

SECTION 5.4. HEIGHTS OF BUILDINGS OR STRUCTURES

No building or structure, except one for religious or non-residential municipal purposes, or excepting further, a building or structure in Limited Apartment Districts authorized by Section 2.6.3., shall be constructed, enlarged or altered so as to exceed a Height measured from the average original grade or finished grade, whichever is lower, of the land surrounding the exterior walls to the highest roofline, of forty-five (45) feet or three stories; however, building Height shall be measured from the average finished grade of the land surrounding the exterior walls to the highest roofline for projects being developed under a Special Permit for a Project of Significant Impact issued prior to March 1, 2010. Parapets, chimneys, flag poles, solar collectors or necessary projections shall not be included in the measurement of Height.

Provided, however, that One-Unit Dwelling, Two-Unit Dwelling, or Town House buildings and additions thereto erected pursuant to a building permit issued on or after November 5, 1996 and buildings or additions thereto constructed in the Lower Falls Village Commercial District shall not exceed 36 feet in Height as defined and restricted in this Section.

Provided further, however, that the Height of residential buildings constructed under the provisions of the Residential Incentive Overlay District shall be governed by the Height restrictions contained in Section 3.2.

This Section shall not apply to the replacement, without substantial change or addition thereto, of buildings in existence on May 1, 1949 which are thereafter destroyed or demolished.

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