



City of Portsmouth  
Planning Department  
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## Memorandum

To: Planning Board  
From: Beverly Mesa-Zendt, Planning Director  
Stefanie L. Casella, Planner  
Date: August 8, 2022  
Re: Phase 1 Regulatory Amendments | Code Clean-Up – Building Height Standards

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### Background

On February 7, 2022, the City Council established the Land Use Committee to look at diversifying land use regulations within the City. 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.

### Regulatory Amendment Work Plan

On April 9, 2022, the Land Use Committee approved transmittal of the draft 2021 Regulatory Amendment Work Plan to City Council. The work plan consists of three phases:

1. **Phase 1: Code Clean-Up – Building Height Standards.**  
*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.*

This work session will focus on the Phase 1 Regulatory Amendments related to building height standards.

### **Phase 1 Amendments Timeline**

- **April 18, 2022.** The City Council approved the work plan and transmitted proposed Phase 1 amendments to the Planning Board for review and a recommendation.
- **May 05, 2022.** The Planning Board held a work session to review proposed Phase 1 amendments. At that time, staff presented a revised document that was developed in consultation with the City Attorney's office. Public input was provided and revisions were requested by the public and the Planning Board.
- **May 19, 2022.** The Planning Board held a public hearing. Revised documents were presented, additional comments were provided, and additional clarification was requested by the Planning Board.
- **June 23, 2022.** The public hearing was continued to the August meeting with a request that staff schedule an additional work session to review the proposed amendments.
- **August 8, 2022.** Planning Board Work session to review updated draft amendments.
- **August 18, 2022.** Continue the public hearing and consider Phase 1 amendments to the Zoning Ordinance.