

Existing Conditions Report / Regulatory Amendment Work Plan

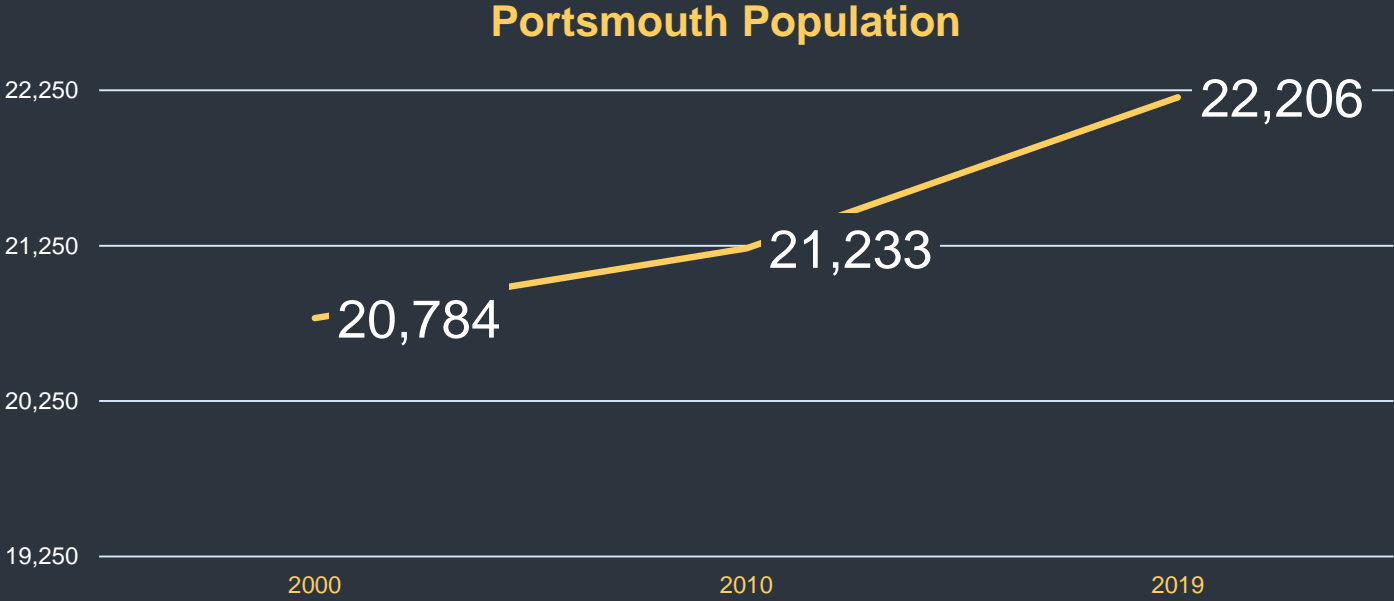
Elizabeth Moreau, Councilor

Beverly Mesa-Zendt, Director of Planning AICP

Nicholas Cracknell, Principal Planner AICP



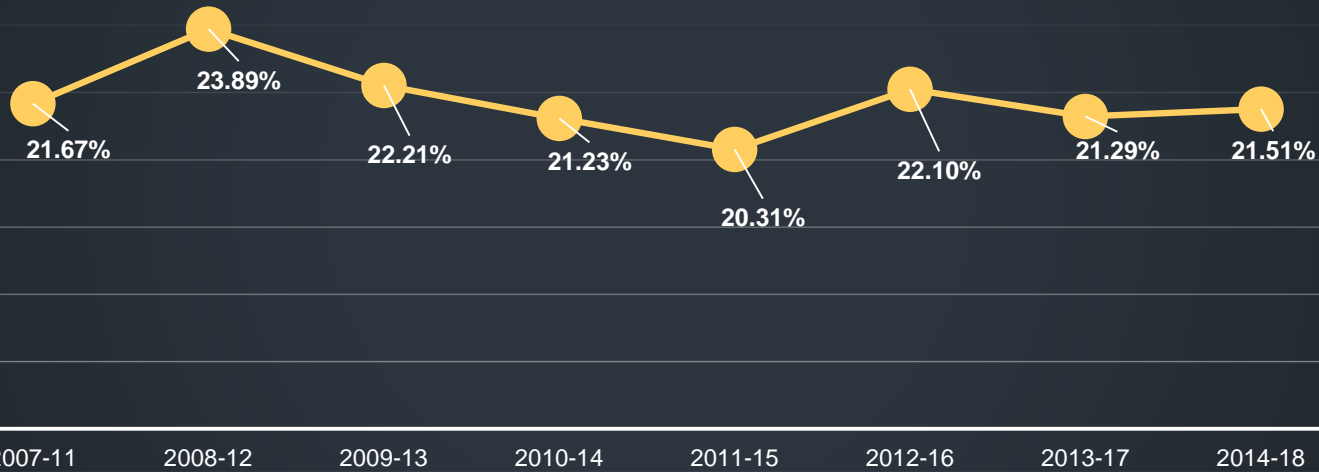
Where We Are: Population



- 1,422 residents added in past 20 years
- Average 71 residents per year.
- 2.07 Persons per Household

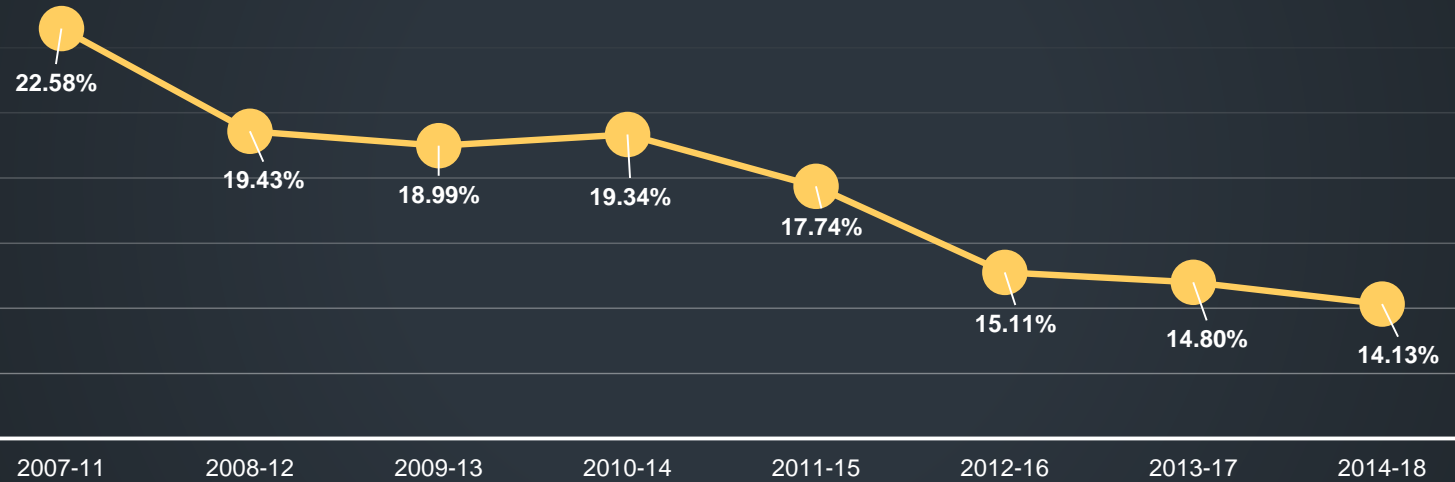
Source:
<https://www.census.gov/quickfacts/fact/table/portsmouthcitynewhampshire/HSD310220#HSD310220>

Cost Burdened Renters >30% to <=50%



Cost Burdened

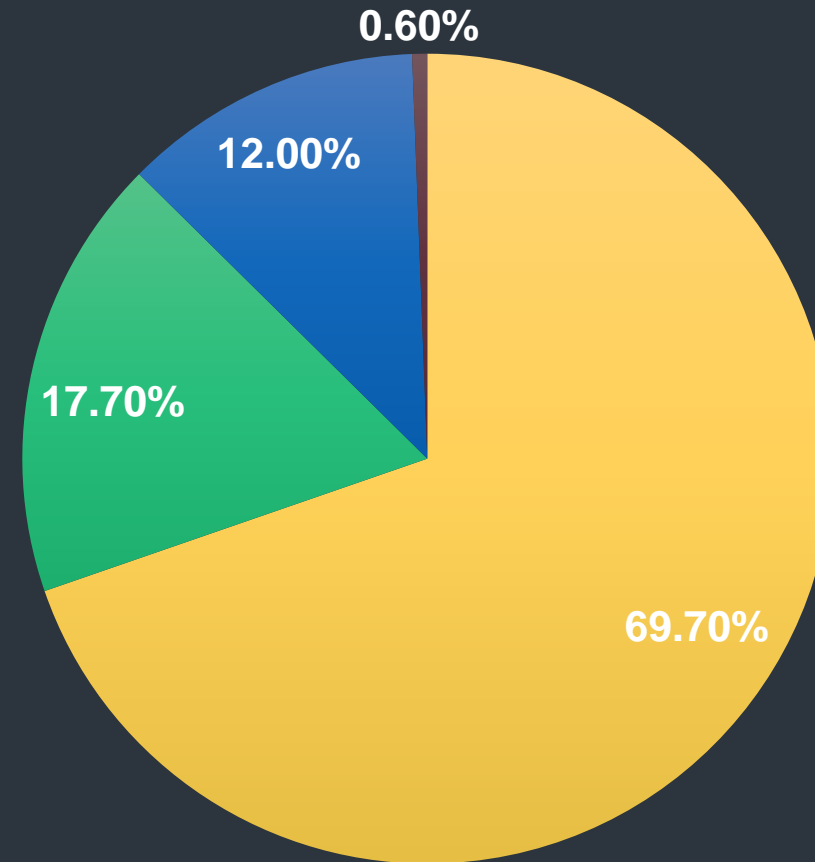
Cost Burdened Homeowners



Source:
<https://www.huduser.gov/portal/datasets/cp.html>

Total Population Cost Burden

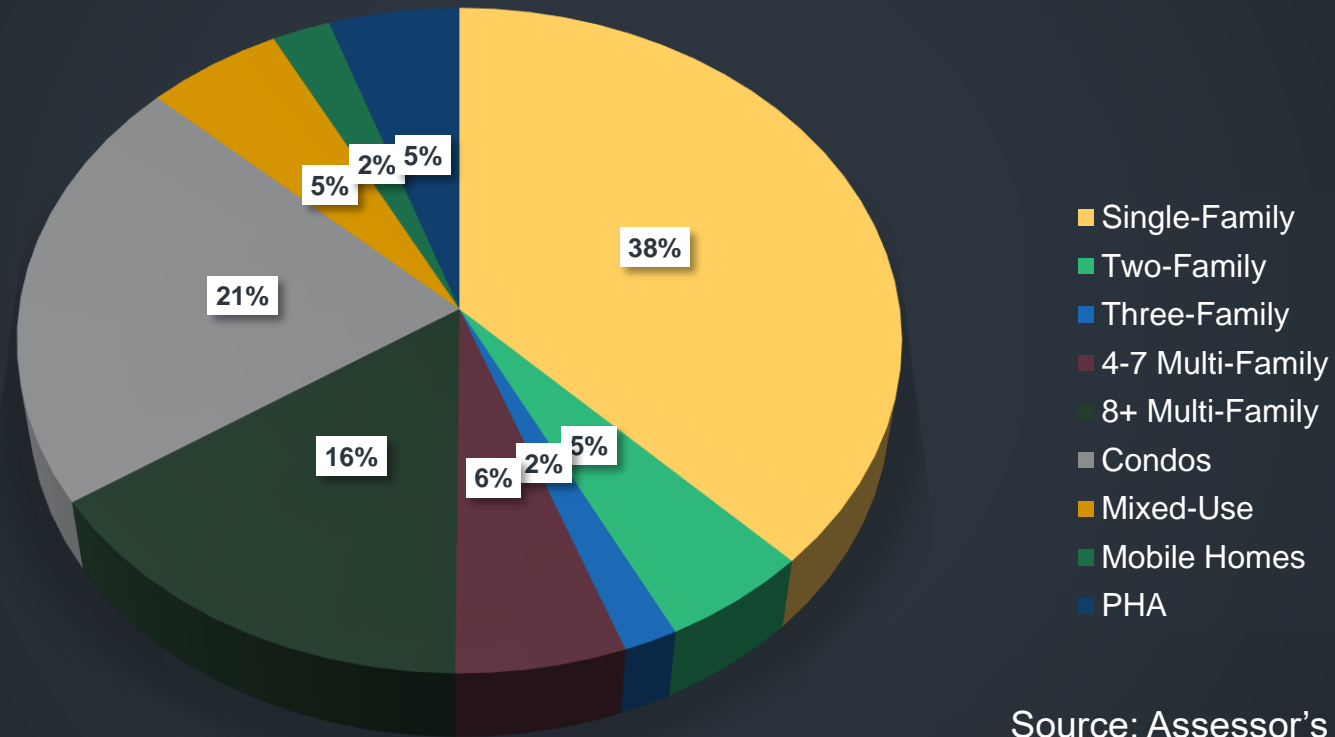
- Cost Burden $\leq 30\%$
- Cost Burden $>30\%$ to $\leq 50\%$
- Cost Burden $>50\%$
- Cost Burden not available



Source: <https://www.huduser.gov/portal/datasets/cp.html>

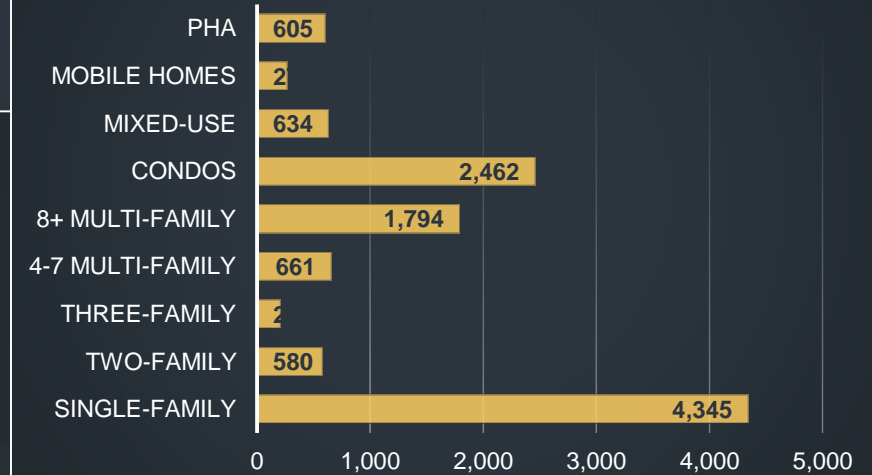
Today: Housing & Ownership Types

Approved Projects - Housing Types (2021)

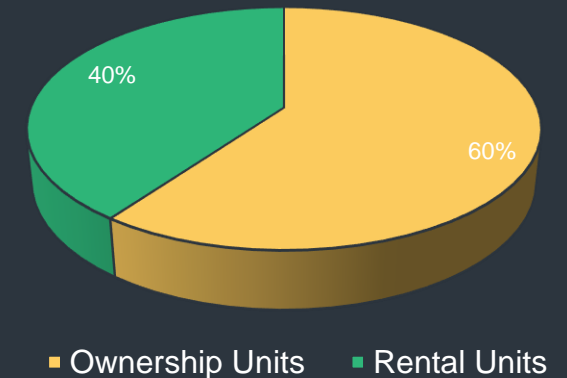


Source: Assessor's Data

Housing Types (2021)

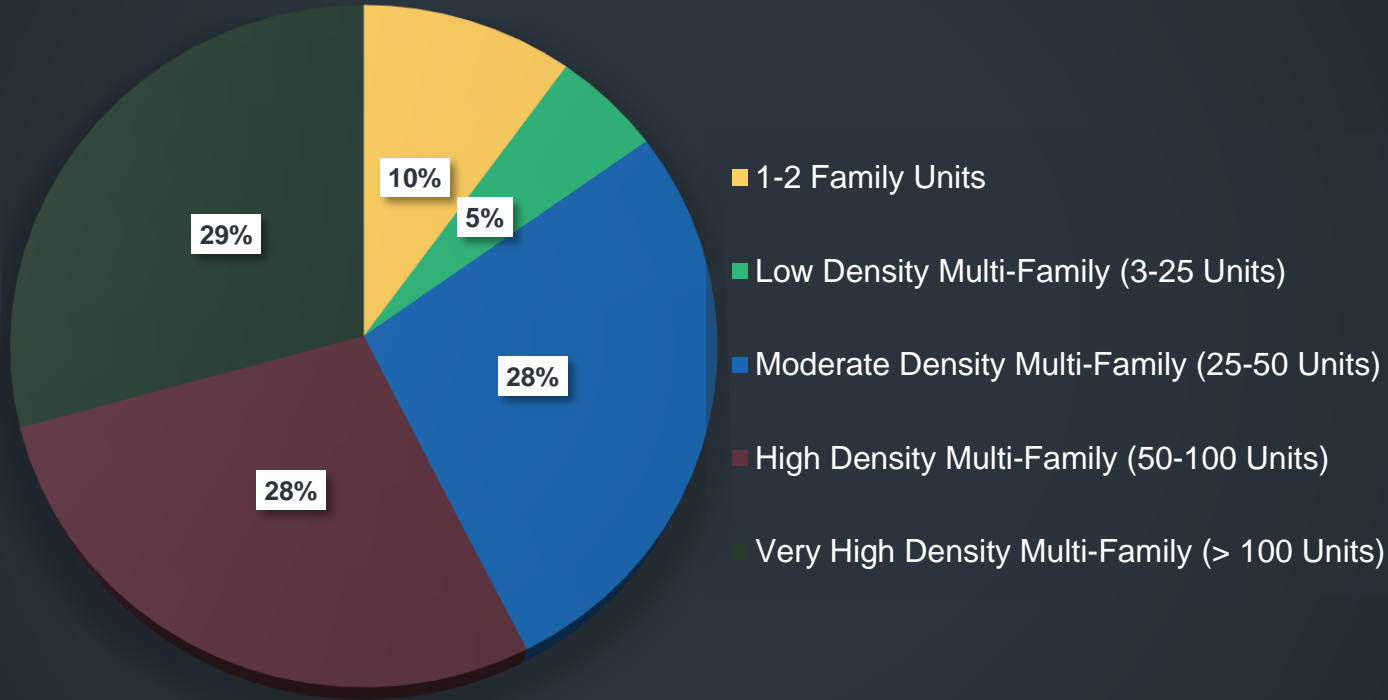


Housing Units by Ownership / Rental (2021)



Trends: Recently-Approved Projects

Recently Approved Housing Units by Density (2015-2022)



Source: ViewPoint / OpenGov





Regulatory Workplan





“ “ **Master Plan**

Goal 3.1 Adapt housing stock to accommodate changing demographics.

Goal 3.2 Accommodate the Housing Needs of Low and Moderate Income Residents.

” ”

City Council Housing Priorities



Increase diversity of housing types and price points



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



Restructure incentives to deliver greater public benefit in workforce housing construction



Identify and maximize partnerships, coalitions, and funding opportunities to deliver affordable housing.

Regulatory Work Plan | Phase 1

PHASE	TOPIC/SUBJECT	CODE SECTION	Objectives	Housing Type Impacted	Housing Policy	Master Plan Goal	Stakeholders	Staff
Phase 1 Amendments- JUNE 2022	Building Height		<p>Improve regulatory implementation and align with legislative intent.</p> <p>Eliminate ambiguous sections that result in unintended consequences.</p>					
1	Building Height Map	10.5A21B	Add new streets, add building heights for civic and municipal properties and modify building heights. Correct the reference to 10.5A46.	All types within Character Districts	CHARACTER AND HERITAGE; HOUSING TARGET AREAS	Goal 2.1, Actions 2.2.2 and 2.2.3		Planning, Legal
2	Building Height Standards	10.5A21B	Clarify the standards for corner, through or waterfront lots	All types within Character Districts	CHARACTER AND HERITAGE; HOUSING TARGET AREAS	Goal 2.1, Actions 2.2.2 and 2.2.4		Planning, Legal
3	Civic Districts	10.5A52.40	Apply the CD4 development standards to civic properties	NA	CHARACTER AND HERITAGE; HOUSING TARGET AREAS	Goal 2.1, Actions 2.2.2 and 2.2.5		Planning, Legal
4	Definitions	10.153	Add definitions for public places and modify building height to be based on existing versus finished grade.	All types in all locations.	CHARACTER AND HERITAGE; HOUSING TARGET AREAS	Goal 2.1, Actions 2.2.2 and 2.2.6		Planning, Legal

Regulatory Work Plan | Phase 2

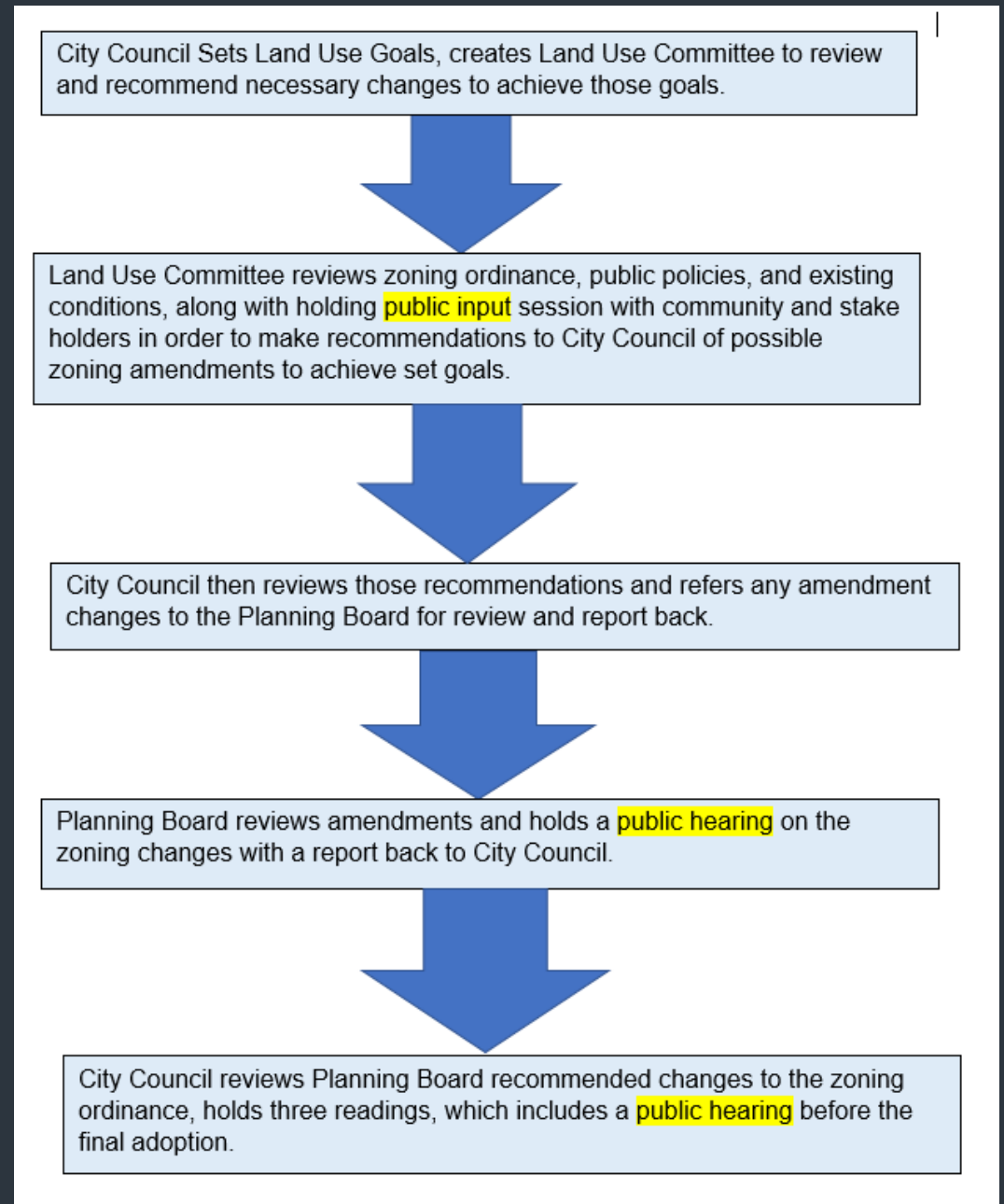
PHASE	TOPIC/SUBJECT	CODE SECTION	Objectives	Housing Type Impacted	Housing Policy	Master Plan Goal	Stakeholders	Staff
Phase 2 Amendments SEPTEMBER 2022	ADUs and Senior Housing Facilities		Remove barriers and expand the number of eligible properties for ADUs and Senior Housing Facilities.					
	1 Accessory Dwelling Units/ Garden Cottages	10.814 & 10.815	Remove regulatory barriers to ADU development through inclusion of context-sensitive design standards. Develop criteria allowing ADUs/Garden Cottages as-of-right.	Accessory Dwelling Units/Garden Cottages	HOUSING CHOICE AND AFFORDABILITY; HOUSING TARGET AREAS	Goal 3.1, Actions 3.1.1; Goal 3.2, Actions 3.2.1	Homeowners Association, Previous ADU applicants, Residential neighborhood residents most likely to accommodate ADUs/Garden Cottages (GIS informed)	Building and Inspections, Planning, Legal
	2 Assisted Living Facilities	10.44	Allow for Assisted Living Centers in outlying Zoning Districts and allow for Cooperative Housing.	Cooperative / Shared Housing, Congregate Care, Assisted Living, Independent Living, Senior Housing	HOUSING CHOICE AND AFFORDABILITY	Goal 3.1, Actions 3.1.1; Goal 3.2,	Assisted Living Facility Owners, Senior Housing and Cooperative Housing Operators	Planning, Legal

Regulatory Work Plan | Phase 3

PHASE	TOPIC/SUBJECT	CODE SECTION	Objectives	Housing Type Impacted	Housing Policy	Master Plan Goal	Stakeholders	Staff
Phase 3 Amendments DECEMBER 2022	Incentives for Workforce Housing		Adjust incentives to place a higher emphasis on Workforce Housing.					
	1 Character District Zoning - Large Properties	10.5A43.33	Adjust incentive to include Workforce Housing.	Multi-Family (Rental or Ownership)	HOUSING CHOICE AND AFFORDABILITY; HOUSING TARGET AREAS	Goal 3.1, Actions 3.1.1; Goal 3.2, Actions 3.2.1, 3.2.2, 3.2.5	Affordable Housing Agencies and Organizations, Developers, Real Estate Professionals, Chamber Collaborative	Planning, Legal, Economic Development
	2 Character District Zoning - Large Building Footprints	10.5A46	Modify Building Footprint Allowance to incentivize Workforce housing.	Multi-Family (Rental or Ownership)	HOUSING CHOICE AND AFFORDABILITY; HOUSING TARGET AREAS	Goal 3.1, Actions 3.1.1; Goal 3.2, Actions 3.2.1, 3.2.2, 3.2.5	Affordable Housing Agencies and Organizations, Developers, Real Estate Professionals, Chamber Collaborative	Planning, Legal, Economic Development
	3 Character District Zoning - Incentive Overlay Districts	10.5A43.46	Modify the Incentive Overlay Districts to incentivize Workforce Housing.	Multi-Family (Rental or Ownership)	HOUSING CHOICE AND AFFORDABILITY; HOUSING TARGET AREAS	Goal 3.1, Actions 3.1.1; Goal 3.2, Actions 3.2.1, 3.2.2, 3.2.5	Affordable Housing Agencies and Organizations, Developers, Real Estate Professionals	Planning, Legal, Economic Development
	4 Character District Zoning - Gateway Districts	10.5B	Modify the Gateway Districts to include Workforce Housing	Multi-Family (Rental or Ownership)	HOUSING CHOICE AND AFFORDABILITY; HOUSING TARGET AREAS	Goal 3.1, Actions 3.1.1; Goal 3.2, Actions 3.2.1, 3.2.2, 3.2.5	Affordable Housing Agencies and Organizations, Developers, Real Estate Professionals, Chamber Collaborative	Planning, Legal, Economic Development
	5 Planned Unit Developments	10.72	Modify CUP to improve outcomes for Workforce Housing	Single, Two- and Multi-Family (Rental or Ownership)	HOUSING CHOICE AND AFFORDABILITY; HOUSING TARGET AREAS	Goal 3.1, Actions 3.1.1; Goal 3.2, Actions 3.2.1, 3.2.2, 3.2.5	Affordable Housing Agencies and Organizations, Developers, Real Estate Professionals, Chamber	Planning, Legal, Economic Development
	6 Off-Street Parking	10.11.110	Modify the off-street parking regulations to improve the balance and equity between the high cost of private and public parking.	Multi-Family (Rental or Ownership)	HOUSING CHOICE AND AFFORDABILITY; HOUSING TARGET AREAS: Parking	Goal 3.1, Actions 3.1.1; Goal 3.2, Actions 3.2.1, 3.2.2, 3.2.5	Affordable Housing Agencies and Organizations, Developers, Real Estate Professionals, Traffic and Safety	Planning, PW

Land Use Committee Flow Chart

- Describes work flow for zoning ordinance amendment process
- Identifies public hearing opportunities



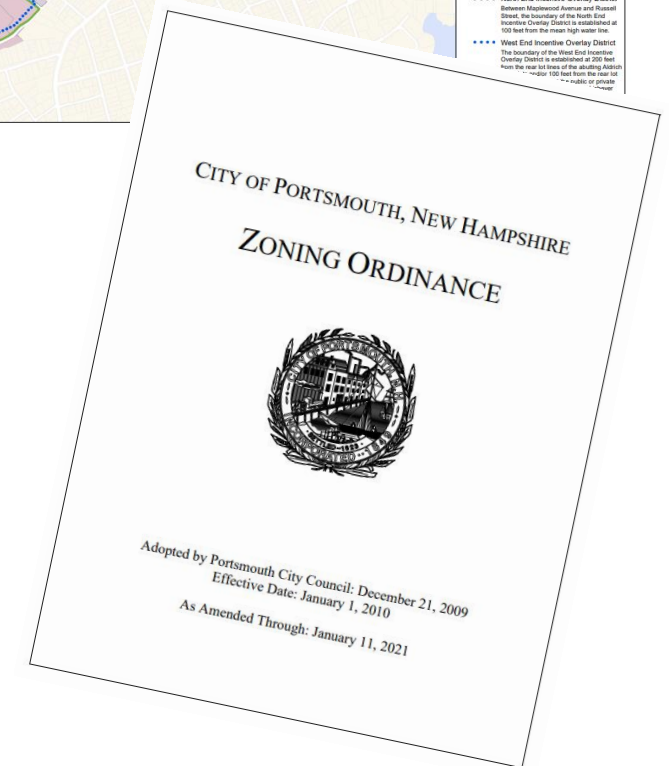
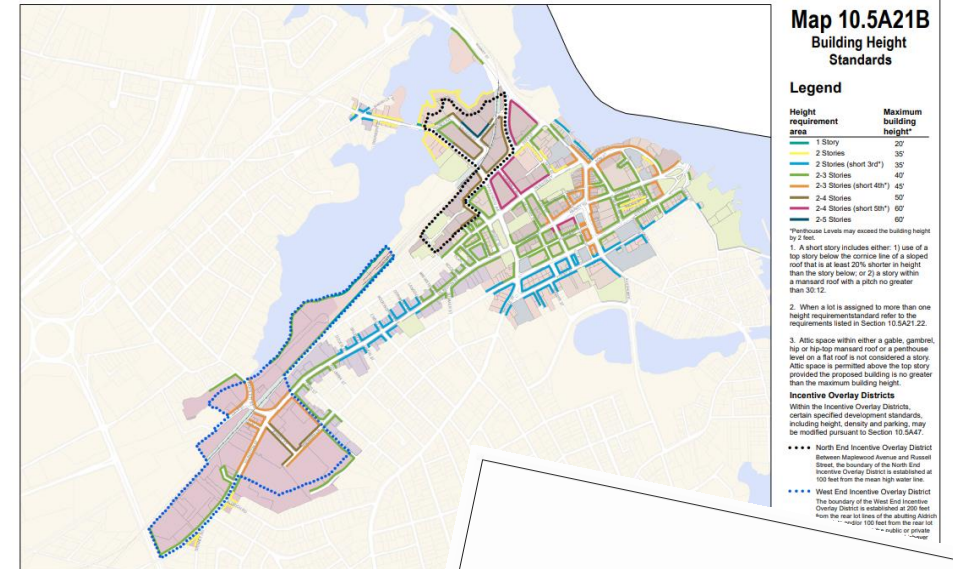


Regulatory Work Plan

Phase 1 Amendments: **Building Height Standards**

Building Height Standards: Purpose

- Provide Consistency across all Character Districts
- Remove Incorrect References
- Clarify Intentions on Building Height





Building Height Standards: 4

Main Changes

Goal: Update, Clarify & Modify

1. Update the Building Height Map

- Assign Building Heights to Civic and Municipal Properties
- Add new streets, ways, or other public places
- Adjust the building height along High Street & Haven Court

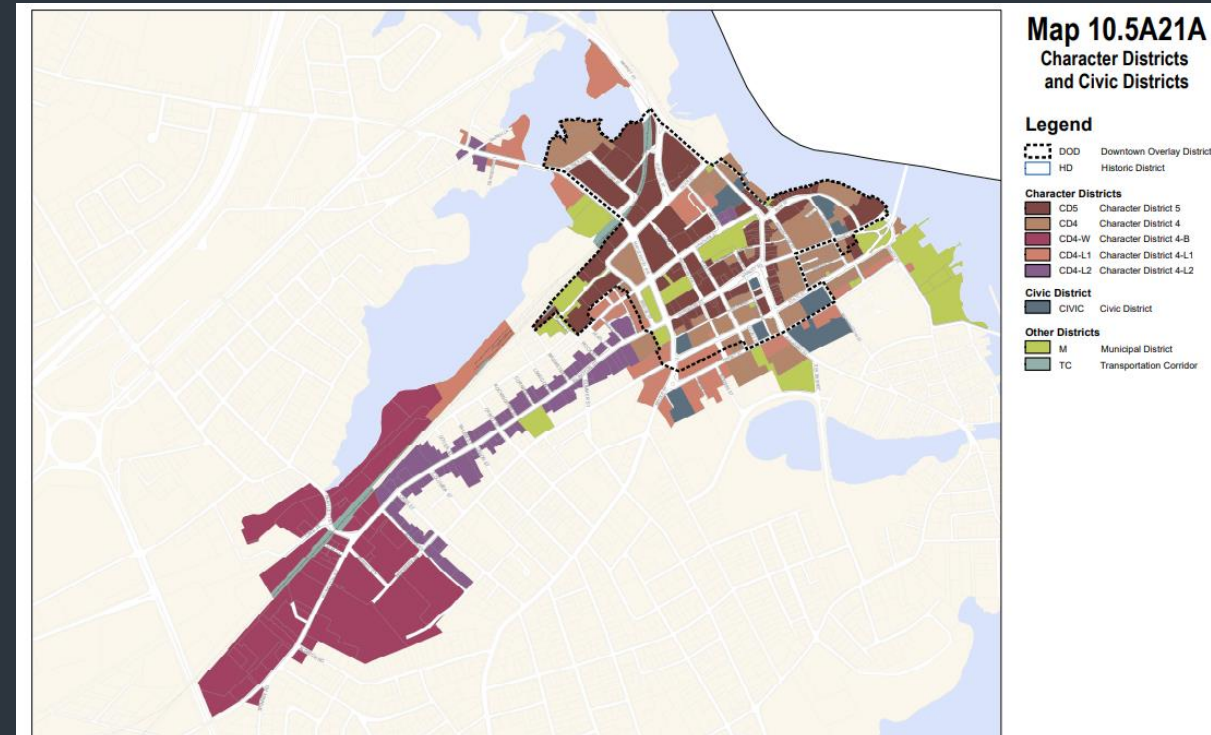
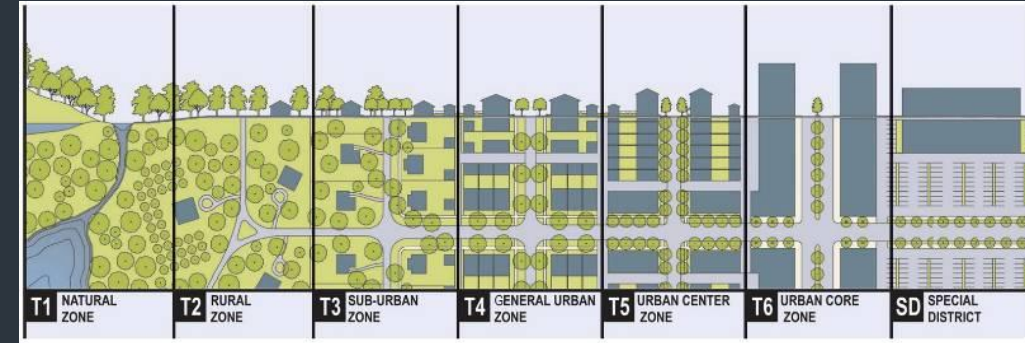
2. Clarify the Building Height Standards on Corner lots

- Maintain the intended street wall.

3. Add Development Standards to Civic Districts

4. Clarify the Intentionality of Grading on Building Height

- Avoidance of added height through back-filling.

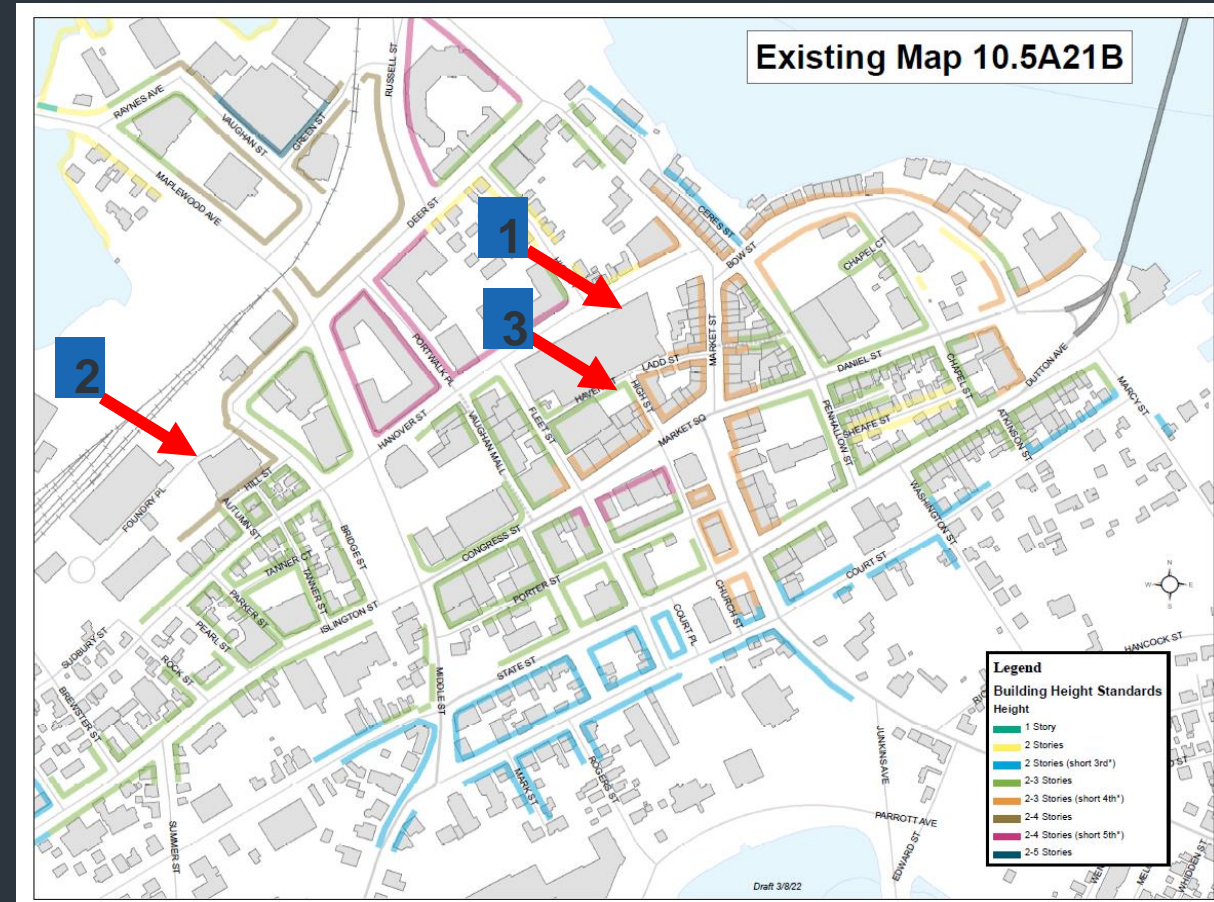




Building Height Standards: Building Height Map

Goal: Update & Modify

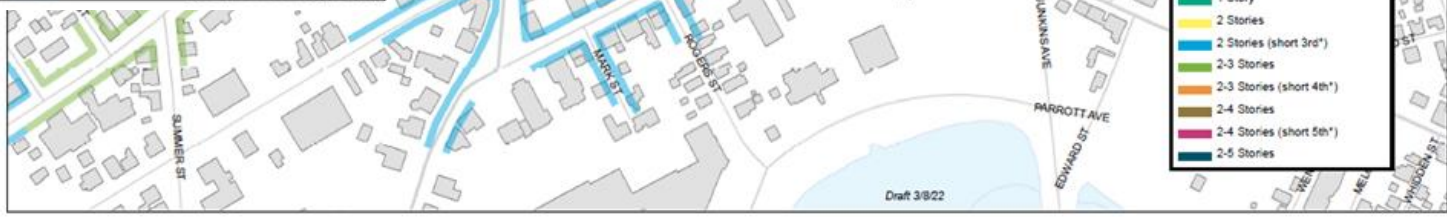
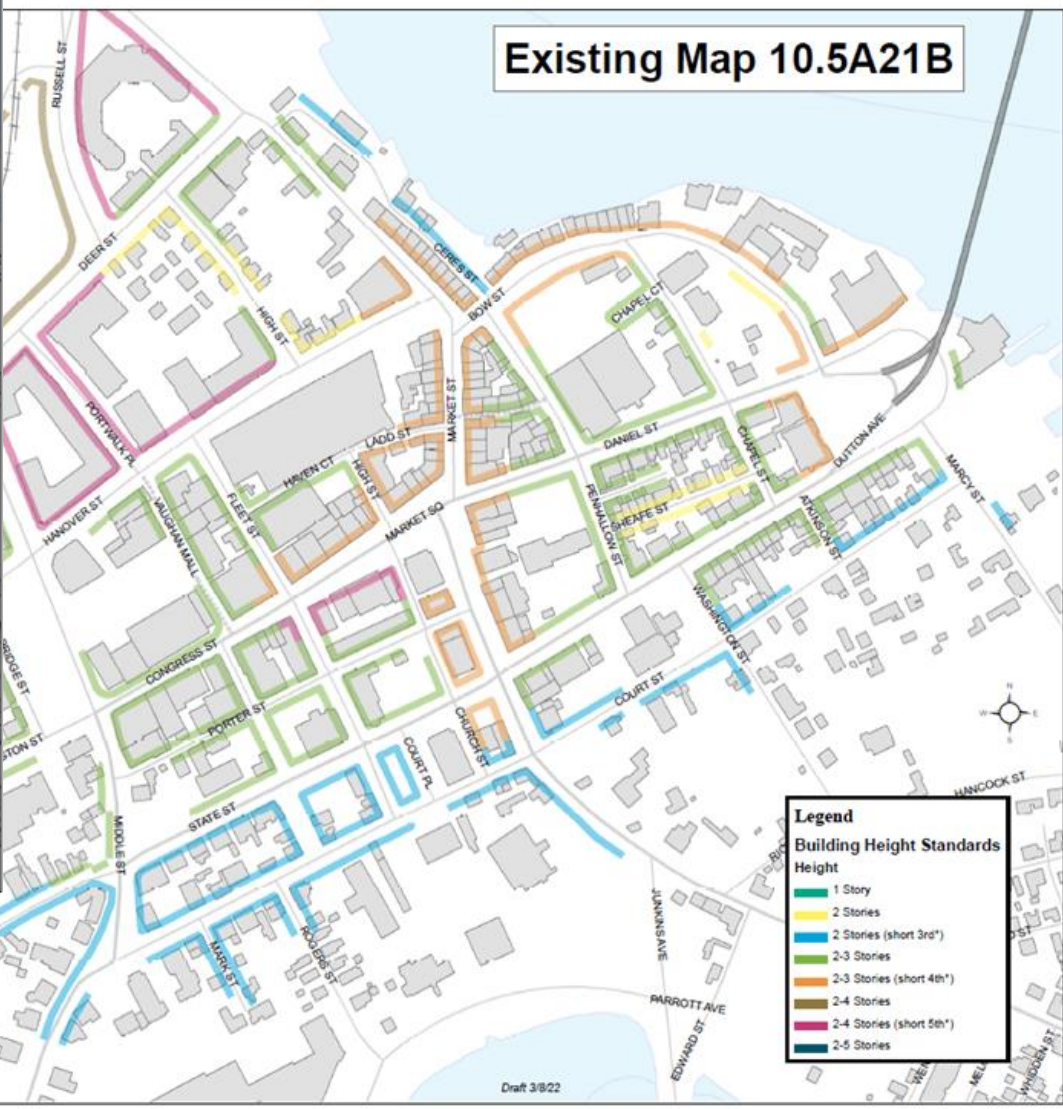
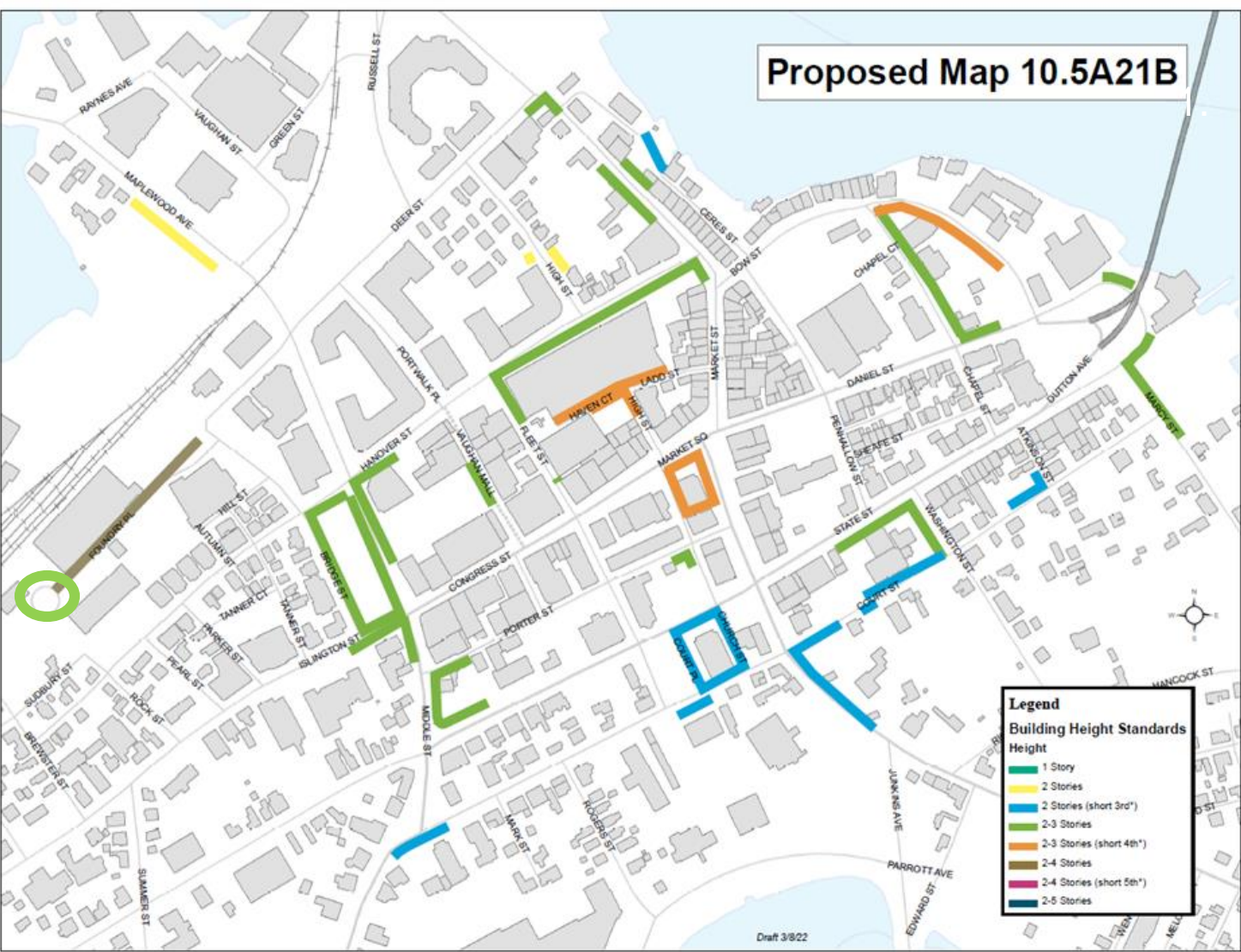
1. Add Building Height Standards to Civic and Municipal Properties.
2. Add New Streets, Ways, or other Public Places.
3. Adjust the Building Height Standard along High Street.



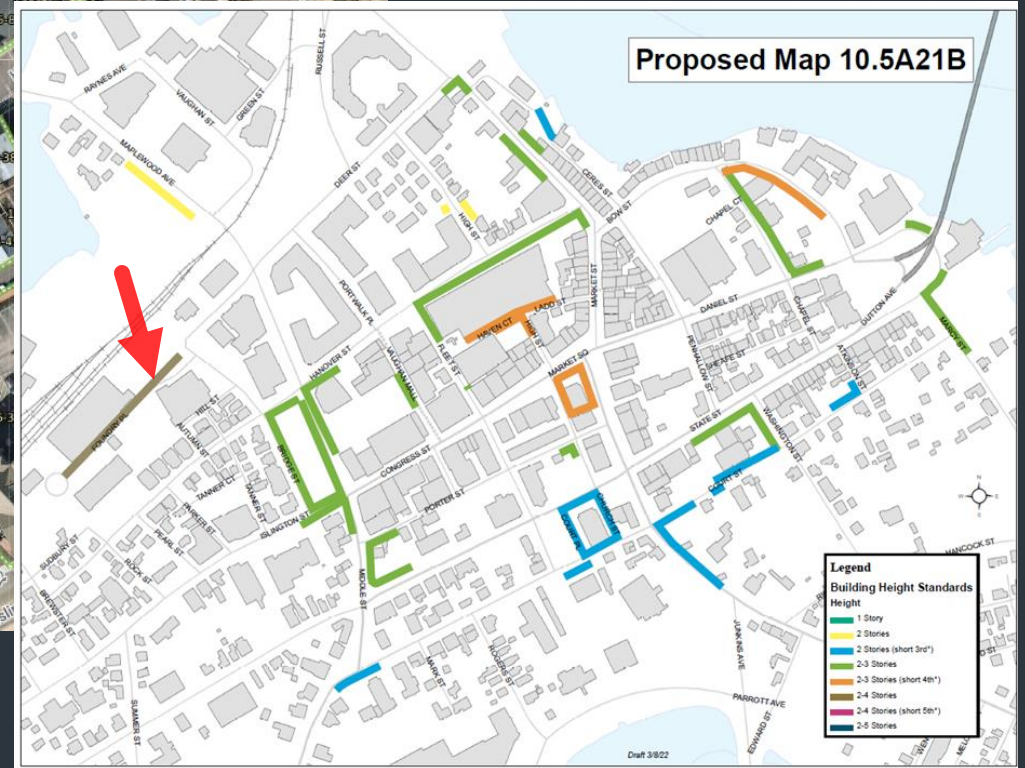
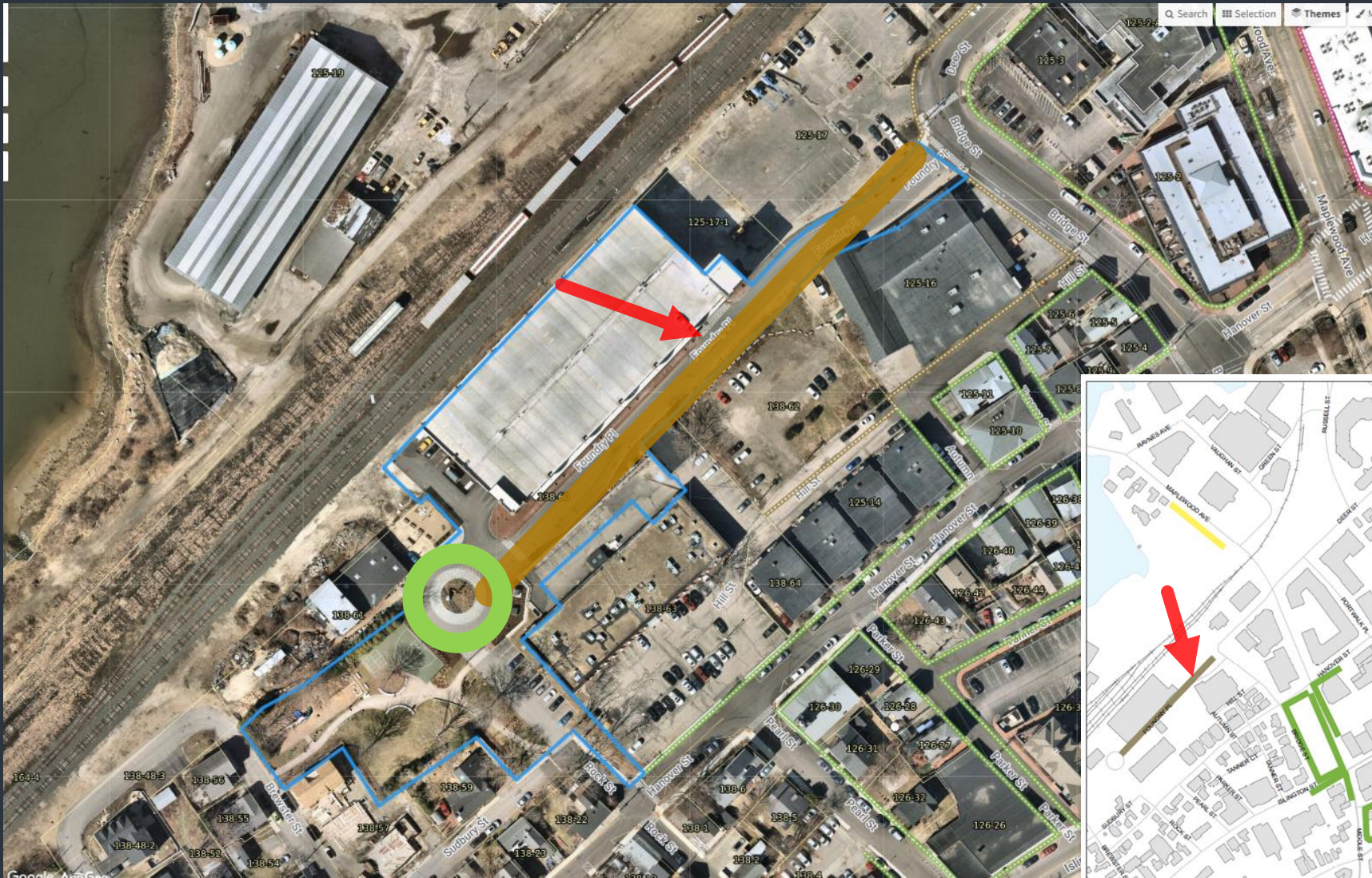
Proposed Map 10.5A21B

Map 10.5A21B Building Height Standards

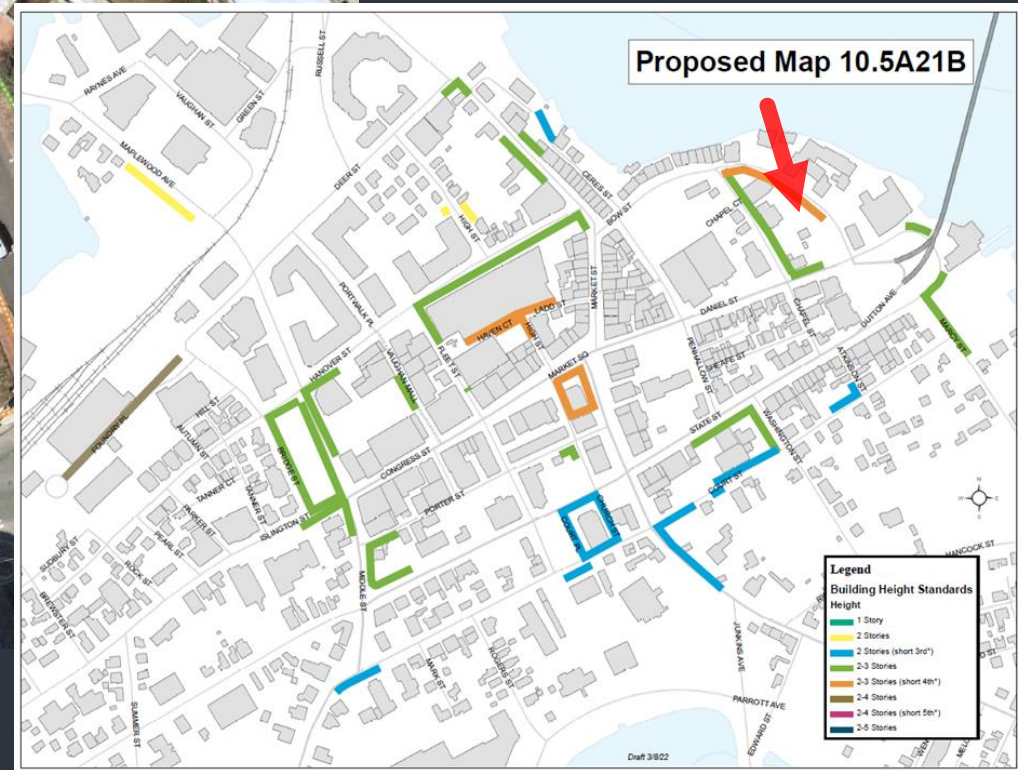
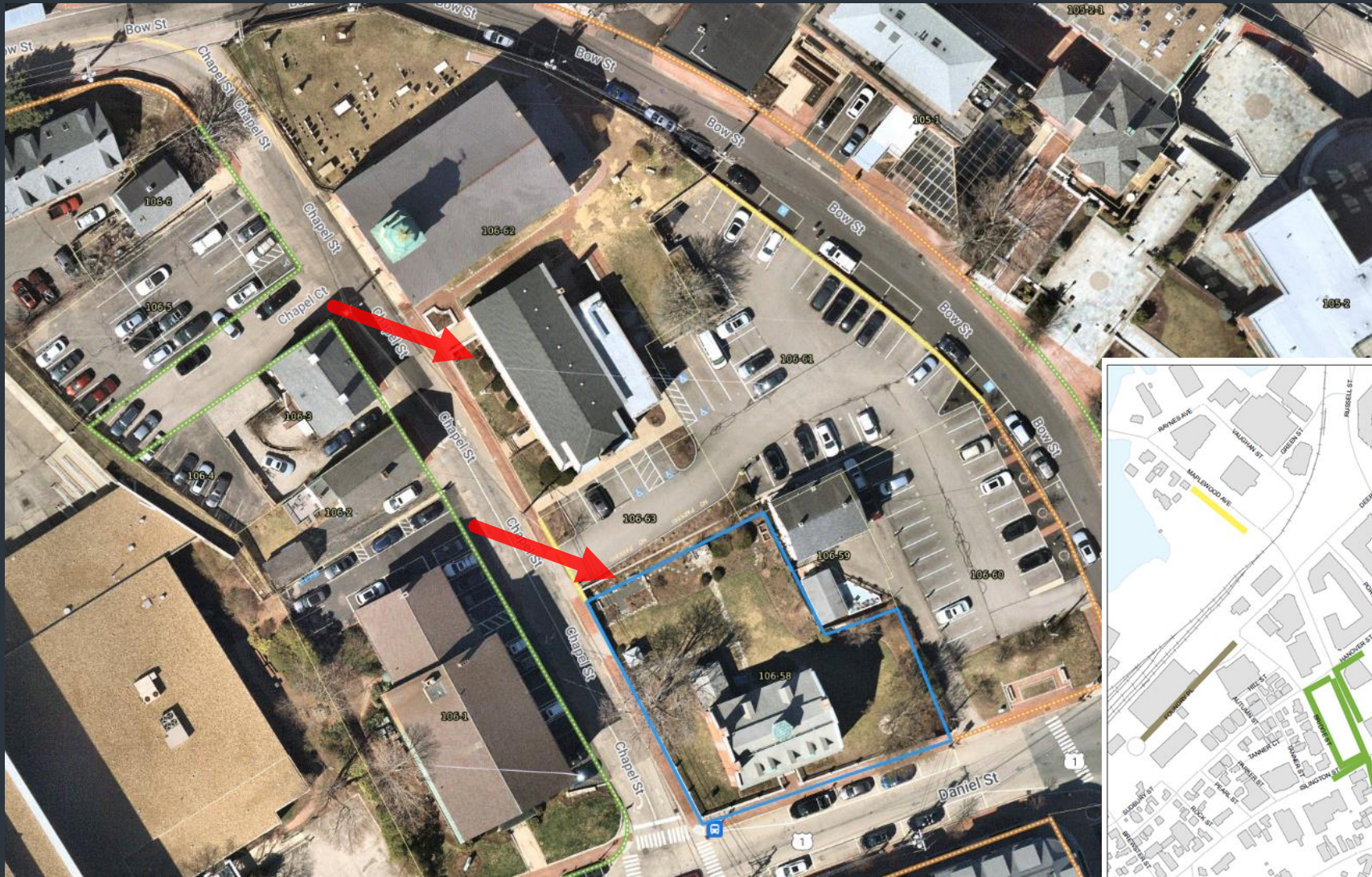
Existing Map 10.5A21B



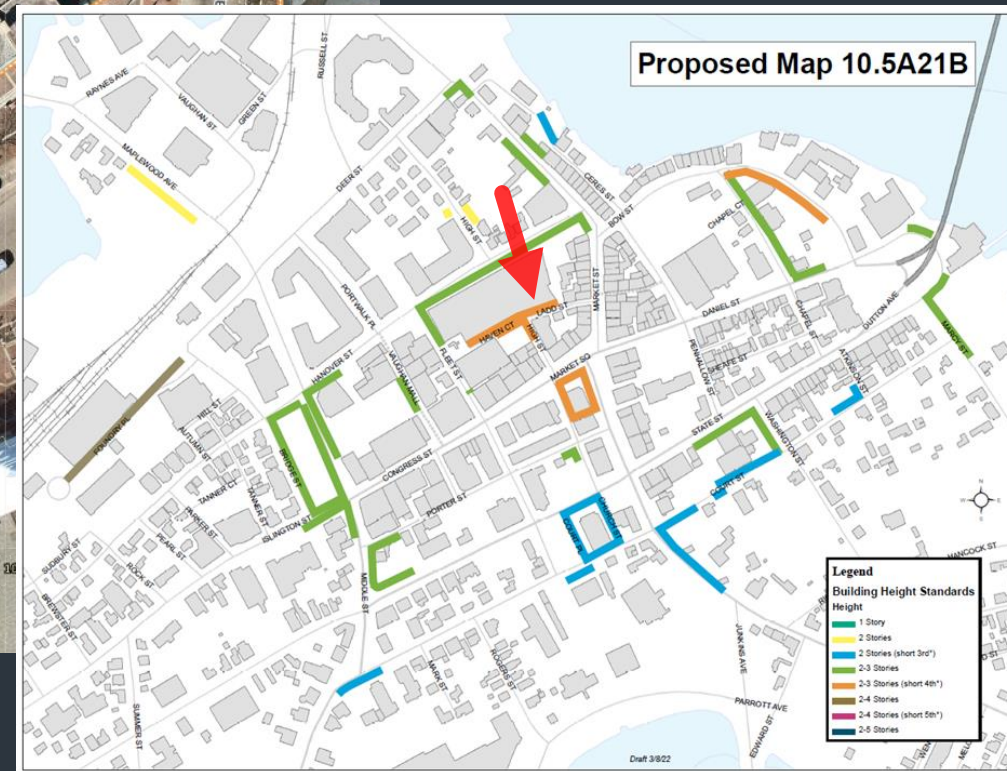
Add New Streets- Foundry Place



Add Building Height Standards for Civic and Municipal Properties



Make Minor Adjustments Based on Context– High Street and Haven Court



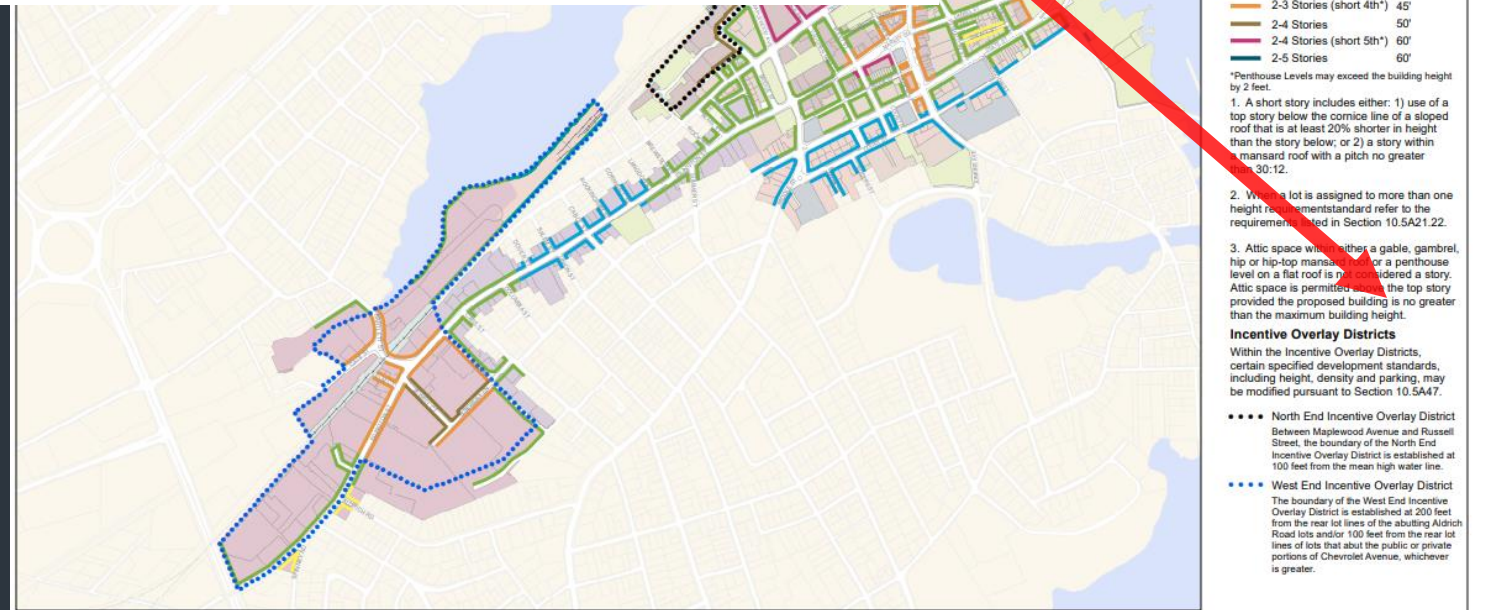
Existing Context – High Street and Haven Court



Update for Incorrect Reference

Incentive Overlay Districts

Within the Incentive Overlay Districts, certain specified development standards, including height, density and parking, may be modified pursuant to Section 10.5A47.



Correct the Note on the Building Height Map for the Incorrect Reference

- b. Amended the following note on Map 10.5A21B as follows:

Incentive Overlay Districts

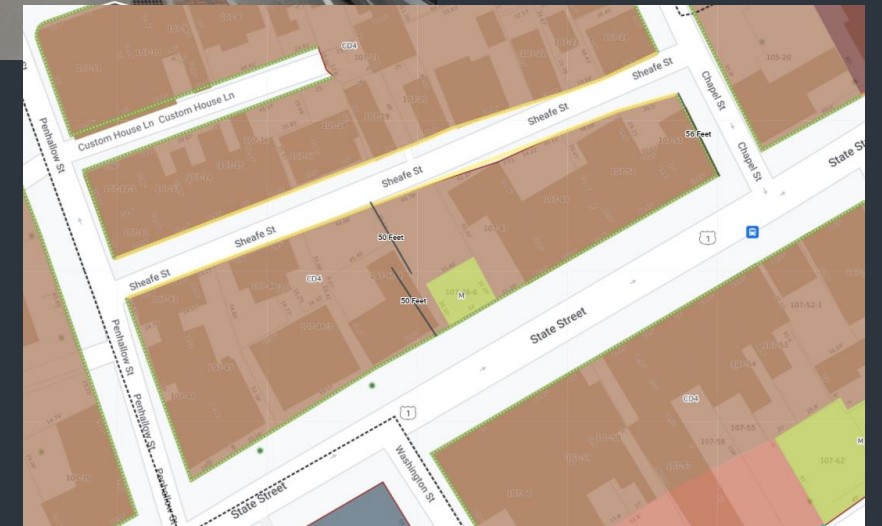
Within the Incentive Overlay Districts, certain specified development standards, including height, density and parking, may be modified pursuant to Section 10.5A467.



Building Height Standards: Corner, or Through Lots

Goal: Clarify

1. Clarify how corner or through lots impact the maximum building height on each street or public place.



Clarify How we Allocate Building Height along Lots with Multiple Building Height Requirements

Amend Section 10.5A21.21 as follows:

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~~ **either a front lot line** or **a 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 **either a front lot line** or **a 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.

Clarify How the Front Lot Line Impacts the Building Height on Lots with More than One Building Height

4. Definitions

Amend Section 10.1530 as follows:

Lot line, front

A boundary of **a lot** that separates the **lot** from either a **street** or **a** public place. ~~In the case of a **corner lot** or a **through lot** or a waterfront lot, the front lot line~~principal front yard shall be the line bordering the **a street** on which the **lot** has its address. A **corner lot** or a **through lot** or a waterfront lot shall have ~~two~~multiple front lot lines. ~~In the case of a **corner lot** or a **through lot** or a waterfront lot, the principal front yard shall be the line bordering a **street** or **public place** on which the **lot** has its address.~~

Clarify How we Allocate Building Height along Lots with Multiple Building Height Requirements



Add a New Definition for Public Place

Public place

A street, way, park, pedestrian alleyway or other community space type that provides ~~deded~~ public access.





Building Height Standards: **HDC** Review

Goal: Clarify

1. Make explicitly clear the HDC has some discretion over building height within the Historic District.



Explicit Reference to HDC Discretion on Building Height

*10.5A21.21 Assignments for specific **building height** 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**. Subject to Section 10.635.70 – Review Criteria, within the Historic District, the approved building height may be lower than the maximum designated number of stories or the maximum height in feet provided in Section 10.5A43.30 but shall be not lower than the minimum designated number of stories or the minimum height in feet provided.*



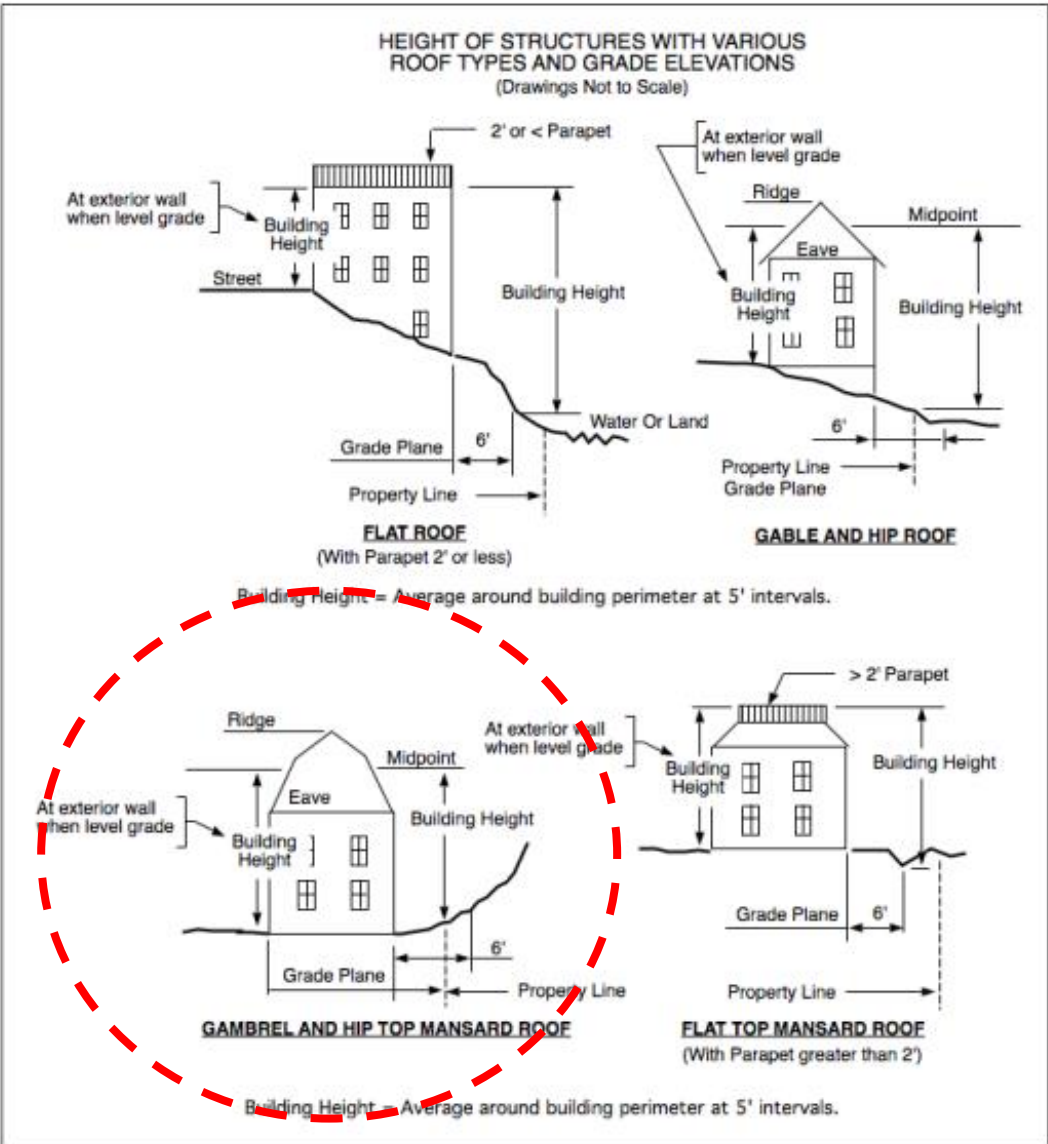
Building Height Standards: Mansard Roof Heights

Goal: Add Standards

1. Remove internal inconsistency for how Mansard roofs are measured.



Correct Internal Inconsistency with Mansard Roofs



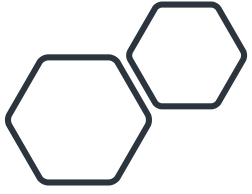
Correct Internal Inconsistency Pertaining to Mansard Roofs

Building height

The greatest vertical measurement between two reference points defined as follows:

- (a) The lower reference point shall be the **existing grade plane** as defined herein.
- (b) The upper reference point shall be any of the following:
 - (1) For a flat or **flat-topped mansard roof**, the highest point of the roof surface;
 - (2) For a pitched **roof**, **hip-topped mansard**, or gambrel roof, the elevation midway between the level of the eaves and highest point of the roof. For this purpose, the “level of the eaves” shall mean the highest level where the plane of the roof intersects the plane of the outside wall on a side containing the eaves, but at no time shall this level be lower than the floor level of the uppermost **story** or **attic**.
- (c) A **parapet wall**, fence, railing or similar **structure** that extends more than two feet above the roof surface shall be included in the determination of **building height**, but shall not be included if it does not extend more than two feet above the roof surface.
- (d) To determine **building height**, measurements shall be taken at least every 5 feet around the entire perimeter of an **existing or proposed building**. An average is calculated from these figures and that figure shall be the **building**'s height for purposes of this Ordinance.

(See also: **existing grade plane**, **parapet wall**.)



Building Height Standards: Development Standards for Civic Districts

Goal: Add Standards

1. Apply the Building Placement and Form Standards of the CD4 to Civic Districts



Add Reference to CD4 Building Placement and Form Standards

3. Civic Districts

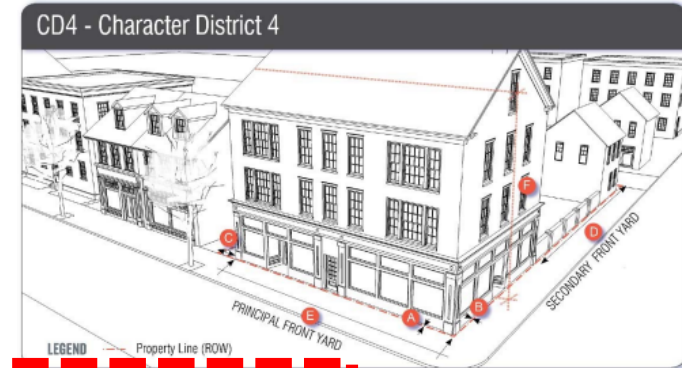
Amend Section 10.5A52.40 as follows:

10.5A52.40 New structures, alterations and expansions of existing structures in the Civic district **shall conform to the Building Placement and Form Standards for Principal and Outbuildings listed in 10.5A41.10C. Development Standards for the CD4 District and** Such uses are subject to the applicable ~~are exempt from the~~ requirements of 10.5A42 and 10.5A43 provided that all uses remain civic.

Add Reference to CD4 Building Placement and Form Standards for Civic Districts



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



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)
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	(E)
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	(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.	



Building Height Standards: Measuring Building Height

Goal: Clarify

1. Shift from proposed to existing grade to address backfilling for taller buildings.



Shift How Building Height is Measured from Proposed Grade to Existing Grade



Existing grade plane

A reference plane representing the average existing ground level on the lot within 6 feet of the existing or proposed **building**. The existing grade plane shall be used to calculate the **Building height**. When the existing ground level slopes away from existing or proposed exterior walls, the reference plan shall be established by the lowest points within the area between the **building** and the **lot line** or, when the **lot line** is more than 6 feet from the **building**, between the **building** and a point 6 feet from the **building**.

Milestones



April 18, 2022

City Council Adopts Work Plan and Sends Phase One drafts to Planning Board for recommendation



May 5, 2022

PB Work Session



June 6, 2022

City Council schedules First Reading

April 21, 2022

Planning Board Receives Work Plan and Phase One Draft Amendments and schedules a work session and public hearing

May 19, 2022

Planning Board Public Hearing and Recommendation



Thank You



Any Questions?

