



City of Portsmouth
Planning Department
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Memorandum

To: Planning Board
From: Beverly Mesa-Zendt, Planning Director
Stefanie L. Casella, Planner
Date: April 29, 2022
Re: Zoning Ordinance Amendment Work Session – May 5, 2022

I. REVIEW AND DISCUSS THE LAND USE COMMITTEE EXISTING CONDITIONS AND STRATEGY REPORT.

Background

On February 7, 2022, the City Council established the Land Use Committee to look at diversifying land use regulations within the City. The purpose of the Committee is to review all current zoning and policies surrounding housing and development to encourage sustainable, diverse, and affordable development including expanded multi model transportation. The Land Use Committee is charged with reporting back to the City Council on recommended alterations to the zoning and existing policies along with any new zoning or policies to be considered important to furthering the City's Goals. Members include:

- City Councilor/Chair Beth Moreau,
- City Councilor Rich Blalock,
- Rick Chellman, Planning Board Chair
- Corey Clark, Planning Board Vice Chair
- Beverly M. Zendt, Planning Director
- Nick Cracknell, Principal Planner
- Craig Welch, Executive Director, Portsmouth Housing Authority
- Economic Development Commissioner, Sarah LaChance

As part of the first package of amendments, the Land Use Committee has focused on advancing the citywide housing goals identified by City Council in their 2022-2023 Goals. These objectives were refined on February 27, 2022 and include:

1. Increase diversity of housing types and price points;
2. Remove regulatory barriers for housing diversification in neighborhoods (ADUS) – context sensitive design and consideration to impacts to traffic, on street parking and other infrastructure impacts;
3. Restructure incentives to deliver greater public benefit in workforce housing construction; and
4. Identify and maximize partnerships, coalitions, and funding opportunities to deliver affordable housing.

Existing Conditions and Strategy Report

The Existing Conditions and Strategy Report (**Attachment A**) will be used to inform regulatory amendments that will be developed and recommended for adoption by Land Use Committee and

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the Planning Board, consistent with the City Council adopted goals of diversifying and enhancing the supply of housing choices in Portsmouth. The report includes the following:

- Summary of adopted Master Plan goals and City Council adopted policies related to housing;
- State requirements for workforce housing;
- Data regarding city approvals over the past seven years related to housing;
- Summary of existing housing types; and
- Summary of city cost burden for renters and owners.

II. REVIEW AND DISCUSS AMENDMENTS TO THE ZONING ORDINANCE.

Regulatory Amendment Work Plan

On April 8, 2022, the Land Use Committee approved transmittal of the draft 2021 Regulatory Amendment Work Plan to City Council (**Attachment B**). The work plan consists of three phases:

1. Phase 1: Code Clean-Up
Purpose: Improve regulatory implementation and align with legislative intent. Eliminate ambiguous sections that result in unintended consequences.
2. Phase 2: Accessory Dwelling Unit Amendments
Purpose: Remove barriers and expand the number of eligible properties for ADUs and Senior Housing Facilities.
3. Phase 3: Incentive Amendments
Purpose: Adjust incentives to place a higher emphasis on Workforce Housing.

The work plan includes evaluation of proposed amendments for alignment with existing Master Plan goals, City Council adopted goals (2022-2023) and City Council adopted policies (Housing Policy). The work plan further identifies stakeholders and focus group members to be included in public outreach. Both Phase 2 and Phase 3 will include a public input summary which will identify key themes and concerns articulated and captured as part of the public involvement plan. Public involvement strategies will target those most impacted by regulatory changes and subject matter experts.

Land Use Committee Recommendation and Council Action April 18, 2022

On April 13, the Land Use Committee transmitted the 2022 Regulatory Work Plan and the Phase 1 amendments to City Council for approval. At their April 18, 2022 regular meeting, the City Council approved the 2022 regulatory work plan and to send Phase One draft regulation amendments to the Planning Board for review and recommendation back to City Council at which point the first reading will be scheduled.

Phase 1 Amendments include the following:

1. **Building Height Map.** Section 10.5A21B: Add new streets, add building heights for civic and municipal properties and modify building heights. Correct the reference to 10.5A46.
2. **Building Height Standards.** Section 10.5A21B: Clarify the standards for corner, through or waterfront lots
3. **Civic Districts.** Section 10.5A52.40: Apply the CD4 development standards to civic properties
4. **Definitions.** Section 10.153: Add definitions for public places and modify building height to be based on existing versus finished grade.

Full proposed amendments are provided in **Attachment C**.

III. ADJOURNMENT