

**Workforce Housing Zoning Audit--Draft
Town of Durham
August 25, 2010**

Relevance of current zoning for compliance with Workforce Housing, NH RSA 674: 58-61

Article/District/Overlay	Requirements/Comment	Relevance to SB342-
Part A. Administrative Provisions		
Article I—General Provisions	Not Relevant	N/A
Article II—Definitions	Not Relevant	N/A
Article III—Administration and Enforcement		N/A
Article IV—Interpretation, Amendments & Legal Provisions	Not Relevant	N/A
Article V—Planning Board	Reviews application for residential subdivision development.	N/A
Article VI—Zoning Board of Adjustment	May be asked to rule on variance for special exception on existing zoning use or standard.	N/A
Article VII—Conditional Use Permits		N/A
Article VIII—Variances & Special Exceptions		N/A
Article IX—Nonconformance		N/A
Part B. Zoning Districts		
Article X General Zoning District Provisions	Not directly relevant.	N/A
Article XI Establishment of Zones	Not directly relevant.	N/A
Article XII Zone Requirements		
Section 175-37 Rural(R)	<p>Permits: SF; Elderly Housing (Single, duplex and multi-family); Accessory Apartment; Accessory Dwelling Unit; Manufactured Housing</p> <p>Prohibited: Duplex; Multi-family; Mixed Use</p> <p>Conditional Use: None</p> <p>Area/Dimension: One unit per 150,000 sf; Frontage 300 feet, front = 30-40'; side and rear =50'; Height 30 feet (Table 175-54).</p> <p><i>This zoning district covers high percentage of community.</i></p>	<p>Restrictive with respect to RSA 674:58-61.</p> <ul style="list-style-type: none"> • Allows ADU's and Accessory Apartments. These can provide lower cost housing. • Provision for elderly housing as workforce housing limited by state law. <p>“Housing developments that exclude minor children from more than 20% of units shall not constitute workforce housing...”</p> <ul style="list-style-type: none"> • Probably not economically feasible for WF housing unless Conservation Subdivision. <p>See Notes below.</p>

<p>Section 175-38 Residential A (RA)</p>	<p>Permits: SF; Elderly Housing (Single, duplex and multi-family); Accessory Apartment, Prohibited: Duplex; Multi-family; Accessory Dwelling Unit ; Manufactured Housing; Mixed Use Conditional Use: None Area/Dimension: One unit per 20,000 sf; Frontage 100 feet, front = 30-40'; side = 10' and rear =20'; Height 30 feet (Table 175-54).</p> <p><i>Much of this district is built out.</i></p>	<p>Restrictive with respect to RSA 674:58-61.</p> <ul style="list-style-type: none"> • Allows Accessory Apartments. These can provide lower cost housing. • Relatively small lot size might provide opportunity for WF housing. Land cost likely to be too high. • Provision for elderly housing as workforce housing limited by state law. <p>See Notes below.</p>
<p>Section 175-39 Residential B (RB)</p>	<p>Permits: SF; Elderly Housing (Single, duplex and multi-family); Accessory Apartment Prohibited: Duplex; Multi-family; Accessory Dwelling Unit; Manufactured Housing; Mixed Use Conditional Use: None Area/Dimension: One unit per 40,000 sf; Frontage 150 feet, front = 30-40'; side = 20' and rear =30'; Height 30 feet (Table 175-54).</p> <p><i>This district has available land for residential development.</i></p>	<p>Restrictive with respect to RSA 674:58-61.</p> <ul style="list-style-type: none"> • Allows Accessory Apartments. These can provide lower cost housing. • Provision for elderly housing as workforce housing limited by state law. <p><i>Comment: Revision to this section to allow for density bonus for WF housing may address IZIP approach.</i></p>
<p>Section 175-40 Residential Coastal (RC)</p>	<p>Permits: SF; Elderly Housing (Single, duplex and multi-family); Accessory Apartment; Accessory Dwelling Unit Prohibited: Duplex; Multi-family; Manufactured Housing; Mixed Use Conditional Use: None Area/Dimension: One unit per 150,000 sf; Frontage 300 feet, front = 30-40'; side = 50' and rear =50'; Height 30 feet (Table 175-54).</p> <p><i>This zoning district covers high percentage of community.</i></p>	<p>Restrictive with respect to RSA 674:58-61.</p> <ul style="list-style-type: none"> • Allows Accessory Apartments and ADU's. These can provide lower cost housing. • Provision for elderly housing as workforce housing limited by state law. • Probably not economically feasible for WF housing unless Conservation Subdivision. <p><i>Comment: Revision to this section to allow for density bonus for WF housing may address IZIP approach.</i></p>
<p>Section 175-44 Church Hill (CH)</p>	<p>Permits: SF; Elderly Housing (Single, duplex and multi-family); Accessory Apartment Prohibited: Duplex; Multi-family; Accessory Dwelling Unit; Manufactured Housing; Mixed Use Conditional Use: None Area/Dimension: One unit per 5,000 sf; Frontage 50 feet, front = 15'; side = 5' and rear =15'; Height 30 feet (Table 175-54).</p> <p><i>Much of this district is built out.</i></p>	<p>Less Restrictive with respect to RSA 674:58-61;</p> <ul style="list-style-type: none"> • Allows Accessory Apartments. • Small lot size might allow for less expensive housing. • Provision for elderly housing as workforce housing limited by state law. <p>See Notes below.</p>

Article XIII Wetland Conservation	Not directly relevant	N/A
Article XIV Shoreland Protection	Not directly relevant	N/A
Article XV Flood Hazard Overlay	Not directly relevant	N/A
Article XVI Aquifer Protection	Not directly relevant	N/A
Article XVII Historic Overlay	Not directly relevant	N/A
Article XVIII Personal Wireless	Not directly relevant	N/A

Part C. Standards		
Article XIX Conservation Subdivisions	<ul style="list-style-type: none"> Allows residential development within all Residential Districts. Overall Density based on underlying residential zone. Allows smaller lot sizes, but not less than 10,000 sf. Open space or unusable area criteria quite significant, minimizing usable area. E.g. includes Moderately Well Drained soils as unusable. See Article XII, Zone Requirements; Section 175-55, General Dimensional Controls, F. Calculation of Usable Area 	<p>Less Restrictive with respect to RSA 674:58-61.</p> <ul style="list-style-type: none"> Provides opportunity for smaller lot sizes and efficiency of costs for roadways and utilities. Restrictive requirements may limit available area for building and add cost burden to development. Provision for elderly housing as workforce housing limited by state law. <p><i>Comment: Revision to this section to allow for density bonus for WF housing may address IZIP approach.</i></p>
Article XX Performance Standards	C. Describes standards for Accessory Apartments and Dwelling Units	
Article XXI Off Street Parking & Loading		
Article XXII Landscaping		
Article XXIII Sign & Utility Structures		
Article XXIV Septic Systems		
Article XI Performance Standards		

NOTES:

- Accessory apartments** allowed in all zones except Durham Business Park.
- Accessory dwelling units** allowed in the following zones: Rural, Residence C, Professional Office, Church Hill, Coe's Corner, Office Research, Multi-family Office Research (MUDOR), Office Research/Light Industry (ORLI).
- Duplexes** allowed in MUDOR.
- Multi-family** allowed by Conditional Use Permit in MUDOR and ORLI and in Professional Office (PO) if part of adaptive reuse.
- Mixed Use with Residential** allowed by Conditional Use Permit in PO and MUDOR