

Re: Questions relating the Form-Based Code for Downtown (RFQ #18-13)

Questions presented as of October 19, 2012:

*Question 1. The lists of scope tasks is very brief: is a more detailed description of the tasks available or should we elaborate as we see fit? Is the city's original grant application available as well?*

Response – Other than what is listed already in the RFQ, a more detailed description of tasks are included and the city's application under the Community Planning Grant Program (see attached copy).

*Question 2. To what degree will the city planning staff be collaborating on the project? Specifically, to what degree will city planners be involved in stakeholder interviews, background mapping, project area inventory, public outreach, vision planning, integration of the code into local land use regulations, organization of meetings and project web site development? Are there other areas the city can assist with? We are trying to get a better idea of the extent of the involvement of city planning staff in order to develop our proposed scope and fees.*

Response - City staff - primarily the principal planner - will be significantly involved in many of the activities listed above. General assistance will be provided for background research, website development, mapping and inventory work, workshop coordination and the review of all legal documents. However, the level of contribution from the staff will depend on the skills, prior experience as well as general availability. That being said, bidders should expect city staff to play a significant role in helping to get this project completed on time and on budget.

*Question 3. Will the city be responsible for the final legal documents integrating the form based code into the city's land use regulations?*

Response - City staff will definitely play an active role in reviewing the draft and final legal documents however, bidders should anticipate that it is their sole responsibility to prepare drafts of the ordinances for staff review and comment.

**NH Community Planning Grant Application**  
**Developing a Form-Based Code for Downtown Portsmouth, NH**  
**Project Narrative**

**Project Goals**

Portsmouth's central business district is widely recognized as the heart of the community, and its continued success is essential to the City's future livelihood. The downtown is unique for its outstanding and unusually complete Colonial and Federal architecture, and within the community there is broad recognition of the downtown's architectural, historical and archeological importance. The downtown reflects the rebuilding after its 19<sup>th</sup> century fires which formed a central core of federal commercial buildings and established the three-story building height that continued to the late 20<sup>th</sup> century. The use of local red brick in the commercial core established its unique architectural character including excellent examples of master builders and architects from the Federal through the Victorian period.

As outlined in the 2005 Master Plan, the City's goals within the central business district are to maintain and enhance the downtown's historic role as a commercial, social, civic, and cultural center through the dedication of street-level spaces to commercial uses and encouraging mixed-use, pedestrian-friendly development that contributes to the tax base and vitality of the downtown. In support of this goal, the City is seeking to develop a form-based code to encourage the desired uses, compatible urban design, and expanded public facilities.

**Scope of Work and Budget**

The proposed project is to develop a form-based code for portions of the Central Business (CBB) and Mixed Residential Office (MRO) zoning districts in downtown Portsmouth. The work will be conducted as a team effort between the selected consultant and City staff (Planning Director Rick Taintor and Principal Planner Nicholas Cracknell). The estimated breakdown of effort is 72% consultant, 28% city staff.

The scope of work consists of 17 tasks grouped into five phases (A-E) as follows:

**A. BACKGROUND RESEARCH AND DATA GATHERING**

**Task 1. Consultant Orientation and Background Research**

Become familiar with the physical characteristics of the CBB and its historic patterns of urbanism and architecture. Research examples of form-based codes that have been implemented in New England or in settings comparable to downtown Portsmouth. Summarize and present findings in a technical memorandum to the Planning Department.

**Task 2. Interviews with Stakeholders**

Interview appropriate stakeholders involved with the project, including elected officials, nonprofit organization leaders, property owners, neighborhood representatives, local design professionals, developers, business organizations, and municipal staff.

**Task 3. Generate Background Maps**

Assemble base map information as needed to produce maps that will be used during the preparation of the form-based code.

#### Task 4. Detailed Project Area Inventory

Undertake a detailed inventory of the project area's built environment as necessary to document and characterize its existing and historic physical form. Analyze:

- Existing land uses
- Existing built form
- Existing streetscape characteristics
- Property boundaries and ownership.
- Buildings available for adaptive re-use.
- Existing vacant and underdeveloped land and potential for redevelopment.
- Local plans

Summarize and present the results of this analysis in narrative and map form.

#### Task 5. Extend Existing Three-Dimensional Modeling in Google Earth

Expand the three-dimensional building models currently available on Google-Earth (see Attachment 3) to include key portions of the project area. The purpose of this task is to create a context within which future proposed development projects can be evaluated visually.

### B. PUBLIC OUTREACH AND ENGAGEMENT

#### Task 6. Prepare Documentation for Project Website

Provide materials including text, photographs, maps, renderings, and other images for the project web site.

#### Task 7. Targeted Outreach

Reach out to institutions and organizations in and adjacent to the central business district that provide services to marginalized and underrepresented communities, including the Salvation Army, three churches, and the Portsmouth Housing Authority's senior housing developments. Through these connections, identify ways to engage the communities in the project workshops/charrette and other design efforts.

#### Task 8. Public Workshop and/or Design Charrette

Organize and lead two half-day or evening design workshops or one full-day planning charrette to engage the community, gather ideas and goals, and formulate implementation strategies.

At the conclusion of the workshop(s), present the work generated to date, including plans, renderings, and initial coding ideas that reflect ideas articulated in the workshops.

### C. DRAFTING THE FORM-BASED CODE

#### Task 9. Concept/Vision Plan

Refine preliminary "transect" zones identified by planning staff. Develop conceptual form, siting, use and element standards. Develop an initial outline of the form-based code approach. Meet with planning staff as necessary to review and revise the outline.

#### Task 10. Design Parameters for the Form-Based Code

Develop a regulating plan, building form standards, street standards (plan and section), use regulations as needed, descriptive building or lot types, and other elements needed to implement the principles of functional and vital urbanism and practical management of new growth and development. The task deliverables will include the following:

- Overview, including definitions, principles, and intent; and explanation of the regulations and process in clear user-friendly language.
- Regulating Plan (a schematic representation of the master plan) illustrating the location of streets, blocks, public spaces (such as greens, squares, and parks), and other special features. Regulating plans may also include aspects of Building Form Standards such as “build-to-lines” or “required building lines” and building type or form designations.
- Building Form Standards governing basic building form, placement, and fundamental urban elements to ensure that all buildings complement neighboring structures and the street. These standards should be based upon study of building types appropriate for the region, climate, and neighborhood vitality.
- Public Space/Street Standards defining design attributes and geometries that balance the needs of motorists, pedestrians, bicyclists, and transit riders while promoting a vital public realm. These standards should include design specifications for sidewalks, travel lane widths, parking, curb geometry, trees, and lighting.
- Optional Sections should be considered that may include building or lot types, architectural standards (exterior materials and quality), landscape standards, parking location and parking management standards, etc.

#### Task 11. Integration of the Form-Based Code

Integrate the form-based code into the City’s existing regulatory framework (zoning ordinance and site plan review regulations) in a manner that insures procedural consistency, meshes with state and local legal requirements, provides clarity as to applicability of existing regulations, and maximizes the effectiveness of the code.

### D. REFINING THE FORM-BASED CODE

#### Task 12. Presentation of First Draft

Present the first draft of the form-based code for the purpose of gathering comments. The presentation may be made to a special audience of neighborhood residents or stakeholders, or may be presented before a joint gathering of municipal boards and committees, as determined by the City.

#### Task 13. Meetings with Stakeholders

Participate in up to three additional meetings with key stakeholders to explain the details of the new code and obtain further input and comments.

**Task 14. Prepare Final Draft of Form-Based Code**

Collect comments, questions, and suggestions for these refinements from various sources and consolidate them into a series of action items for revision or responses. Prepare up to two rounds of revisions based on this feedback and prepare a second complete draft of the form-based code.

**Task 15. Present Final Draft of Form-Based Code**

Present the second draft of the form based code at another meeting convened by the City.

**E. FORMAL PRESENTATION OF PROPOSED FORM-BASED CODE**

**Task 16. Presentations to Planning Board and City Council**

Make formal presentations to the Planning Board and the City Council. A total of three meetings may be required: a work session with the Planning Board; a public hearing of the Planning Board; and a public hearing of the City Council.

**Task 17. Final Project Report**

Compile a final project report documenting the background research and analyses, the final draft form-based code and related regulatory amendments, and public information materials describing how the code will be implemented and used.

The proposed budget for the project is \$55,311, including \$47,400 in consultant fees (\$43,845 from CPG funds and \$3,555 cash match) and \$7,911 in-kind match (estimated 180 hours of Planning Department staff time). The budget by task is listed in the Project Budget Worksheet (page 3 of the application form).

The project will be initiated in August 2012 and completed in April 2014. The estimated timeline for each task is as follows:

1. Orientation and background research	Aug-Sep 2012
2. Interviews with stakeholders	Aug-Sep 2012
3. Generate background maps	Aug-Oct 2012
4. Detailed project area inventory	Sep-Nov 2012
5. Extend existing 3-D modeling	Sep-Nov 2012
6. Prepare documentation for project website	Sep-Nov 2012
7. Targeted outreach to underrepresented communities	Oct 2012 - Dec 2013
8. Public workshops / design charrette	Oct-Dec 2012
9. Concept/vision plan	Jan-Mar 2013
10. Design parameters for form-based code	Jan-Mar 2013
11. Integration into land use regulations	Mar-Apr 2013
12. Present first draft of form-based code	May 2013
13. Meetings with key stakeholders	June-Sep 2013
14. Prepare final draft of form-based code	Sep-Oct 2013
15. Present final draft of form-based code	Nov-Dec 2013
16. Presentations to Planning Board and City Council	Jan-Mar 2014
17. Final project report	Apr 2014

## **Master Plan Consistency**

Participants in the City's Master Plan process highlighted downtown preservation and enhancement as one of the most important issues facing Portsmouth. Through considerable public discussion a clear vision for the downtown's continued evolution emerged and included the extension of mixed uses, pedestrian-friendly streets, and human-scaled architecture. Inherent to this vision are a number of enhancements to the urban fabric such as requiring active ground-floor uses, the introduction of new pocket parks and maintaining an adequate supply of convenient shared public parking. Having recently experienced some of the design shortfalls of the uniformity standards in Euclidean use-based zoning, the City hopes that the development of a FBC for downtown will help it achieve this vision.

## **Consistency with the NH Livability Principles**

This project seeks to promote the City's traditional pattern of development based on the standards of environmental, economic and social sustainability. The project will promote economic and social diversity by developing an innovative land use regulation that will help protect the existing small-scale, mixed-use buildings in the downtown as well as provide new opportunities for mixed-use development on a wide array of the remaining surface parking lots scattered throughout the CBD. The project will help protect the heritage of the City's built and natural environment through the implementation of an innovative land use regulation. It is hoped that this new regulation will enable the City and private developers to collaborate and facilitate the redevelopment of many of the remaining properties with twentieth century buildings and parking lots into traditionally designed mixed-use buildings, shared parking facilities, public parks, and other open spaces.

This project will also promote resilience in the face of economic downturns by building on existing infrastructure and integration of future capital improvements that support the community vision for the downtown. Such improvements will strengthen economic activity within the CBD.

The project will facilitate adaptation to climate change by promoting new growth and development within existing service areas. Such growth will reduce dependence and development pressure on outlying "Greenfield" areas and promote alternative transportation choices (trolley, bus, bicycle and walking trails).

Finally, the project will also address the challenge of implementing regulatory reform by implementing a more nuanced set of dimensional requirements that reduce the design and permitting uncertainty for the height and massing of new buildings.

## **Regional Approaches**

Although not formally a regional application, the project will produce a model form-based code for other New Hampshire communities to use for downtown redevelopment. Additionally, through the integration of an interactive 3-D model with the City's Geographic Information System, the project offers a unique opportunity to use new technology in urban design and site analysis and the development of FBC.

## **Readiness to Proceed**

Funding for the required cash match is available immediately. If awarded the grant, the City will issue the RFQ within 60 days and complete the project within 20 months.

**NH COMMUNITY PLANNING GRANT APPLICATION**

**CITY OF PORTSMOUTH**

**ATTACHMENTS**

1. Project Area Map
2. Downtown Portsmouth Historic Context and Current Development Issues
3. Three-Dimensional Modelling – Central Business District
4. Core Project Opportunities Maps
5. Draft Transect Zones Map

Attachment 1  
PROJECT AREA MAP





## Attachment 2

### DOWNTOWN PORTSMOUTH HISTORIC CONTEXT AND CURRENT DEVELOPMENT ISSUES

Portsmouth's Central Business District (CBD) is a noteworthy example of an early "planned" community in New Hampshire. Starting as a small colonial port capital it developed through conscious land division and planning. Early land owners laid out large subdivisions, street plans and locations for public buildings which form the current land use and street patterns. These early streets provided the framework for outward expansion from the historic center as the City grew. The lack of new construction in the downtown section of the historic district after World War I, due to the Depression and the restraint of World War II, preserved a nearly total 19<sup>th</sup> century port that had emerged from New Hampshire's colonial capital. In direct contrast to this early settlement pattern, in the second half of the twentieth century nearly 50% of the older historic buildings were demolished and redeveloped with single-use, single-story commercial buildings with large surface parking lots.

Adopted in 1977, Portsmouth's historic district comprises the colonial port-capital of New Hampshire as it evolved by the mid-eighteenth century. It contains over 850 structures as well as a number of tested archeological sites. The commercial downtown section is largely brick, three-story blocks and rows along streets radiating from Market Square and built during the 19th century after a series of fires. Together with the other sections of the historic district, the traditional setting and streetscapes, open spaces, parks and public spaces create a distinct sense of place.

More recently, Portsmouth's CBD has experienced significant public- and private-sector redevelopment activity with a renewed emphasis on enhancing pedestrian flow and walkability. The City has made major investments in a variety of utility and streetscape improvement projects within the CBD, most recently along State Street. The City is currently working with State officials to redesign and improve the pedestrian and vehicular circulation associated with the Memorial Bridge Replacement Project. By enhancing the park areas, adding wide brick sidewalks with period lighting, creating a harborwalk along the Piscataqua River and new bike lanes, the City hopes to strengthen the pedestrian connection between the CBD and nearby cultural and historic sites. Additionally, the City is initiating a proposal to redevelop and reuse the former Connie Bean Recreation Center as a commercial or mixed-use building. In all of these improvements, the City has continued to focus on setting an example for the promotion of high-quality building and site design in order to strengthen the City's walkability and distinct sense of place.

Several recent private-sector investments have resulted in the conversion of former surface parking lots or underutilized properties that were cleared and redeveloped during the Urban Renewal period in the 1960s and 1970s. Largely a result of recent zoning requirements that require pedestrian-scaled buildings with active ground-floor uses, many of the newer replacement buildings are more consistent with the City's traditional land use patterns for building placement and design.

The gradual transition from the redevelopment of larger Urban Renewal sites to smaller infill sites within the traditional historic district creates an emerging challenge to the vitality of the economic, social and cultural fabric of the City. A key planning and design issue is balancing the private property rights of landowners with the need for new growth and economic development that both protects and enhances the existing quality and character of the larger historic district. For example, nearly half of the privately-owned property within the CBD can be classified as “underutilized” either because the existing buildings are significantly smaller than allowed by zoning (1 to 3 stories) or because they are occupied by surface parking lots. Thus, the threat to the contributing historic structures within the downtown historic district is likely to grow as development pressures increase in the district.

Within the older historic areas containing predominantly three-story buildings dating to the early nineteenth century, many of the newer infill or replacement buildings have sought to use the full height allowance of 60 feet provided under the zoning ordinance. In the 19th and 20th centuries, building height generally adhered to a 1:1 ratio of height to the width of the right-of-way in order to provide sufficient light and air within the public street. In Portsmouth, most streets within the CBD are less than 60 feet in width with some as narrow as 25-30 feet. Thus, the 60 foot height allowance in the zoning ordinance threatens many of the City’s historic structures with demolition, substantial alteration or, encroachment from new, much taller, infill buildings.

In order to address this challenge the City is seeking to develop a form-based code (FBC) as an innovative strategy to (1) protect against adverse impacts to the City’s remaining historic buildings; (2) ensure that new building and site design is compatible with the prevailing historic character of the district; and (3) ensure that new developments within the district include adequate provisions for new public spaces such as parking, pocket parks and other public spaces.

Rather than viewing redevelopment as a means to integrate a new building into the context of a larger public space, too many of the newer buildings being added to the City’s CBD are being designed as “object” buildings that do not always fit in to the surrounding neighborhood context. Unlike the one-size-fits-all approach of conventional Euclidean-based zoning, developing a form-based code would allow the City to tailor the design requirements for new buildings and public spaces to reflect the community values that enhance Portsmouth’s distinct local character. The development of a form-based code offers an opportunity for the City’s land use regulations to clarify the City’s intentions for new growth and development, produce more predictable architecture, and establish a set of clear design principles and building types to ensure that new buildings are consistent and compatible with the quality and character of downtown Portsmouth.

With more than half of the existing CBD well below the maximum height allowance under the zoning regulations, the City has both challenges and opportunities in terms of managing new growth and development that is consistent with the goals and objectives of the community Master Plan as well as the NH Livability Principles. In addition, it is anticipated that the 2.3-acre Federal McIntyre Building property will be transferred to the City in the future and this presents a unique redevelopment opportunity. With careful planning, the City hopes to facilitate a more balanced and sustainable transition of properties that are redeveloped to strengthen the environmental, social, and economic vitality of downtown Portsmouth.

### Attachment 3

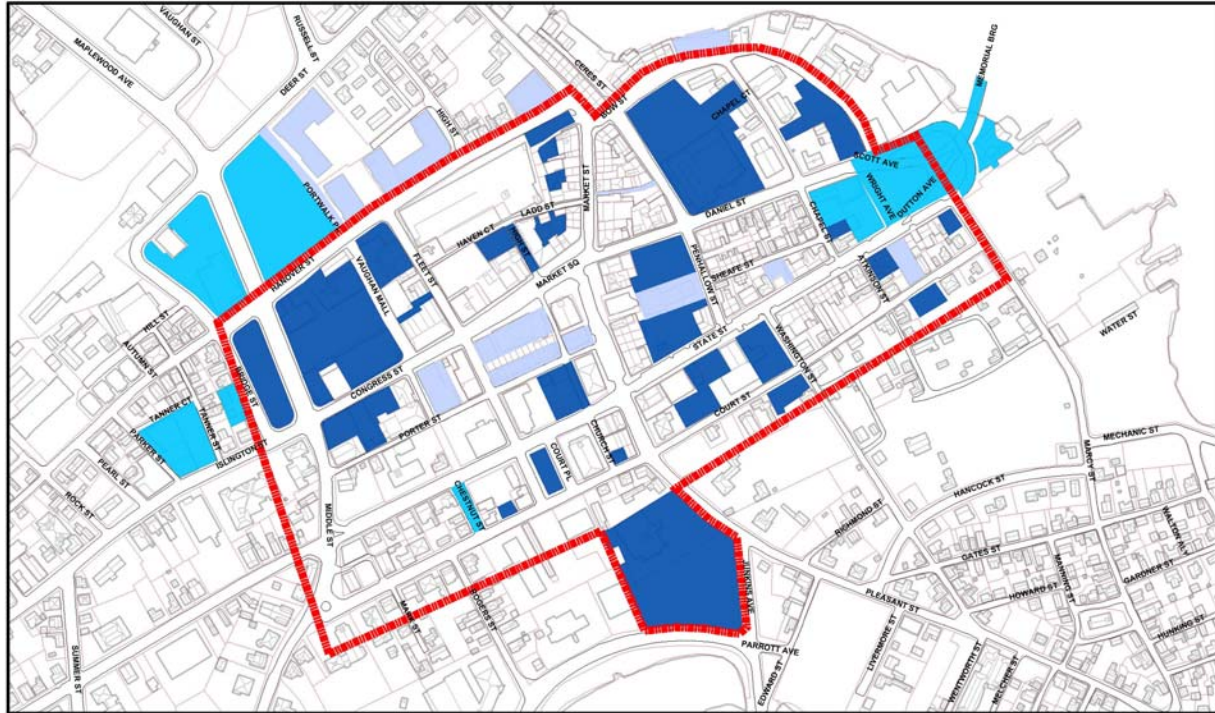
## THREE-DIMENSIONAL MODELLING – CENTRAL BUSINESS DISTRICT



Source: Google Earth

# Attachment 4

## CORE PROJECT OPPORTUNITIES MAPS



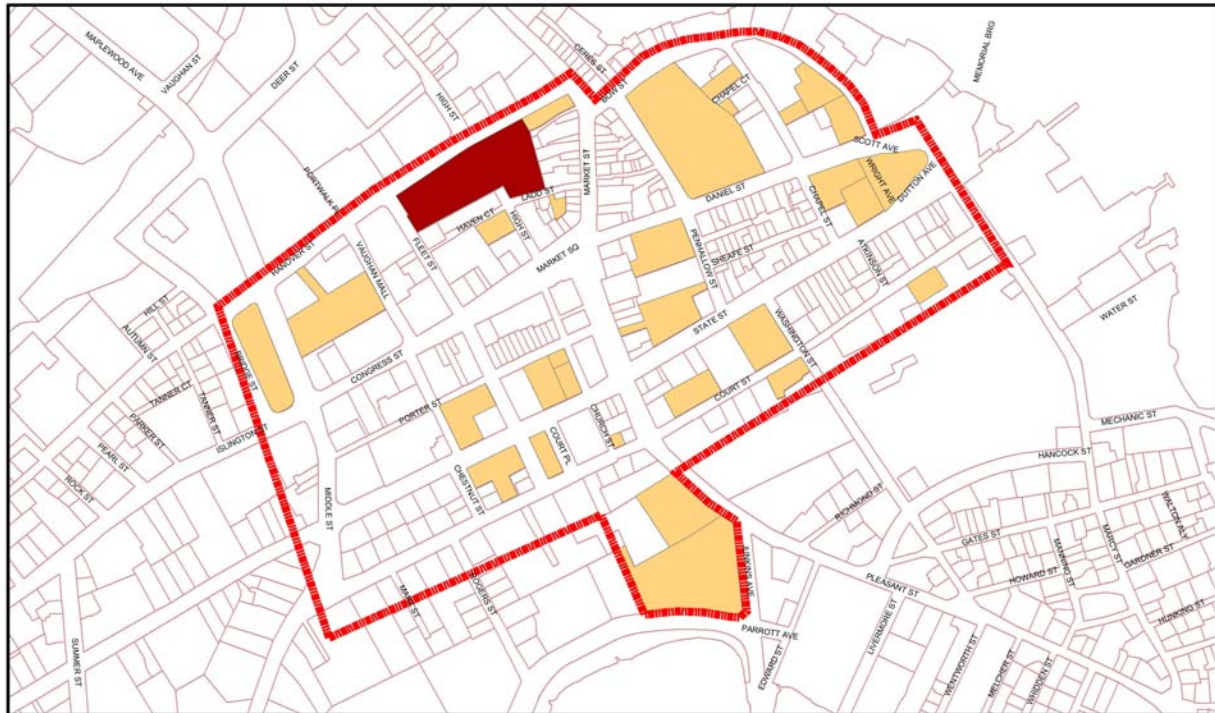
**REDEVELOPMENT OPPORTUNITIES MAP**  
FORM-BASED CODE PROJECT

0 110 220 440 660 880 Feet

**Legend**

**Development Type**

- Recent Development Projects
- Current Development Projects
- Potential Development Projects



**DOWNTOWN PARKING MAP**  
FORM-BASED CODE PROJECT

0 110 220 440 660 880 Feet

**Legend**

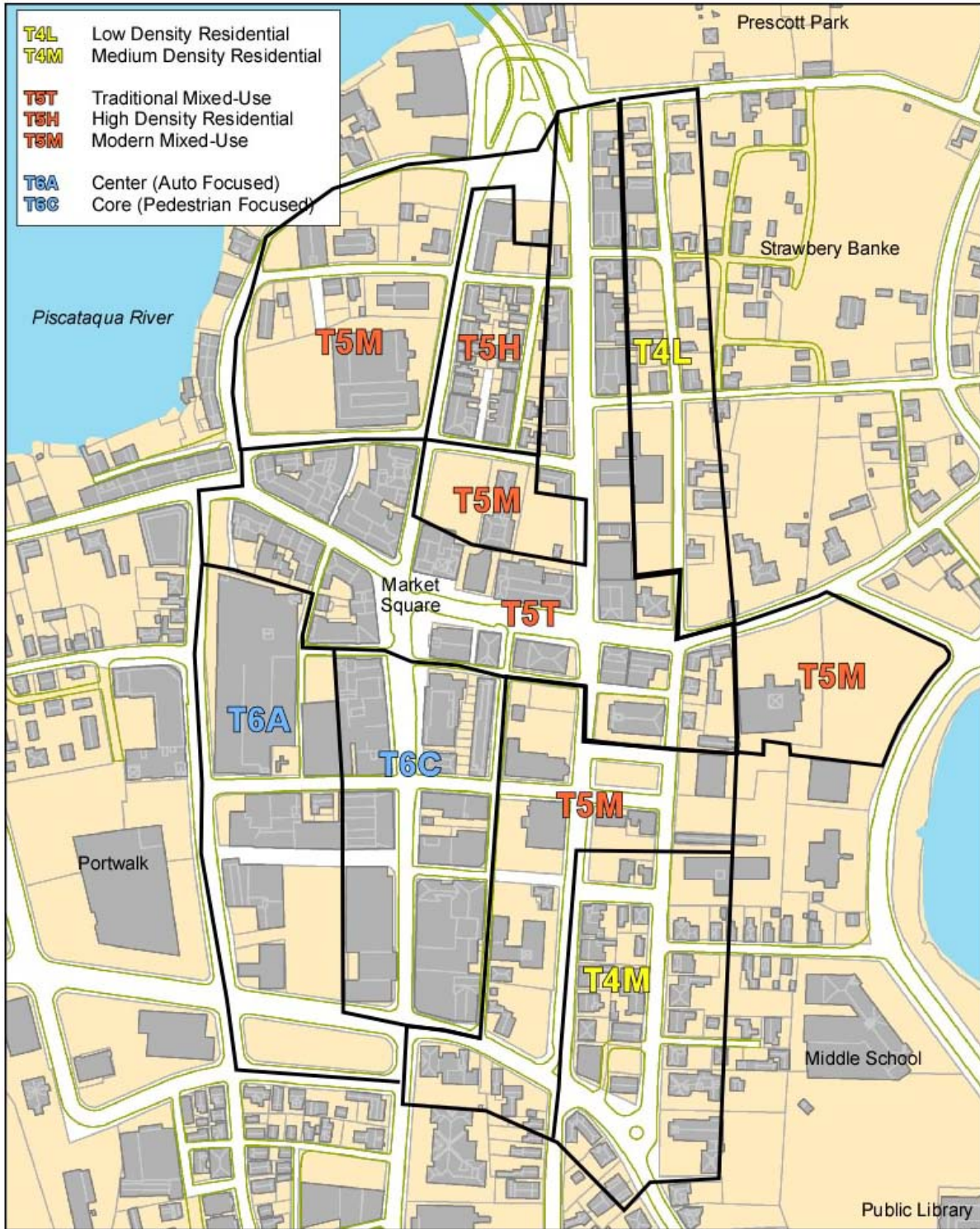
**Parking Lot Type**

- Surface Parking Lot
- Structured Parking Lot



# Attachment 5

## DRAFT TRANSECT ZONE MAP



Preliminary Transects

