



City of Portsmouth
Planning Department
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Portsmouth, NH
(603)610-7216

Memorandum

To: Planning Board

From: Peter Stith, AICP
Planning Manager

Date: October 24, 2024

Re: Work Session Memo

I. Co-Living

Mark McNabb has provided a follow up memo with resources from his research on co-living, which is included in the packet. Staff conducted research on other localities for definitions on co-living or similar uses. The examples are provided below and some include a parking requirement for the use. Also included below are definitions of “family” from other New Hampshire ordinances, which range from 1 person living in a household up to an undefined number (Concord). The Portsmouth definition is below and it limits a family to three unrelated individuals. If this number increased to 5 or 6, it would allow for more unrelated individuals to live together. Attached are proposed amendments for discussion to add co-living as a use.

Family

An individual living alone, or any of the following groups living together as a single housekeeping unit and sharing common living, sleeping, cooking and eating facilities:

- (a) Two or more individuals related by blood, marriage, civil union, adoption or guardianship;
- (b) Two or three individuals not related by blood, marriage, civil union, adoption or guardianship, along with one or more dependents related to any of them by blood, marriage, civil union, adoption or guardianship.

Washington State

https://www.sightline.org/wp-content/uploads/2024/01/FAQ_Co-Living-Housing-in-Washington-State_Jan-2024_Sightline-Institute.pdf

Passed a law that went into effect in June allows co-living by right where at least 6 multi-family units are permitted. The law also states that local governments

cannot mandate parking where the units are within half a mile of public transit stop or require more than 1 off-street parking space per sleeping unit.

Bangor, ME

CO-LIVING DORMITORY

A building in which group sleeping accommodations are provided within eight or more individual secure bedrooms, under joint occupancy and single management, occupied by no more than two persons per room. Each bedroom within a co-living dormitory is considered a separate living quarter and at least 75% of the rooms must be rented for a period of at least 30 days, per room. Meals may or may not be provided, but there shall be at least one, adequately sized common kitchen facility, which must include a stove, oven, refrigerator, and sink, to be shared with other residents of the building. No room may have individual cooking facilities, except for microwaves. Communal areas must be provided and accessible to all residents and can include, but are not limited to, lounges, recreation rooms, resident laundry facilities, kitchen facilities, and dining areas. A minimum of 10% of the gross floor area of the building must consist of common amenity space, which shall not include bathrooms, hallways, maintenance areas, or storage areas. On-site management shall be provided at all times.

Parking Requirement: Congregate housing for the elderly, boardinghouses, and co-living dormitories: one space per three dwelling units or rooms.

Miami, FL

Co-Living Unit: Communal living quarters consisting of Co-Living Rooms each with a private bathroom and shared unit space including full kitchen facilities with direct access to the outside or a common hall. A Co-Living Unit that is available for lease or rent for less than one (1) month shall be considered Lodging.

Co-Living Room: A single bedroom within a Co-Living Unit. Each bedroom shall have a private bathroom and may have limited kitchen facilities.

Parking: Co-Living: - Minimum of 0.5 parking space per Co-Living Room with a minimum of one (1) additional visitor parking space for every ten (10) Co-Living Rooms. Thirty percent (30%) of required Co-Living Parking may be provided through payment-in-lieu of space of required off-street parking into the designated area Parking Trust Fund

Washington, D.C.

Rooming Unit: One (1) or more [habitable rooms](#) forming a single, habitable unit used or intended to be used for living or sleeping purposes; but not for the preparation or eating of meals.

Parking Requirement: Residential, rooming house: 1 plus 1 for each 5 rooming units

FAMILY Definition:

Newbury, NH

Family: Family includes persons legally related by blood, marriage or adoption occupying a single dwelling unit, or no more than five (5) unrelated individuals occupying a single dwelling unit.

Peterborough, NH

FAMILY -- One (1) or more persons living as a single housekeeping unit.

Londonderry, NH

Family:

- A. A single person occupying a dwelling and maintaining a household, or
- B. Two or more persons related by blood, marriage or adoption, occupying a dwelling, living together, and maintaining a common household, or
- C. Not more than eight unrelated persons occupying a dwelling, living together, and maintaining a common household.

Concord, NH:

Family. A group of individuals, whether or not related, living together in a dwelling unit in a structured relationship constituting an organized housekeeping unit.

Rooming House.

A rooming house shall have facilities to accommodate no more than ten (10) individuals inclusive of a resident manager or a resident family.

II. 361 Hanover

Following up from the work session related to the zoning request for 361 Hanover Street. Below is a timeline of events from 2019.

Robin Russo has provided a timeline from August 2019 to July 2023 with communication between planning staff and meeting dates.

Staff would add the following date where zoning amendments were adopted that impacted this area:

October 24, 2022: Amendments to Article 5A and changes to the building height map and new definitions for building height, mansard roof, penthouse and short story.

August 7, 2023: Amendments to Article 5A which included requiring a CUP for incentives in the North End Incentive District.

In April 2014 the City Council voted to adopt a new set of form-based zoning provisions which are referred to as “character-based zoning.” This was done by inserting a new Article 5A titled “Character Districts” in the Ordinance, and by rezoning the core of the Central Business District from the existing districts (CBB, CBA and MRO) to three new Character Districts (CD5, CD4 and CD4-L), along with overlays regulating building height, façade types, and special use regulations. In May 2014, the Council voted to direct staff to expand the character-based zoning approach to the North End and the Islington Street Corridor (i.e., the West End).

In August 2015 the City Council voted to amend Article 5A and the Zoning Map. As the first step in this process, the Planning Department held a community design charrette for the North End in November 2014, which resulted in North End Vision plan:

https://files.cityofportsmouth.com/files/planning/FINAL_North_End_Vision_Plan_1-15-15.pdf

This process was subsequently repeated for the West End which resulted in a West End Vision Plan,

<https://files.cityofportsmouth.com/files/planning/FINAL%20Revised%20West%20End%20Vision%20Plan%2010-6-15.pdf>

Below are the tables for the Character based zoning districts. CD4 and CD5 are combined in the use tables, so there is no difference in permitted uses between the two zoning districts.

**FIGURE 10.5A41.10A DEVELOPMENT STANDARDS
CHARACTER DISTRICT 4—LIMITED (CD4-L1/CD4-L2)**

These districts consist of medium density areas with a mix of medium to large **houses**. Upper floor **uses** are almost entirely residential. **Ground floors** include some commercial **office uses**; areas zoned CD4-L2 also allow some **restaurant** and retail **uses** on the **ground floor**. There are shallow **front yards** and shallow to medium **side yards**, with variable private **landscaping**, and on-site accessory parking. **Streets** have **sidewalks** and **street trees**, and define medium to large **blocks**.

BUILDING PLACEMENT – PRINCIPAL BUILDING

Maximum principal front yard	15 ft	A
Maximum secondary front yard	12 ft	B
Side yard	5 ft min. to 20 ft max.	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	60% min. to 80% max.	

Minimum lot area per dwelling unit	3,000 sf
Minimum open space	25%
Maximum ground floor GFA per use	NR

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	11 ft	
Façade glazing:		
Shopfront façade	70% min.	
Other façade types	20% min. to 40% 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 AND LOT OCCUPATION

Maximum building block length	80 ft	E
Maximum façade modulation length	50 ft (see Section 10.5A43.20)	
Maximum entrance spacing	NR	
Maximum building coverage	60%	
Maximum building footprint	2,500 sf	
Minimum lot area	3,000 sf	

BUILDING PLACEMENT – OUTBUILDING

Minimum front yard	20 ft behind a façade of a principal building	A
Minimum side yard	3 ft	B
Minimum rear yard	3 ft	C

BUILDING TYPES

See Figure 10.5A43.60 for **building** type definitions

House	permitted*
Duplex	permitted*
Rowhouse	permitted*
Apartment building	permitted*
Live/work building	permitted**
Small commercial building	CD4-L1: not permitted CD4-L2: permitted
Large commercial building	not permitted
Cottage	not permitted
Paired House	permitted*
Gateway Townhouse	not permitted
Mixed-Use Building	permitted**
Flex Space Building	permitted
Community Building	permitted

*Not permitted in the Downtown Overlay District
Residential **uses are not permitted on the **ground floor** in the Downtown Overlay District

BUILDING & LOT USE

See Sections 10.5A30 and 10.440

FAÇADE TYPES

See Figure 10.5A43.10 for **façade** type definitions
Except where required **façade** types are indicated on Map 10.5A21C, the below standards apply:

Porch	permitted
Stoop	permitted*
Step	only permitted where indicated on Map 10.5A21C
Shopfront	CD4-L1: only permitted where indicated on Map 10.5A21C CD4-L2: permitted
Officefront	only permitted where indicated on Map 10.5A21C
Forecourt	permitted*
Recessed-entry	permitted
Dooryard	permitted
Terrace	not permitted
Gallery	not permitted
Arcade	not permitted

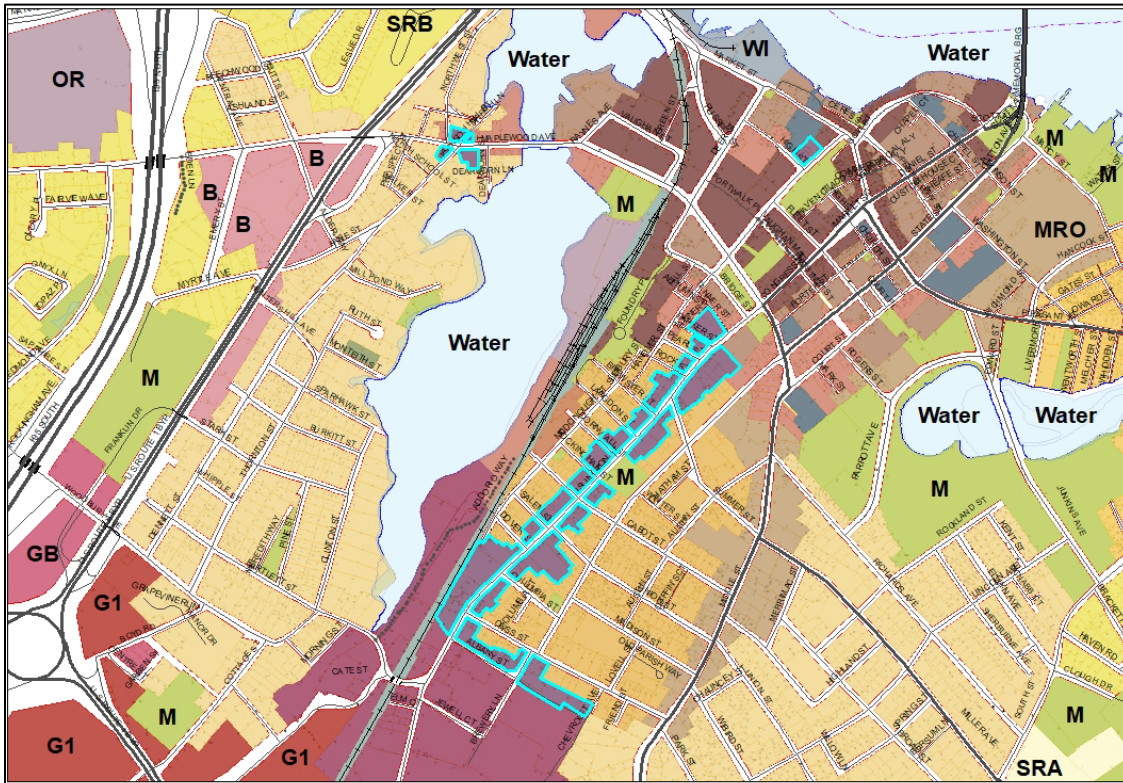
*Not permitted in the Downtown Overlay District

PARKING

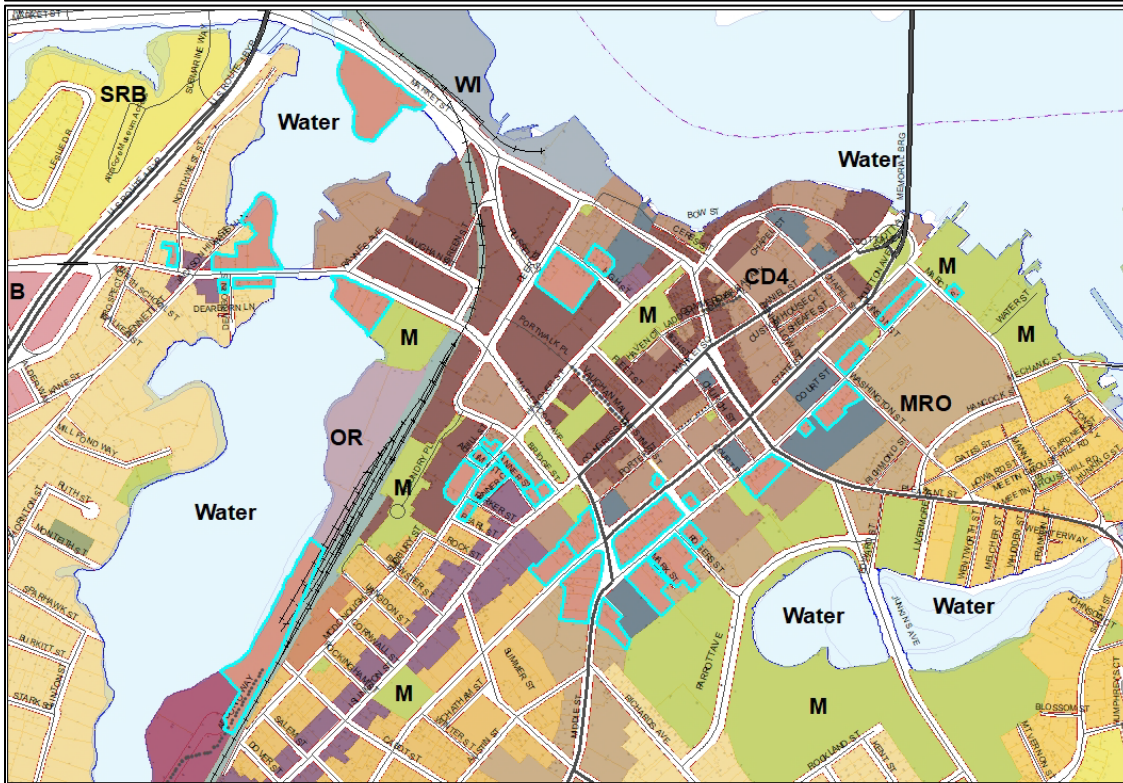
See Section 10.5A44.30

COMMUNITY SPACE

See Section 10.5A45



CD4-L2



CD4-L1

**FIGURE 10.5A41.10B DEVELOPMENT STANDARDS
CHARACTER DISTRICT 4—WEST END (CD4-W)**

This district consists of a medium-to-high density area with a mix of **building** types and residential, retail, and other commercial **uses**. There are shallow or no **front yards** and medium to no **side yards**, with variable private **landscaping** and on-site accessory parking. **Streets** have **sidewalks** and **street trees** or other pedestrian amenities, and define medium **blocks**.

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
Minimum front lot line buildout	50%	

* 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	60%	
Maximum building footprint	15,000 sf (or as allowed by Section 10.5A43.40)	

Minimum lot area	5,000 sf
Minimum lot area per dwelling unit	2,500 sf
Minimum open space	15%
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	
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 PLACEMENT – OUTBUILDING

Minimum front yard	20 ft behind a façade of a principal building	A
Minimum side yard	0 ft	B
Minimum rear yard	3 ft	C

BUILDING TYPES

See Figure 10.5A43.60 for **building** type definitions

House	not permitted
Duplex	not permitted
Rowhouse	permitted
Apartment building	permitted
Live/work building	permitted*
Small commercial building	permitted
Large commercial building	permitted
Cottage	not permitted
Paired House	not permitted
Gateway Townhouses	not permitted
Mixed-Use Building	permitted*
Flex Space Building	permitted
Community Building	permitted

*Residential **uses** are not permitted on the **ground floor**

BUILDING & LOT USE

See Sections 10.5A30 and 10.440

FAÇADE TYPES

See Figure 10.5A43.10 for **façade** type definitions
Except where required **façade** types are indicated on Map 10.5A21C, the below standards apply:

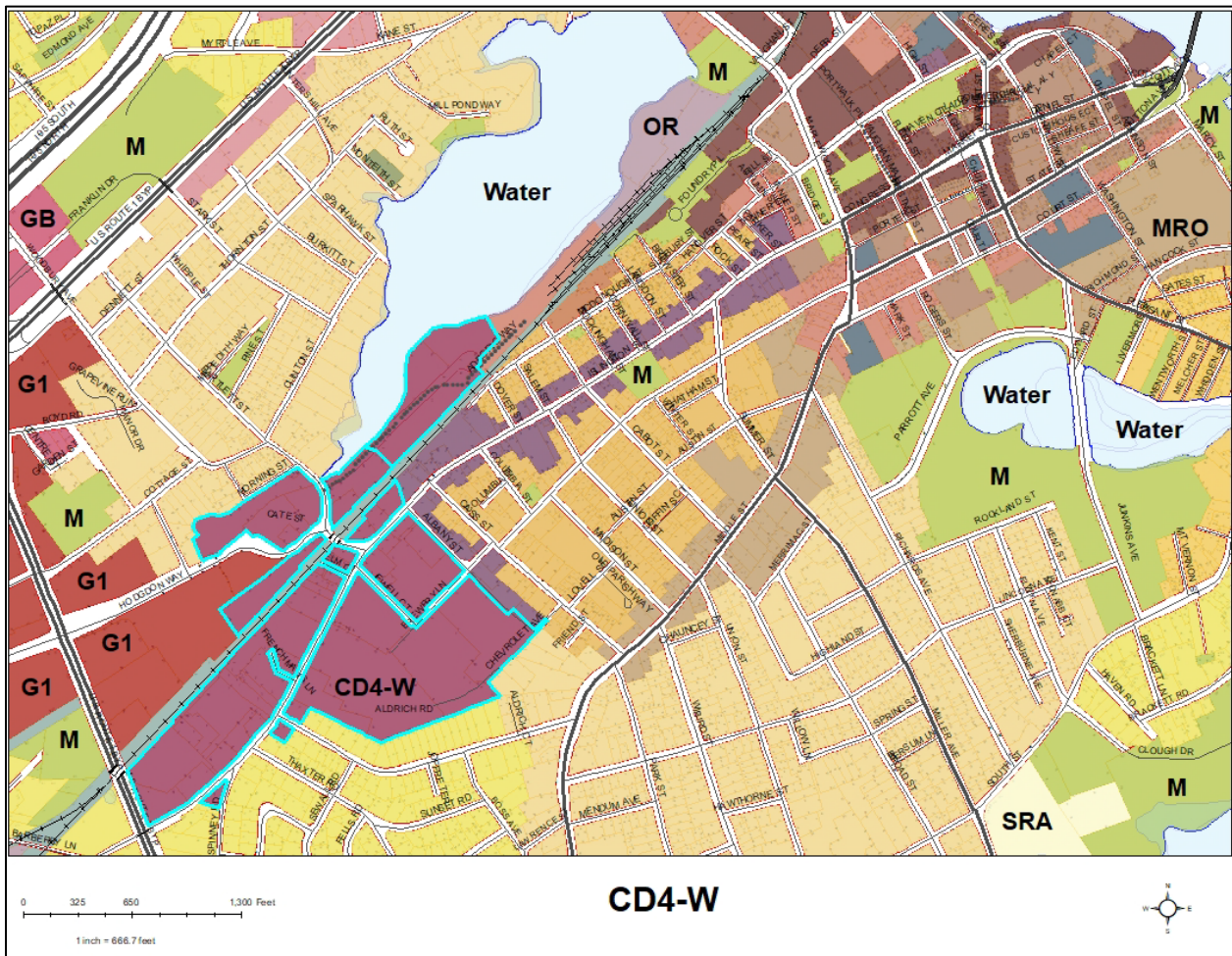
Porch	not permitted
Stoop	permitted
Step	permitted
Shopfront	permitted
Officefront	permitted
Forecourt	not permitted
Recessed-entry	permitted
Dooryard	permitted
Terrace	not permitted
Gallery	permitted
Arcade	permitted

PARKING

See Section 10.5A44.30

COMMUNITY SPACE

See Section 10.5A45



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

This district consists of a medium-to-high density transitional area with a mix of **building** types and residential, retail, and other commercial **uses**. There are shallow or no **front yards** and medium to no **side yards**, with variable private **landscaping**. **Streets** have **sidewalks** and **street trees** or other pedestrian amenities, and define small to medium **blocks**.

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)	

BUILDING PLACEMENT – OUTBUILDING

Minimum front yard	20 ft behind a façade of a principal building	A
Minimum side yard	0 ft	B
Minimum rear yard	3 ft	C

BUILDING TYPES

See Figure 10.5A43.60 for **building** type definitions

House	not permitted
Duplex	not permitted
Rowhouse	permitted*
Apartment building	permitted*
Live/work building	permitted**
Small commercial building	permitted
Large commercial building	permitted
Cottage	not permitted
Paired House	not permitted
Gateway Townhouses	not permitted
Mixed-Use Building	permitted**
Flex Space Building	permitted
Community Building	permitted

*Not permitted in the Downtown Overlay District

Residential **uses are not permitted on the **ground floor** in the Downtown Overlay District

BUILDING & LOT USE

See Sections 10.5A30 and 10.440

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.	

FAÇADE TYPES

See Figure 10.5A43.10 for **façade** type definitions
Except where required **façade** types are indicated on Map 10.5A21C, the below standards apply:

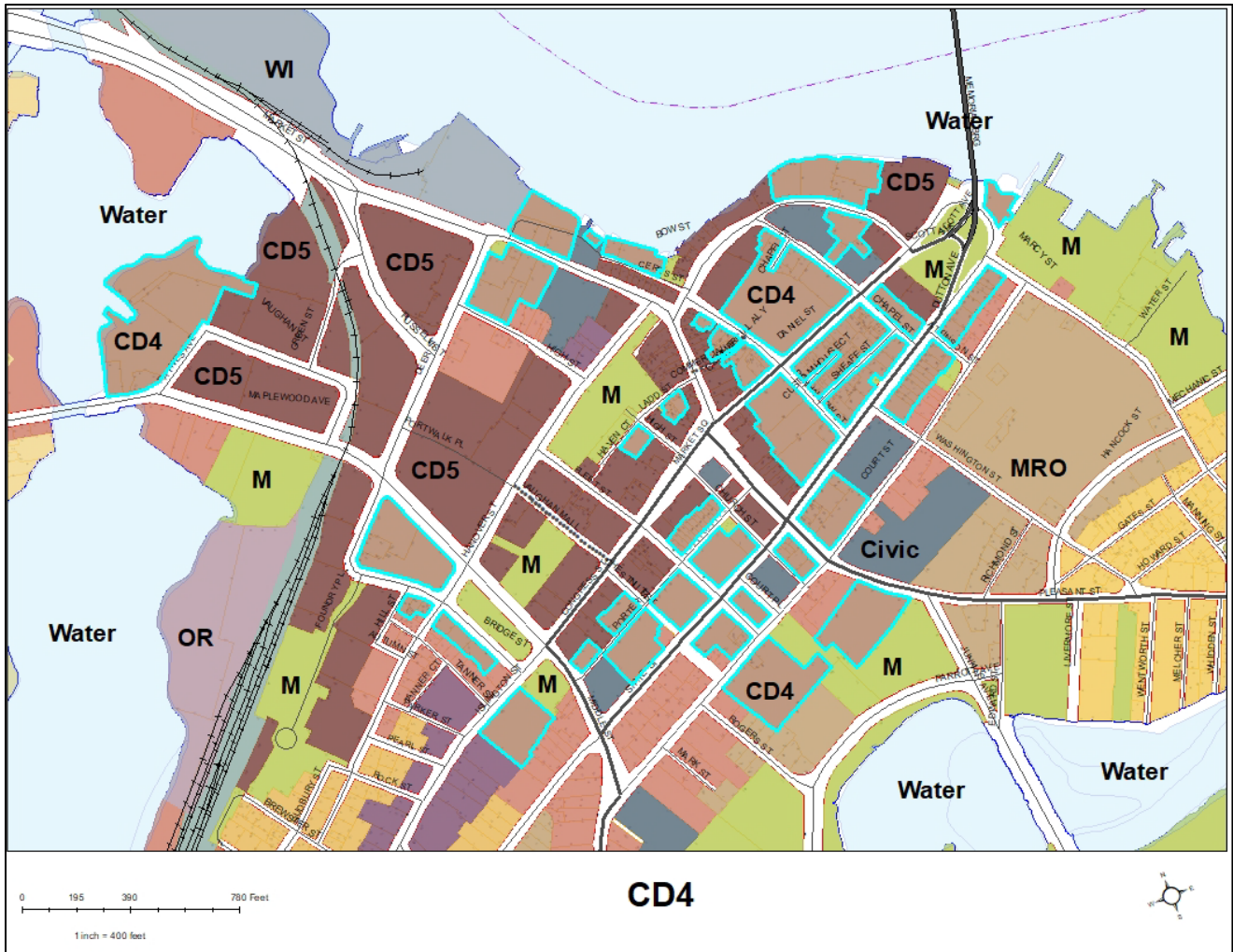
Porch	not permitted
Stoop	permitted
Step	permitted
Shopfront	permitted
Officefront	permitted
Forecourt	not permitted
Recessed-entry	permitted
Dooryard	permitted
Terrace	not permitted
Gallery	permitted
Arcade	permitted

PARKING

See Section 10.5A44.30

COMMUNITY SPACE

See Section 10.5A45



**FIGURE 10.5A41.10D DEVELOPMENT STANDARDS
CHARACTER DISTRICT 5 (CD5)**

This district consists of a high density center with a mix of **building** types and residential, retail and other commercial **uses**. There are no **front yards** or **side yards**, and limited **landscaping** and public parking facilities. **Streets** have **sidewalks** and trees or other pedestrian amenities, and define small to medium **blocks**.

BUILDING PLACEMENT – PRINCIPAL BUILDING*

Maximum principal front yard	5 ft	A
Maximum secondary front yard	5 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
Minimum front lot line buildout	80%	

* Except for items listed under Section 10.5A42.12

BUILDING AND LOT OCCUPATION

Maximum building block length	225 ft	E
Maximum façade modulation length	100 ft (see Section 10.5A43.20)	
Maximum entrance spacing	50 ft	
Maximum building coverage	95%	
Maximum building footprint	20,000 sf (or as allowed by Section 10.5A43.40)	

Minimum lot area	NR
Minimum lot area per dwelling unit	NR
Minimum open space	5%
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 PLACEMENT – OUTBUILDING

Minimum front yard	20 ft behind a façade of a principal building	A
Minimum side yard	0 ft	B
Minimum rear yard	3 ft	C

BUILDING TYPES

See Figure 10.5A43.60 for **building** type definitions

House	not permitted
Duplex	not permitted
Rowhouse	not permitted
Apartment building	not permitted
Live/work building	permitted*
Small commercial building	permitted
Large commercial building	permitted
Cottage	not permitted
Paired House	not permitted
Gateway Townhouses	not permitted
Mixed-Use Building	permitted*
Flex Space Building	permitted
Community Building	permitted

*Residential **uses** are not permitted on the **ground floor** in the Downtown Overlay District

BUILDING & LOT USE

See Sections 10.5A30 and 10.440

FAÇADE TYPES

See Figure 10.5A43.10 for **façade** type definitions
 Except where required **façade** types are indicated on Map 10.5A21C, the below standards apply:

Porch	not permitted
Stoop	permitted
Step	permitted
Shopfront	permitted
Officefront	permitted
Forecourt	not permitted
Recessed-entry	permitted
Dooryard	not permitted
Terrace	not permitted
Gallery	permitted
Arcade	permitted

PARKING

See Section 10.5A44.30

COMMUNITY SPACE

See Section 10.5A45

