

**ORDERED:**

**AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED ZONING ORDINANCE OF THE CITY OF NEWBURYPORT**

Be it ordained by the City Council of the City of Newburyport as follows:

***Zoning Ordinance Amendment:***

**THAT** the Zoning Ordinance be amended pursuant to Section XII-B “Adoption and Amendment” as follows:

**Section IX: Nonconforming Uses, Structures and Lots**

Section IX-B: Extension or alteration

Under item 3.B. “Intensifying nonconformities” insert after the words “lot coverage,” and before the word “height” the words “floor area ratio,”.

**Section XXI: Plum Island Overlay District**

Section XXI-F: Nonconforming uses and structures, excluding single and two-family structures.

Add a new paragraph as follows:

5. The enlargement or extension to lot coverage, floor area ratio, height, open space or front, side and rear yard requirements may be allowed upon the grant of a special permit by the board of appeals, and shall not require a variance, notwithstanding that such enlargement or extension may increase existing nonconformities.

Section XXI-G: Nonconforming single and two-family residential structures

Redesignate the existing paragraph 4 as “4.a.” and add a new paragraph numbered “4.b.” as follows:

- 4.b. The alteration, reconstruction, extension of, or change to lot coverage, floor area ratio, height, open space or front, side and rear yard requirements may be allowed upon the grant of a special permit by the board of appeals, and shall not require a variance, notwithstanding that such alteration, reconstruction, or extension may increase existing nonconformities.

Councillor Allison Heartquist