10C DEVELOPMENT STANDARDS  
CHARACTER DISTRICT 4 (CD4)**

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 sidewalks and street trees or other pedestrian amenities, and define small to medium blocks.



**FIGURE 10.5A41.10C DEVELOPMENT STANDARDS  
CHARACTER DISTRICT 4 (CD4)**



**BUILDING PLACEMENT – PRINCIPAL BUILDING\***

Maximum principal front yard	10 ft	<b>A</b>
Maximum secondary front yard	15 ft	<b>B</b>
Side yard	NR	<b>C</b>
Minimum rear yard	Greater of 5 ft from rear lot line or 10 ft from center line of alley	<b>D</b>
Front lot line buildout		
On Ceres Street	50% max. (See Map 10.5A21C)	
Everywhere else	50% min.	

\* Except for items listed under Section 10.5A42.12

**BUILDING AND LOT OCCUPATION**

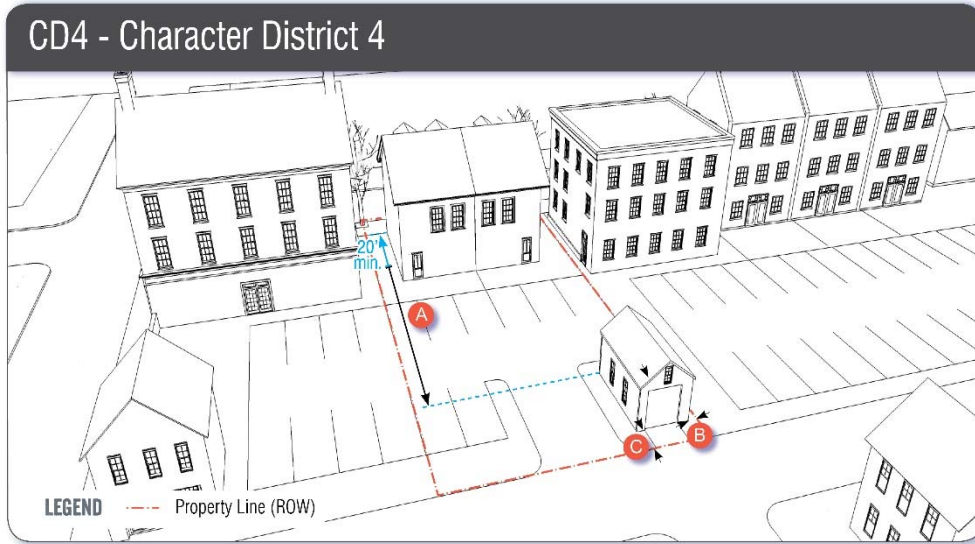
Maximum building block length	200 ft	<b>E</b>
Maximum façade modulation length	80 ft (see Section 10.5A43.20)	
Maximum entrance spacing	50 ft	
Maximum building coverage	90%	
Maximum building footprint	15,000 sf (or as allowed by Section 10.5A43.40)	

Minimum lot area	NR
Minimum lot area per dwelling unit	NR
Minimum open space	10%
Maximum ground floor GFA per use	15,000 sf

**BUILDING FORM – PRINCIPAL BUILDING**

Building height	See Map 10.5A21.B & Section 10.5A43.30	<b>F</b>
Maximum finished floor surface of ground floor above sidewalk grade	36"	
Minimum ground story height	12 ft	
Minimum second story height	10 ft	
Façade glazing:		
Shopfront façade	70% min.	
Other façade types	20% min. to 50% max.	
Roof type	flat, gable, hip, gambrel, mansard	
Roof pitch, if any		
Gable	6:12 min. to 12:12 max	
Hip	3:12 min.	
Mansard/gambrel	6:12 min. to 30:12 max.	

**FIGURE 10.5A41.10C DEVELOPMENT STANDARDS  
CHARACTER DISTRICT 4 (CD4)**



**BUILDING PLACEMENT – OUTBUILDING**

Minimum front yard	20 ft behind a façade of a principal building	A
Minimum side yard	0 ft	B
Minimum rear yard	3 ft	C

**BUILDING TYPES**

See Figure 10.5A43.60 for building type definitions		
House	not permitted	
Duplex	not permitted	
Rowhouse	permitted*	
Apartment building	permitted*	
Live/work building	permitted**	
Small commercial building	permitted	
Large commercial building	permitted	
<u>Cottage</u>	<u>not permitted</u>	
<u>Paired House</u>	<u>not permitted</u>	
<u>Gateway Townhouses</u>	<u>not permitted</u>	
<u>Mixed-Use Building</u>	<u>permitted**</u>	
<u>Flex Space Building</u>	<u>permitted</u>	
<u>Community Building</u>	<u>permitted</u>	

\*Not permitted in the Downtown Overlay District  
 \*\*Residential uses are not permitted on the ground floor in the Downtown Overlay District

**BUILDING & LOT USE**

See Sections 10.5A30 and 10.440
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**FAÇADE TYPES**

See Figure 10.5A43.10 for façade type definitions  
 Except where required façade types are indicated on Map 10.5A21C, the below standards apply:

Porch	not permitted
Stoop	permitted
Step	permitted
Shopfront	permitted
Officefront	permitted
Forecourt	not permitted
Recessed-entry	permitted
<u>Dooryard</u>	<u>permitted</u>
<u>Terrace</u>	<u>not permitted</u>
<u>Gallery</u>	<u>permitted</u>
<u>Arcade</u>	<u>permitted</u>

**PARKING**

See Section 10.5A44.30
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**COMMUNITY SPACE**

See Section 10.5A45
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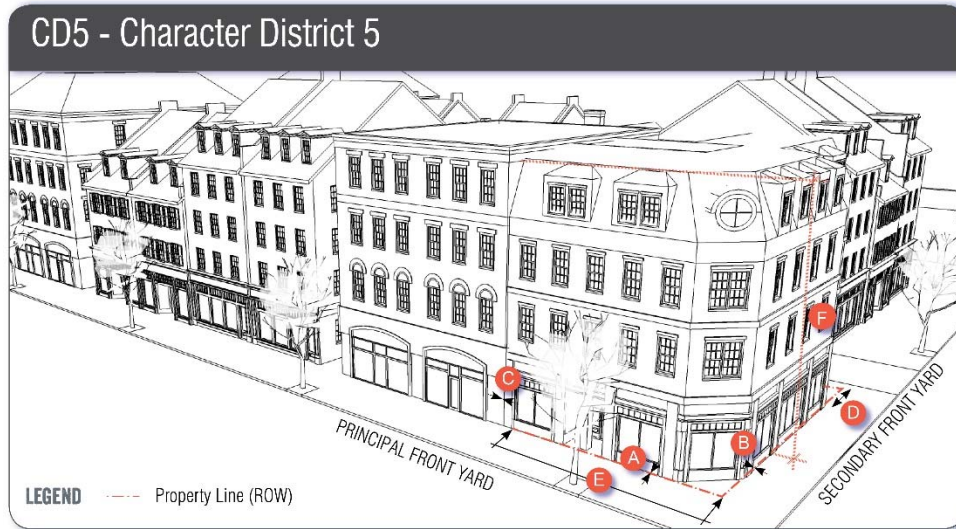
**FIGURE 10.5A41.10D DEVELOPMENT STANDARDS  
CHARACTER DISTRICT 5 (CD5)**

This district consists of a high density 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 and public parking facilities. Streets have sidewalks and trees or other pedestrian amenities, and define small to medium blocks.





**FIGURE 10.5A41.10D DEVELOPMENT STANDARDS  
CHARACTER DISTRICT 5 (CD5)**



**BUILDING PLACEMENT – PRINCIPAL BUILDING\***

Maximum principal front yard	5 ft	A
Maximum secondary front yard	5 ft	B
Side yard	NR	C
Minimum rear yard	Greater of 5 ft from rear lot line or 10 ft from center line of alley	D
Minimum front lot line buildout	80%	E

\* Except for items listed under Section 10.5A42.12

**BUILDING AND LOT OCCUPATION**

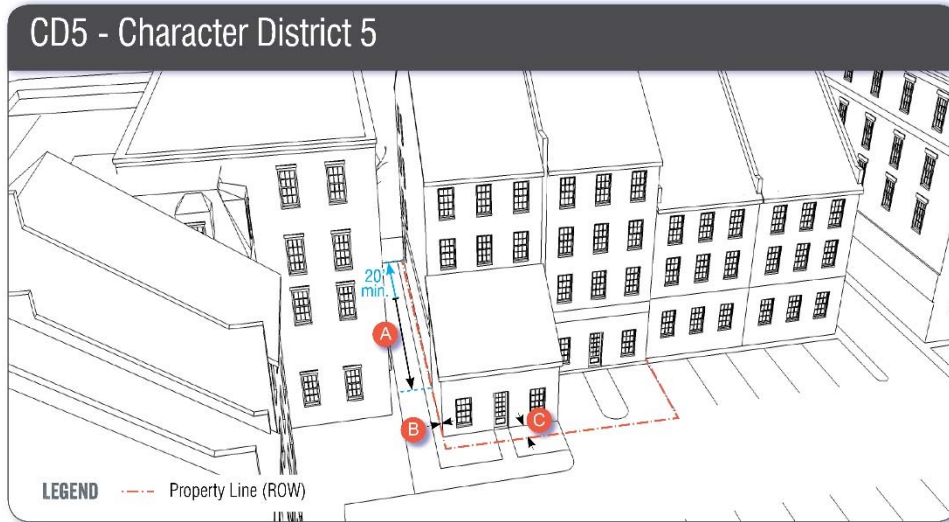
Maximum building block length	225 ft	E
Maximum façade modulation length	100 ft (see Section 10.5A43.20)	
Maximum entrance spacing	50 ft	
Maximum building coverage	95%	
Maximum building footprint	20,000 sf (or as allowed by Section 10.5A43.40)	

Minimum lot area	NR
Minimum lot area per dwelling unit	NR
Minimum open space	5%
Maximum ground floor GFA per use	15,000 sf

**BUILDING FORM – PRINCIPAL BUILDING**

Building height	See Map 10.5A21.B & Section 10.5A43.30	F
Maximum finished floor surface of ground floor above sidewalk grade	36"	
Minimum ground story height	12 ft	
Minimum second story height	10 ft	
Façade glazing:		
Shopfront façade	70% min.	
Other façade types	20% min. to 50% max.	
Roof type	flat, gable, hip, gambrel, mansard	
Roof pitch, if any		
Gable	6:12 min. to 12:12 max	
Hip	3:12 min.	
Mansard/gambrel	6:12 min. to 30:12 max.	

**FIGURE 10.5A41.10D DEVELOPMENT STANDARDS  
CHARACTER DISTRICT 5 (CD5)**



**BUILDING PLACEMENT – OUTBUILDING**

Minimum front yard	20 ft behind a façade of a principal building	<b>A</b>
Minimum side yard	0 ft	<b>B</b>
Minimum rear yard	3 ft	<b>C</b>

**BUILDING TYPES**

See Figure 10.5A43.60 for building type definitions

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
<u>Cottage</u>	<u>not permitted</u>
<u>Paired House</u>	<u>not permitted</u>
<u>Gateway Townhouses</u>	<u>not permitted</u>
<u>Mixed-Use Building</u>	<u>permitted*</u>
<u>Flex Space Building</u>	<u>permitted</u>
<u>Community Building</u>	<u>permitted</u>

\*Residential uses are not permitted on the ground floor in the Downtown Overlay District

**BUILDING & LOT USE**

See Sections 10.5A30 and 10.440

**FAÇADE TYPES**

See Figure 10.5A43.10 for façade type definitions  
Except where required façade types are indicated on Map 10.5A21C, the below standards apply:

Porch	not permitted
Stoop	permitted
Step	permitted
Shopfront	permitted
Officefront	permitted
Forecourt	not permitted
Recessed-entry	permitted
<u>Dooryard</u>	<u>not permitted</u>
<u>Terrace</u>	<u>not permitted</u>
<u>Gallery</u>	<u>permitted</u>
<u>Arcade</u>	<u>permitted</u>

**PARKING**

See Section 10.5A44.30

**COMMUNITY SPACE**

See Section 10.5A45

## 10.5A42 Building Placement

### 10.5A42.10 Yards

10.5A42.11 Yards shall be as required in Figures 10.5A41.10A-D (Development Standards).

10.5A42.12 Yards may be increased above the maximum permitted for truncated corners or other subtractive massing techniques, alleys, vehicular accessways, increased sidewalk width or community spaces.

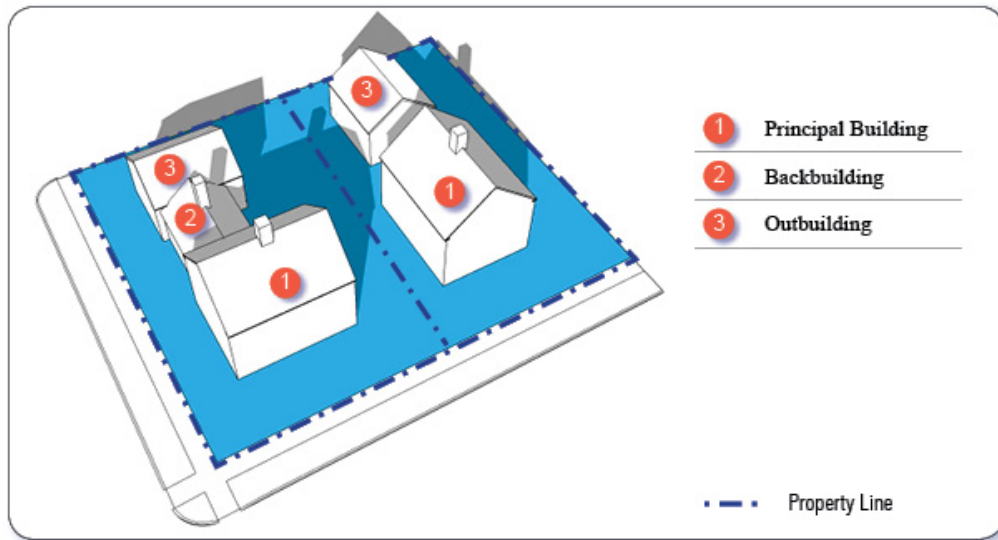
### 10.5A42.20 Façade Alignment

The façade facing the principal front yard shall be parallel to the front lot line. Where the front lot line is curved, the façade shall be parallel to a straight line connecting the points of intersection of the front lot line and the side lot lines.

### 10.5A42.30 Outbuildings and Backbuildings

A detached outbuilding, or an outbuilding attached to a principal building 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).

**FIGURE 10.5A42.10 PRINCIPAL BUILDING/BACKBUILDING/ OUTBUILDING**

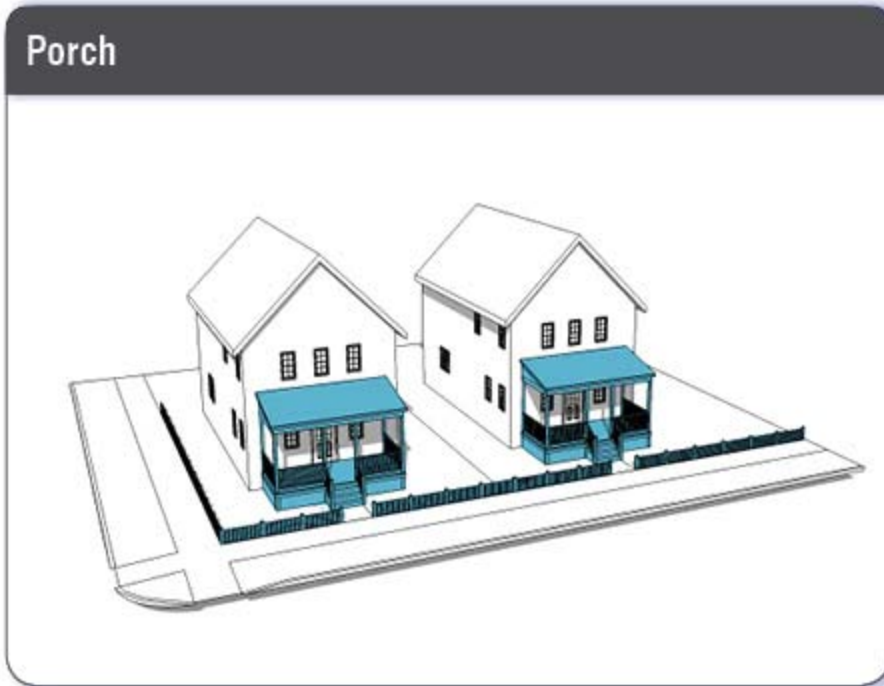


## 10.5A43 Building Form and Façades

### 10.5A43.10 Façade Types

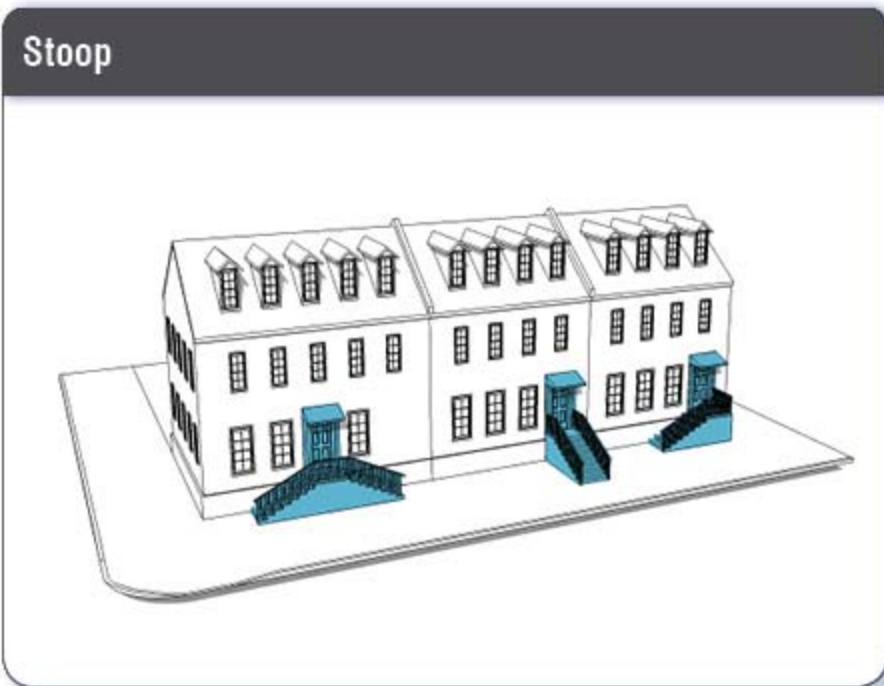
The façade facing the principal front yard shall conform to Figure 10.5A43.10 (Façade Types) and Figures 10.5A41.10A-D (Development Standards), and to any applicable façade type requirements indicated on the Regulating Plan. Permitted building form and façade types may be combined.

**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.

**Permitted districts:**  
CD4-L1, CD4-L2, G1, G2



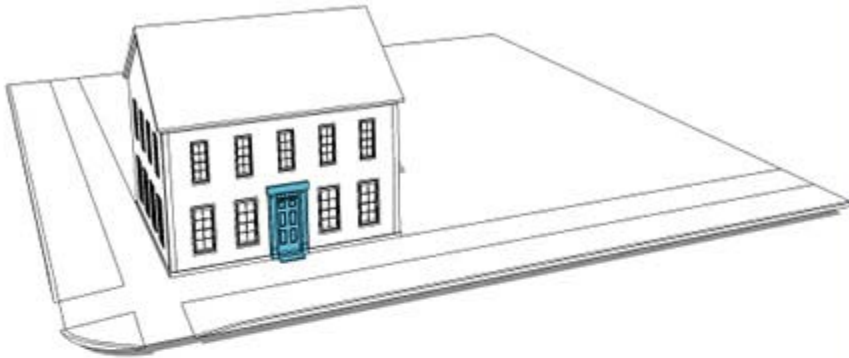
The façade is aligned close to the front lot line with the ground floor elevated from the sidewalk for privacy. The entrance has an exterior stair and landing.

This type is recommended for ground floor residential use.

**Permitted districts:**  
CD5, CD4, CD4-W, CD4-L1, CD4-L2, G1, G2

**FIGURE 10.5A43.10 FAÇADE TYPES (CONTINUED)**

**Step**



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 type is recommended for ground floor residential, office or retail use.

**Permitted districts:**

CD5, CD4, CD4-W, G1, G2  
Only permitted in CD4-L1 & CD4-L2 where indicated on Map 10.5A21C.

**Shopfront**



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.

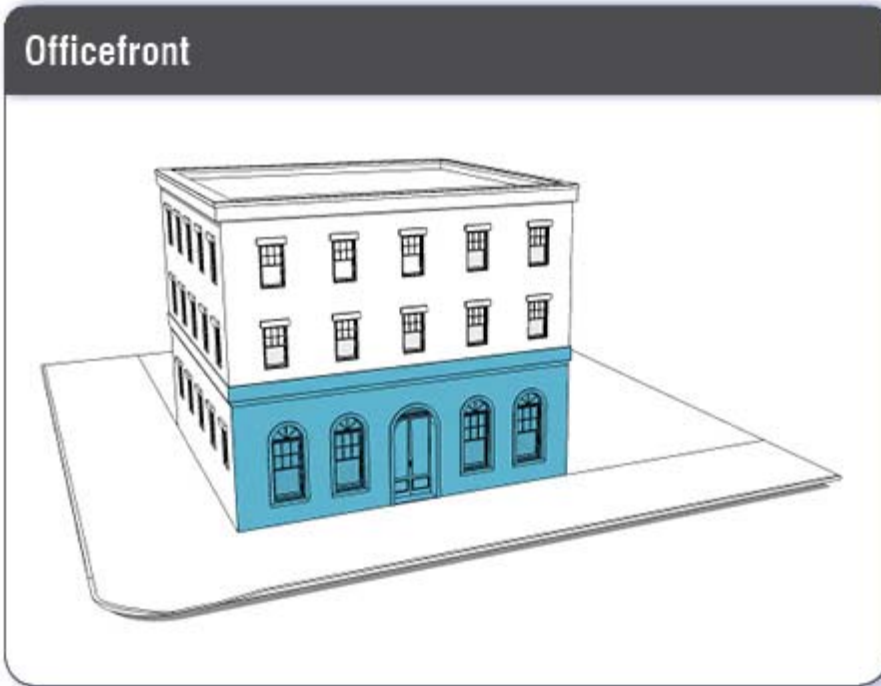
This type is conventional for retail, office or restaurant use.

**Permitted districts:**

CD5, CD4, CD4-W, CD4-L2, G1, G2  
Only permitted in CD4-L1 where indicated on Map 10.5A21C.



**FIGURE 10.5A43.10 FAÇADE TYPES (CONTINUED)**

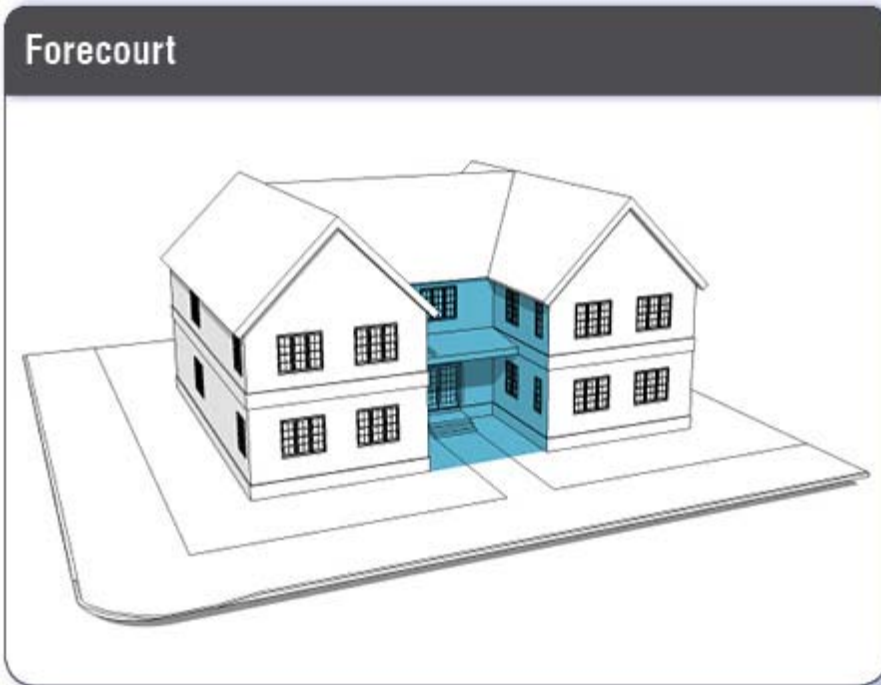


The façade is aligned close to the front lot line with the building entrance at or elevated above sidewalk grade. It may have substantial glazing on the sidewalk level.

This type is conventional for office use.

**Permitted districts:**

CD5, CD4, CD4-W, G1, G2  
Only permitted in CD4-L1 & CD4-L2 where indicated on Map 10.5A21C.

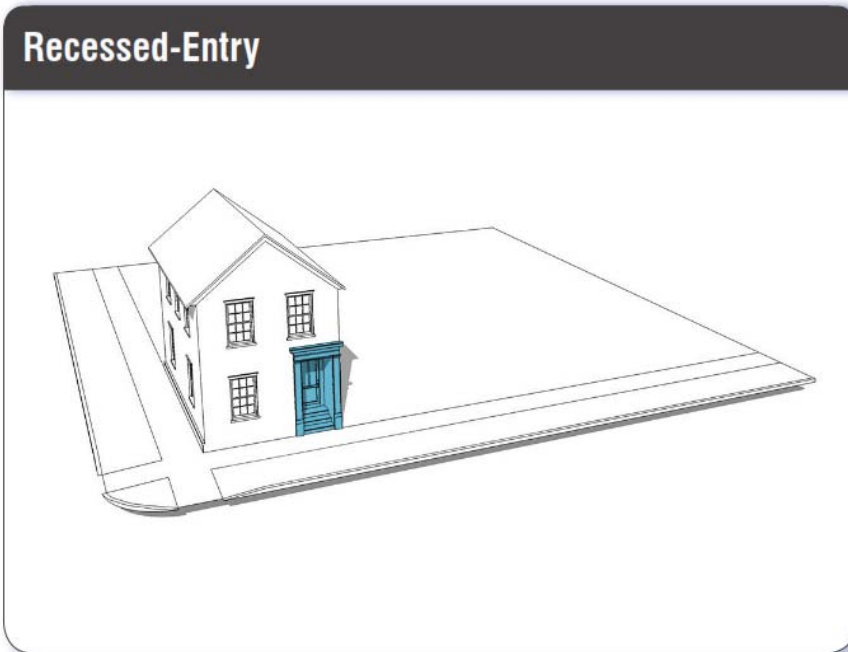


The two ends of the façade are close to the front lot line and the central portion is set back.

**Permitted districts:**

CD4-L1, CD4-L2, G1, G2  
This façade type is not permitted in the Downtown Overlay District.

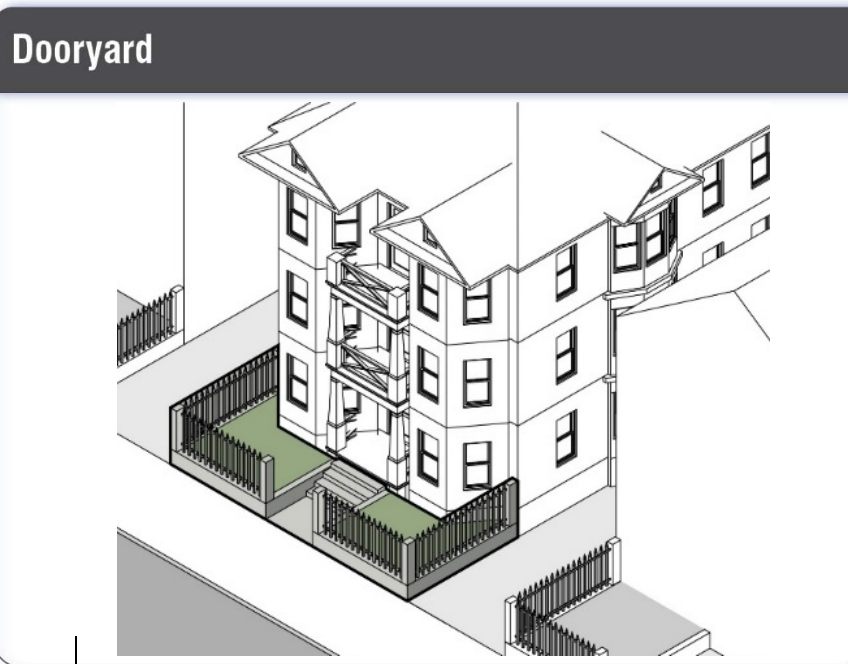
**FIGURE 10.5A43.10 FAÇADE TYPES (CONTINUED)**



The façade is aligned close to the front lot line and the primary building entrance is recessed within the façade.

This type is conventional for residential use.

**Permitted districts:**  
CD4-L1, CD4-L2, CD4,  
CD4-W, CD5, G1, G2



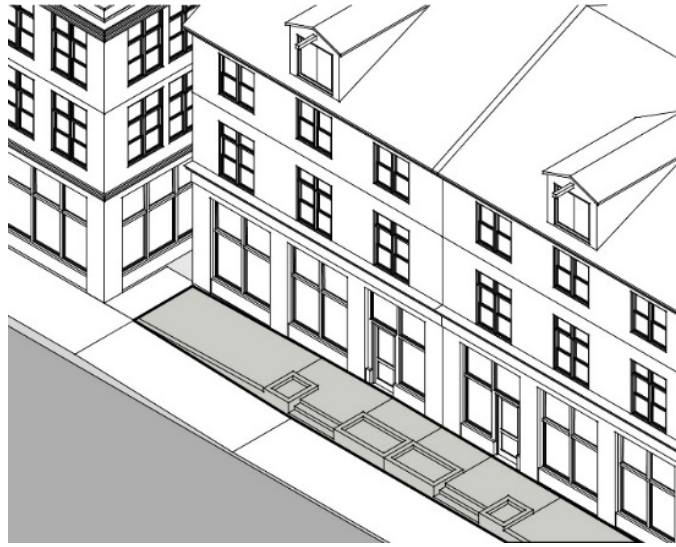
The building facade is aligned close to the street line, and the frontage is defined by a low wall, decorative fence or hedge providing a strong spatial definition from the public sidewalk. The result is a small semi-private yard containing the principal entrance. The yard may be slightly raised, sunken, or at-grade, and may be planted or landscaped. A paved walkway from the sidewalk to the front door is required. This type is commonly associated with ground floor residential use.

**Permitted districts:** G1, G2,  
CD4-L1, CD4-L2, CD4-W,  
CD4.

This façade type is not permitted in the Downtown Overlay District.

**FIGURE 10.5A43.10 FAÇADE TYPES (CONTINUED)**

**Terrace**



Building facade is at or near the street line with an elevated terrace that may encroach into the front yard or setback providing level or terraced public circulation along the façade. This type can be used to provide at-grade access while accommodating a grade change along a street line. Frequent steps up to the terrace are necessary to avoid dead walls and maximize access. This type is required to be used in conjunction with other facade types to define individual or shared entries facing the street.

**Permitted districts:** G1, G2, CD4-W

**Gallery**

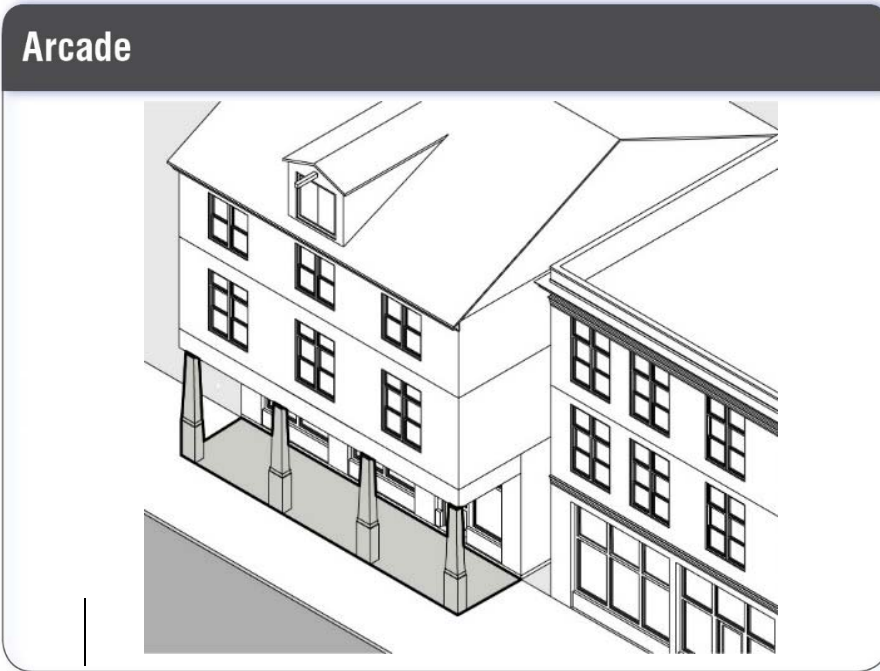


The building facade is set back from the street line with an attached one or two story cantilevered shed or a lightweight colonnade that is built to the street line. This type is intended for buildings with ground floor commercial, hospitality or retail uses. This facade type is required to be used in conjunction with other types to define individual or shared first floor entries facing the street.

**Permitted districts:** G1, G2, CD4-W



**FIGURE 10.5A43.10 FAÇADE TYPES (CONTINUED)**



Only the ground floor level of the building facade is set back from the street line. The building facade for the upper floors is at the street line and is supported by a colonnade with habitable space above. This façade type is intended for buildings with ground floor commercial, hospitality or retail uses. This type is required to be used in conjunction with other facade types to define individual or shared first floor entries facing the street.

**Permitted districts:** G1, G2, CD4-W, CD4, CD5

**10.5A43.20 Façade Modulation**

10.5A43.21 Except as listed in 10.5A43.22, a façade shall be modulated by major breaks in the façade plane and/or changes in exterior materials or rooflines. No individual section of a façade shall be longer than the maximum façade modulation length listed in Figures 10.5A41.10A-D (Development Standards).

10.5A43.22 In the Historic District, Façades that have a high degree of fenestration, traditional masonry detailing, and traditional window styling (including windows recessed in the openings and with multiple panes) shall be exempt from the façade modulation requirements listed in Figures 10.5A41.10A-D (Development Standards).

**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:

<b>Height Requirement Area</b>	<b>Minimum Height in Stories</b>	<b>Maximum Height in Stories</b>	<b>Maximum Height in Feet</b>
1 story	1	1	20
<u>1 story (short 2<sup>nd</sup>)</u>	<u>1</u>	<u>1</u>	<u>25</u>
2 stories	2	2	35
2 stories (short 3 <sup>rd</sup> )	2	2 + short 3 <sup>rd</sup>	35
2-3 stories	2	3	40
2-3 stories (short 4 <sup>th</sup> )	2	3 + short 4 <sup>th</sup>	45
2-4 stories	2	4	50
2-4 stories (short 5 <sup>th</sup> )	2	4 + short 5 <sup>th</sup>	60
2-5 stories	2	5	60

10.5A43.32 A roof appurtenance may exceed the maximum allowed building height as specified on Map 10.5A21B (Building Height Standards) by 10 feet, subject to the following:

- (a) All roof appurtenances and other features that exceed the allowed building height for the zoning district shall not exceed 33 percent of the total roof area of the structure and, except for elevators and stair towers, shall be set back at least 10 feet from any edge of the roof.
- (b) Solar energy panels shall not be subject to the 33 percent limitation provided that they are not visible from a point 20 feet above the edge of the street right-of-way on the opposite side of the street.
- (c) The area of roof appurtenances that comply with this section shall not be considered as part of the building’s gross floor area calculations.

10.5A43.33 A development that is not located in an incentive overlay district and that contains at least one acre of lot area shall be allowed an additional story

in height (up to 10 feet) if at least 20% of the property is assigned and improved as a community space. Such community space shall count toward the required open space listed in Figures 10.5A41.10A-D (Development Standards). The size, location and type of the community space shall be based on the size and location of the development, and the proposed and adjacent uses.

#### **10.5A43.40 Maximum Building Footprint**

10.5A43.41 No building or structure footprint shall exceed the applicable maximum building footprint listed in Figures 10.5A41.10A-D (Development Standards) except as provided in Sections 10.5A43.42-44 below.

10.5A43.42 In the CD5 district, a detached liner building may have a building footprint of up to 30,000 sq. ft. if it meets all other development standards and is integrated into a parking structure through the provision of community space or shared access.

10.5A43.43 For a building that contains ground floor parking, a parking garage or underground parking levels, and is not subject to Section 10.5A43.42, the Planning Board may grant a conditional use permit to allow a building footprint of up to 30,000 sq. ft. in the CD4 or CD4-W districts, and up to 40,000 sq. ft. in the CD5 district, if all of the following criteria are met:

- (a) No story above the ground floor parking shall be greater than 20,000 sq. ft. in the CD4 or CD4-W districts or 30,000 sq. ft. in the CD5 district.
- (b) All ground floor parking areas shall be separated from any public or private street by a liner building.
- (c) At least 50% of the gross floor area of the ground floor shall be dedicated to parking.
- (d) At least 30% of the property shall be assigned and improved as community space. Such community space shall count toward the required open space listed under Figures 10.5A41.10A-D (Development Standards) and community space required under Section 10.5A46.20. The size, location and type of the community space shall be determined by the Planning Board based on the size and location of the development, and the proposed and adjacent uses.
- (e) The development shall comply with all applicable standards of the ordinance and the City's land use regulations.

10.5A43.44 The building footprint of a parking structure shall be no greater than 40,000 sq. ft., and the façade length shall be no greater than 300 feet.

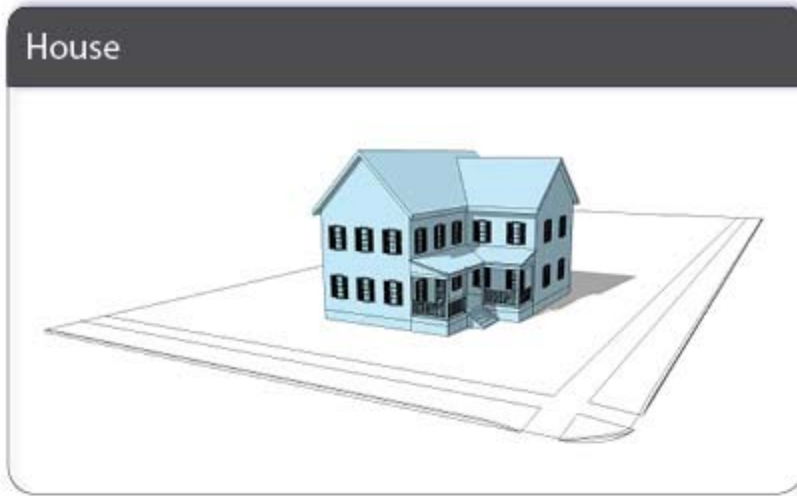
#### **10.5A43.50 Streetscreens**

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.

**10.5A43.60 Building Types**

Buildings in each Character district shall be of one or more of the building types specified for such Character district in Figure 10.5A43.60 (Building Types).

**FIGURE 10.5A43.60 BUILDING TYPES**

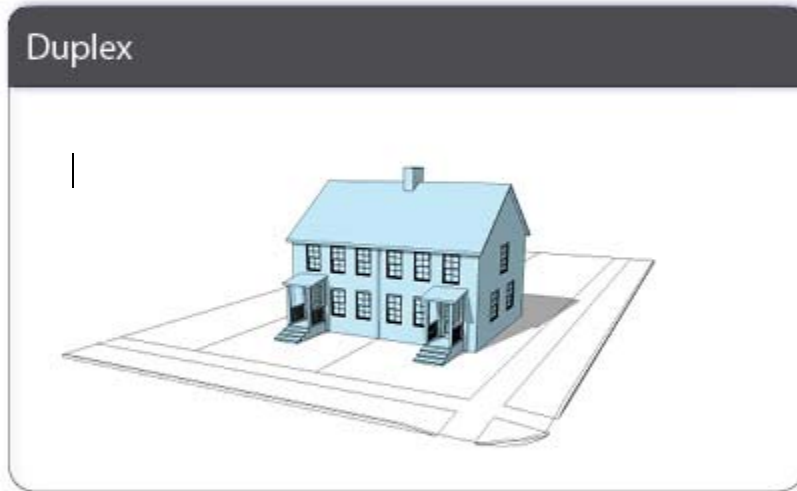


A residential building that has the appearance of a single-family dwelling, with yards on all sides.

**Permitted districts:**

CD4-L1, CD4-L2

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



A residential building with two vertically-separated units with separate entrances. The building may have yards/setbacks 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.

**Permitted districts:**

CD4-L1, CD4-L2

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



A building that may occupy 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 yard/setback along the front of the lot or development site.

**Permitted districts:**

CD4, CD4-W, CD4-L1, CD4-L2

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

**FIGURE 10.5A43.60 BUILDING TYPES (CONTINUED)**

**Apartment Building**



A building designed for residential use that has the appearance of a multifamily dwelling, with yards/setbacks on all sides.

**Permitted districts:**

CD4, CD4-W, CD4-L1, CD4-L2, G1, G2

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

**Live / Work Building**



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

**Permitted districts:**

CD5, CD4, CD4-W, CD4-L1, CD4-L2, G1, G2

Residential uses are not permitted on the ground floor in the Downtown Overlay District.

**Small Commercial Building**



A building designed for non-residential use with a shopfront or officefront façade type and minimal or no yard/setback along the front of the lot or development site~~front yard~~, and that is no more than 3 stories in height.

**FIGURE 10.5A43.60 BUILDING TYPES (CONTINUED)**

**Large Commercial Building**



A building with a shopfront or officefront façade type and minimal or no yard/setback along the front of the lot or development site~~front yard~~, and that is 4 or more stories in height.

**Permitted districts:**  
CD5, CD4, CD4-W, G1, G2

**Cottage**



A small detached single family dwelling with narrow massing.

**Permitted districts:** G1, G2

**Paired House**



A ~~residential~~ building designed for residential use~~type~~ with narrow massing and horizontally attached or semi-attached dwelling units generally perpendicular to the front of the lot or development site~~front lot line~~. These buildings contain up to 3 dwelling units and are often designed to resemble large farmhouses with attached carriage houses.

**Permitted districts:** G1, G2, CD4-L1, CD4-L2

This building type is not permitted in the Downtown Overlav District.



**FIGURE 10.5A43.60 BUILDING TYPES (CONTINUED)**

### Gateway Townhouse



These small footprint attached single family residential buildings have narrow massing and may be located on individual or common lots. Each unit is separated horizontally by a common wall and groups of buildings may be separated by a common driveway or community space.

**Permitted districts:** G1, G2

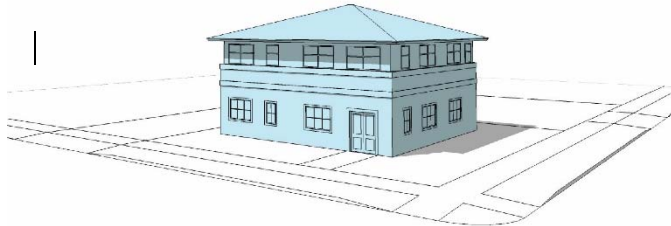
### Mixed Use Building



A variable footprint building type that typically accommodates a variety of ground floor commercial uses and upper residential and office uses at the scale that compliments the historic character of the neighborhood.

**Permitted districts:** G1, G2, CD4, CD4-W, CD5

### Flex Space / Fabrication Building

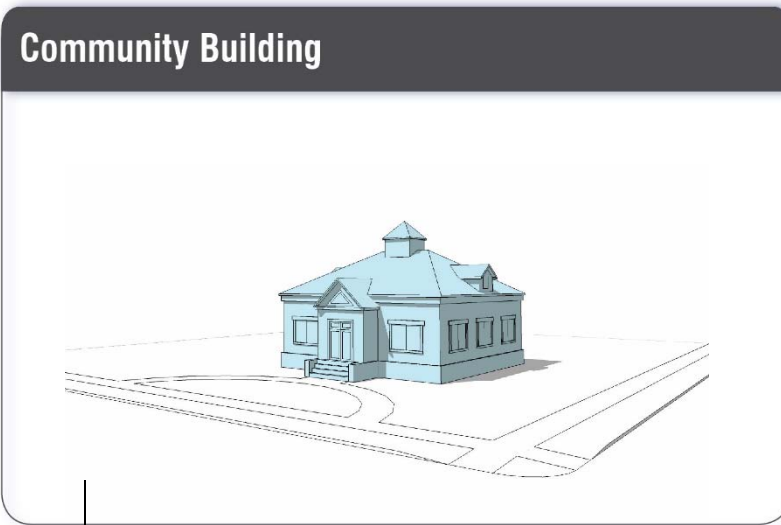


A building located and designed to accommodate a small footprint for fabrication and light industrial uses. Flex buildings are also used to provide affordable space to small and creative business enterprises.

**Permitted districts:** G1, G2, CD-4W



**FIGURE 10.5A43.60 BUILDING TYPES (CONTINUED)**



A building located and designed to accommodate public or civic uses such as a neighborhood center and similar public gathering facilities and spaces. Community Buildings may be privately owned and operated as an accessory building and amenity for a residential and mixed use developments.

**Permitted districts:** ~~G1~~,  
G2 All Districts

## 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 and Civic 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 and Civic 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 districts and Civic districts 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 districts and Civic districts 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.
- 10.5A44.23 Subject to approval by the Planning Board, any portion of the required off-street parking spaces may be dedicated to public use.

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

- 10.5A44.31 All off-street parking spaces shall be located at least 20 feet behind any façade of a principal building, except when in an underground parking level. This restriction shall not apply to off-street parking for a single-family or two-family dwelling.
- 10.5A44.32 Parking lots and loading areas shall be screened from the street by a building or streetscreen except for any driveway.
- 10.5A44.33 Driveways at the street and within a 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.
- 10.5A44.35 The above-ground portion of a parking structure or garage shall have a liner building at least the height of the ground floor along the entire width of any front yard except for driveways and pedestrian entrances.
- 10.5A44.36 A parking lot containing more than 75 parking spaces shall have least one internal pedestrian walkway at least 8 feet wide that is paved differently from the parking spaces with respect to texture, material, style, and/or color.

**10.5A44.40 Parking Lot Landscaping**

Parking lots that contain 10 or more spaces shall conform to the following:

10.5A44.41 Landscape islands:

- (a) Parking lots shall contain one landscaped island for every 10 parking spaces.
- (b) A parking lot with more than one landscaped island shall have such islands distributed throughout the parking lot.
- (c) Each landscaped island shall be a minimum of 325 square feet.

10.5A44.42 Trees:

- (a) Parking lots shall contain at least one tree for every 7 parking spaces.
- (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 paved surfaces by at least 3 feet.

10.5A44.43 All landscaping required pursuant to this Section 10.5A44.40 shall be located and designed in a manner to protect the vegetation from vehicular damage.

**10.5A44.50 Loading Docks, Storage and Service Areas**

Loading docks, storage and service areas shall not be permitted between the principal building and any front lot line.

**10.5A45 Community Spaces**

10.5A45.10 Figure 10.5A45.10 (Community Spaces) describes the types of community spaces that may be provided as part of a development in accordance with Sections 10.5A42, 10.5A43 or 10.5A46.10.

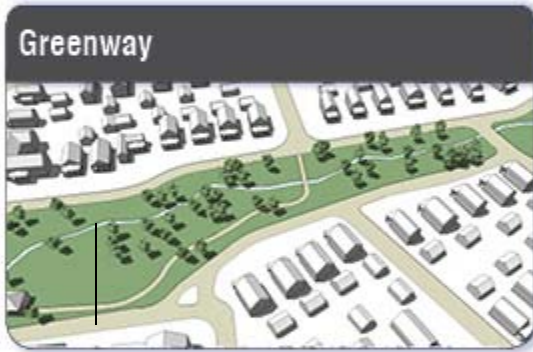
10.5A45.20 A community space that is provided on site and otherwise qualifies as open space shall count towards the open space requirement for the development.

**FIGURE 10.5A45.10 COMMUNITY SPACES**



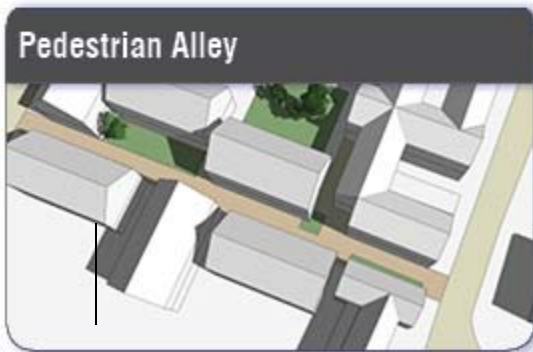
An area of natural, semi-natural, or planted space set aside for human enjoyment and recreation or for the protection of wildlife or natural habitats. A park may consist of grassy areas, trees and other natural or planted landscape features, and may also contain walking paths and trails, monuments, fountains, playground equipment, benches, picnic tables and similar amenities.

**Permitted Districts: All Districts**



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.

**Permitted Districts: All Districts**



A paved/brick pedestrian connector between buildings. Pedestrian alleys provide shortcuts through long blocks and connect community spaces and parking areas with streets. Pedestrian alleys may be covered by a roof and/or lined by shopfronts. The minimum width shall be 15 feet.

**Permitted Districts: All Districts**



A wide pedestrian sidewalk (a minimum of 10' in width unless otherwise defined by the Ordinance) located between the building façade and the public right of way. Wide pedestrian sidewalks provide space between the façade and the curblines for comfortable pedestrian movement, street trees and street furniture.

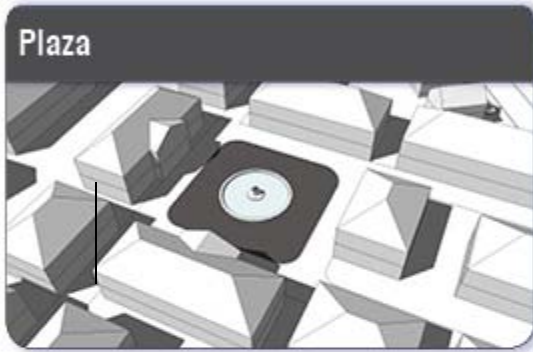
**Permitted Districts: All Districts**

**FIGURE 10.5A45.10 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, ground cover and trees, formally disposed. Squares shall be located at the intersection of important streets. The minimum size shall be 1/8 acre.

**Permitted Districts: All Districts**



A community space available for community purposes and commercial activities. A plaza should be spatially defined by buildings. Its landscape should 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.

**Permitted Districts: All Districts**



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. The minimum size shall be 500 sq. ft.

**Permitted Districts: All Districts**



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. The minimum size shall be 500 sq. ft.

**Permitted Districts: All Districts**



**FIGURE 10.5A45.10 COMMUNITY SPACES (CONTINUED)**

**Recreation Field or Court**



A publicly accessible open space designed and equipped for active recreation and organized sports. Playing fields and courts may include grass, artificial turf, clay, dirt, stone dust, concrete, asphalt, ice or other pervious or impervious materials to support various sporting events.

**Permitted districts:** ~~G1~~, ~~G2~~ All Districts

**Common or Green**



A space for active and passive recreation and gathering purposes. A common or green is a free-standing site with thoroughfares on all sides and landscape consisting of naturally disposed lawns, paths, and trees.

**Permitted districts:** ~~G1~~, ~~G2~~ All Districts

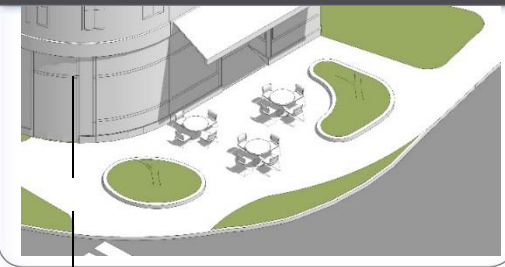
**Community Garden or Farm**



A space designed as individual garden plots available to residents for urban agriculture purposes, including storage facilities for necessary equipment. Community gardens may be freestanding or incorporated as a subordinate feature of a community park, neighborhood park, or pocket park.

**Permitted districts:** ~~G1~~, ~~G2~~ All Districts

**Outdoor Dining Cafe**

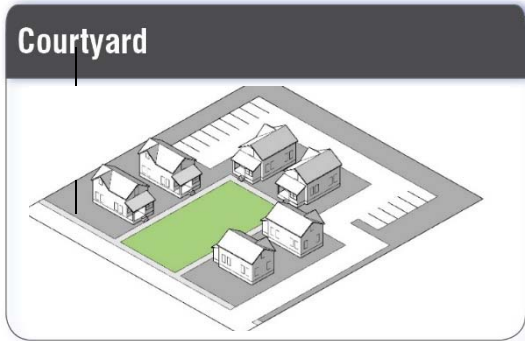


Outdoor dining cafes are permitted as an ancillary activity of any restaurant, pub, or other food and drink establishment. The operator of the outdoor dining cafe may be granted permission from the City for locations on the public sidewalk. The area must provide deeded public access to qualify as Community Space in the Character Districts.

**Permitted districts:** G1, G2, CD4-L2, CD4, CD4-W, CD-5.



**FIGURE 10.5A45.10 COMMUNITY SPACES (CONTINUED)**



A courtyard or court is an enclosed and landscaped park area, often surrounded by a building or complex that is open to the sky.

**Permitted districts:** ~~G1, G2~~ All Districts

## 10.5A46 Incentive Overlay Districts

The Incentive Overlay Districts are designated on Map 10.5A21B. In such areas, certain specified development standards may be modified as set forth in Section 10.5A46.10 below, if the development provides community space or workforce housing in accordance with Section 10.5A46.20, as applicable:

### 10.5A46.10 Incentives to Development Standards

DEVELOPMENT STANDARDS	INCENTIVES	
	North End Incentive Overlay District	West End Incentive Overlay District
Maximum building coverage	No Change	80%
Maximum building footprint	30,000 sf	30,000 sf <sup>1</sup>
Minimum lot area	No Change	2,000 sf
Minimum lot area per dwelling unit	No Change	No minimum
Maximum building height	Plus 1 story up to 10 ft <sup>+2</sup>	Plus 1 story up to 10 ft <sup>2,3+2</sup>
<u>Minimum ground story height</u>	<u>No Change</u>	<u>9 feet</u>
<u>Ground story parking</u>	<u>Permitted with a liner building<sup>4</sup></u>	<u>Permitted with a liner building<sup>4</sup></u>
Minimum off-street parking	<del>Residential: 1 space per dwelling unit 0.5 space per micro-unit</del>	<del>Residential: 1 space per dwelling unit 0.5 space per micro-unit</del> Non-residential: 25% reduction from underlying standard

<sup>1</sup> Except for CD4-L2 where the maximum building footprint shall be 3,500 SF. In the CD4-W a single story, recessed connector building that is no taller than 12' in height and 30' in length may connect two 30,000 SF building footprints if the connector is used exclusively for pedestrian and/or vehicular access to the buildings.

<sup>+2</sup> In order to receive the building height incentive, the sidewalk width in front of any façade shall be at least 10 feet plus two feet for each story of building height above three stories. Any property area needed to comply with this requirement shall count as

open space as listed in Figures 10.5A41.10A-D (Development Standards) as community space; even if less than 15 feet in width.

<sup>32</sup> For parcels over 80,000 sq. ft. in area that are located south of Islington Street, up to two stories or 20 feet may be added to the maximum building height provided both requirements listed under Section 10.5A46.22 (1) and (2) are met.

<sup>4</sup> If ground floor parking is proposed, at least 50% of the ground story facing the street shall include a liner building designed as a shopfront for commercial space.

### **10.5A46.20 Requirements to Receive Incentives to the Development Standards**

10.5A46.21 For a lot located adjacent to, or within 100 feet of, North Mill Pond, Hodgson Brook or the Piscataqua River, the development shall ~~include~~ provide community space ~~consisting of equal to 20% of the lot area that includes~~ a continuous public greenway at least 20 feet in width with a multi-use path and that is parallel and located within 50 feet of the waterfront ~~for the entire length of the rear or side lot line.~~ There shall be no buildings between the waterfront and the greenway unless otherwise approved by the Planning Board. The greenway shall include legal and physical access to abutting lots or public ways. When access is not available due to current conditions on an abutting lot, provisions shall be made for future access in a location determined by the Planning Board.

10.5A46.22 For a lot that is more than 100 feet from North Mill Pond, Hodgson Brook or the Piscataqua River, the development shall include either a community space or workforce housing as specified below:

- (1) Community space option – All of the following criteria shall be met:
  - (a) The community space shall be a community space type that is permitted 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 15 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 include trees and other landscaping to provide shade and reduce noise, and pedestrian amenities such as overlooks, benches, lighting and other street furniture.
  - (e) The community space shall be located on or adjacent to the same lot as the development, except as provided in (f) below.
  - (f) The Planning Board may grant a conditional use permit to allow a proposed community space to be located on a different lot than the development if it finds that all of the following criteria will be met:
    - (i) An appropriate community space cannot feasibly be provided on the same lot as the development.

- (ii) The proposed community space is within the same Incentive Overlay District as the development.
  - (iii) The proposed community space is suited to the scale, density, uses and character of the surrounding properties.
- (2) Workforce housing option – One or more of the following criteria shall be met:
- (a) At least 30% of the dwelling units within a building, but no less than three 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). Such units shall be at least the average gross floor area of the proposed units in the building or 1,000 sq. ft., whichever is greater. The workforce housing units shall be distributed throughout the building wherever dwelling units are located;
  - (b) At least 10% of the dwelling units within a building, or at least two 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). Such units shall be at least the average gross floor area of the proposed units in the building or 800 sq. ft., whichever is greater. The workforce housing units shall be distributed throughout the building wherever dwelling units are located.

10.5A46.23 When a proposed development in an Incentive Overlay District includes community space in excess of the amount required to support a proposed incentive under Section 10.5A43.43 or Sections 10.5A46.10 through 10.5A46.22, the Planning Board may grant a conditional use permit to allow the excess community space to be credited to the developer or its assigns for use in another development in the same Incentive Overlay District.

- (1) The conditional use permit shall specify the total amount of community space provided, the portion of such community space to be credited toward incentives in the proposed development, and the amount of excess community space that may be credited toward a future project in accordance with the standards set forth in Section 10.5A43.43 or Sections 10.5A46.10 through 10.5A46.22.
- (2) The conditional use permit may allow for conveyance to the City of unimproved land in lieu of community space that conforms to the types shown in Figure 10.5A45.10, subject to the following:
  - (a) The application for a conditional use permit to credit unimproved land in lieu of community space shall include a complete site plan and design for the proposed community space.
  - (b) In order for a future development to receive incentive credit for the excess unimproved land, the future developer will be

required to improve the land to be a conforming community space as determined by the Planning Board at the time of site plan approval, except as provided in (c) below.

(c) At any time after receiving title to such unimproved land, the City may, at its option, improve such land to be a conforming community space. If the City exercises this option, in order for a future development to receive the incentive credit, the future developer shall pay to the City an amount representing the cost to the City of carrying out the improvements that were required to improve the land to be a conforming community space.

- (3) The terms of the conditional use permit shall be documented in a Prospective Development Incentive Agreement (PDIA) to be entered into between the developer and the Planning Department. The maximum term of a PDIA shall not exceed fifteen (15) years, following which the rights to any unused incentive shall become null and void.
- (4) The only effect of a conditional use permit and PDIA under this section shall be to increase the allowable building footprint or building height, or to reduce the required off-street parking, in accordance with Section 10.5A43.43 or Sections 10.5A46.10 through 10.5A46.22.
- (5) The granting of a conditional use permit and the execution of a PDIA under this Section 10.5A46.23 shall not be deemed to supersede or waive any of the other provisions of this Article 5A or other applicable provisions of this Ordinance, nor shall such approval be considered to represent the granting of land use approval for any future development.
- (6) Future use of the excess community space to support a future project shall require the granting of a conditional use permit by the Planning Board, whether or not the community space is on the same parcel as the future project.

## Section 10.5A50 Civic Districts

### **10.5A51 Purpose**

10.5A51.10 Civic districts are designated to preserve existing buildings and uses which are open to the general public and owned and operated by a not-for-profit organization or entity other than the City of Portsmouth.

### **10.5A52 Standards**

10.5A52.10 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.

10.5A52.20 Structures may be converted to other civic uses permitted under 10.5A52.10.

- 10.5A52.30 When specified in the Site Plan Review Regulations, Site Plan approval is required for changes made to existing structures or the lot.
- 10.5A52.40 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.
- 10.5A52.50 Structures in the Civic district that are proposed for and/or converted to non-civic uses permitted under 10.5A30 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 and Article 5B that are not otherwise defined in Article 5A, Article 5B, or 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, service streets/rear alleys and rear lanes, circumscribed by streets, paths or pedestrian alleys.

### Building Stepback

The step-like recession in the profile of a building from the street right-of-way line to control the enclosure of the street and allow light to reach the public realm. Where height limitation requires, buildings must be setback or stepped back from the street right-of-way line a specified distance for every added height interval.

### Community space

As applicable to Article 5B, an area that is privately-owned and oriented and accessible to the public, or as applicable to Article 5A, an area dedicated for public use with permanent deeded access to the City of Portsmouth. Such areas must conform to the types shown in Figure 10.5A45.10.

### Development Site

Any lot or group of contiguous lots owned or controlled by the same person or entity, assembled for the purpose of a single development.

### Development Site Area

The cumulative area of all contiguous lots that the site is composed of. Site area does not include existing or proposed right-of-way, whether dedicated or not dedicated to public use.

### Entrance spacing

The distance between any two publicly accessible pedestrian entrances to a building along a façade.



Façade

The side of a building facing a front yard.

Façade glazing

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

Front lot line buildout

The portion of the width of the required front yard or front building setback that is occupied by a building.

Liner building

A building that is at least 20 feet deep measured from the façade and is specifically designed with a least 50% of the ground story along the façade as commercial space in order to mask a parking lot or a parking structure from the street. A liner building may be separated from a parking structure by community space if directly integrated with subsurface parking or vehicular access to a parking structure.

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).

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.

Public Realm

Includes exterior open spaces and linkages that are physically and/or visually accessible to the general public, during all business hours, or the majority of the day for residential buildings, regardless of ownership.

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 or fence built on the same plane as a façade to mask a parking lot, structure or use from the street, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm.

Building

Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals or chattel. Each portion of a building separated either horizontally or vertically from other portions by a fire wall shall be considered as a separate structure. (See also: structure.)

Building block length

Measured along a street ~~or~~, public way, or public greenway, the building block length shall be the total length of a continuous building façade regardless of fire separation, common walls, or property lines. Individual building blocks shall be separated by open space or community space areas of at least 15 feet in width.

Building Code

The International Building Code and/or the International Residential Code, as applicable to the particular structure type.

International Building Code (IBC)

The International Building Code, published by the International Code Council, Inc., as adopted with amendments, additions and deletions as Chapter 12, Part I, of the Ordinances of the City of Portsmouth, and as amended from time to time by the City.

International Residential Code (IRC)

The International Residential Code, published by the International Code Council, Inc., as adopted with amendments, additions and deletions as Chapter 12, Part II, of the Ordinances of the City of Portsmouth, and as amended from time to time by the City.

Building coverage

The aggregate horizontal area or percentage (depending on context) of a lot or development site covered by all buildings and structures on the lot, excluding

- (a) gutters, cornices and eaves projecting not more than 30 inches from a vertical wall, and
- (b) structures less than 18 inches above ground level (such as decks and patios);
- (c) balconies, bay windows or awnings projecting not more than 2 feet from a vertical wall, not exceeding 4 feet in width, and cumulatively not exceeding 50% of the width of the building face;
- (d) fences; and
- (e) mechanical system (i.e. HVAC, power generator, etc.) that is less than 36 inches above the ground level with a mounting pad not exceeding 10 square feet.

Building footprint

The total area at or above 18 inches in elevation as measured from the outside walls at the grade plane of a detached building, or of two or more buildings separated only by fire walls, common walls or property lines.

# PROPOSED ZONING MAP (10.5A21B) AMENDMENT FOR 105 BARTLETT STREET AND THE NORTH MILL POND

