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**Town Planner's Review**  
**Wednesday, October 28, 2020**

- VI. **Zoning Amendments initiated by Town Council.** Zoning amendments regarding height, stories, uses, and building configuration in the Central Business District; method for determining building height; drive-through facilities; and related changes. (The public hearing is closed.)
- I recommend that the board share its comments with the Town Council or continue the discussion if more time is needed.

Please note the following:

- The Planning Board has until the December 9 meeting to offer comments about the proposed amendments. This includes two more meetings after the October 28 workshop: November 18 and December 9.
- The board can provide comments in any format that it wishes: a) general comments; b) comments about specific provisions; or c) proposed specific changes in language. If the latter, a new public hearing would be required.
- We have received numerous comments about the proposed amendments, in writing and at the public hearing, both from members of the public and from Planning Board members Paul Rasmussen and James Bubar. These are posted on the website. I include comments from Paul Rasmussen, Planning Board chair, in this packet for your review. He has gone through the Master Plan and included numerous excerpts in his memo along with offering his own view.
- There are various pertinent chapters of the Master Plan: Future Land Use, Economic Development, Downtown, and Vision and Community Character. One can also look specifically to the results of the Community Land Use Forum that was conducted for the Future Land Use Chapter on May 13, 2017 and the Downtown Strategic Master Plan (B. Dennis Plan) for which a multi-day charrette was held in Durham in 2009.

*(over)*

- You can see the Master Plan chapters here:  
<https://www.ci.durham.nh.us/planning/master-plan>.

You can see documents related to the Land Use Forum here, including the meeting summary: <https://www.ci.durham.nh.us/planningandzoning/future-land-use-community-forum-saturday-may-13-holloway-commons-unh-830-am-300-pm>.

You can see the B. Dennis Plan here: <https://www.ci.durham.nh.us/planning/other-plans-and-studies>.

- As Councilor Lawson has pointed out all of the recent large scale student housing developments were approved under the old fairly generous allowance requiring a minimum of 200 habitable square feet per occupant. Note, however, that while Orion was subject to this requirement, the developer chose to build with a more restrictive standard including at least 380 square feet of habitable area per occupant.
- The various studies and chapters of the Master Plan provide different points of view to help in answering the question: “What does the Master Plan say?” This is not unusual. There are numerous chapters and studies, which included input from different interest groups. The Planning Board and Town Council can review the various statements in the plans to provide perspective in thinking about the proposed amendments.
- There are references to the Central Business District being composed basically of 3-story buildings with an occasional 4-story building included. There are comments about the need to densify the downtown, redevelop the downtown, and enhance development. The vision calls for a vibrant downtown while preserving our small-town character. The 2011 Survey shows that 56% of the respondents would support buildings over 4 stories. The B. Dennis Plan has a reference to 3 to 5 story buildings.
- The Planning Board and Town Council can revisit the vision for the downtown and see if this is still appropriate with the changes we have seen since the chapters and studies were prepared. Ultimately, the questions are: a) whether allowing more flexibility in development is needed to promote development; b) whether the proposed changes are the optimal approach to promoting development and whether any tweaks are needed to the proposal; c) whether the proposed changes will facilitate development that is consistent with the overall spirit of the master plan; and d) whether the changes would likely succeed in balancing the need for new development and redevelopment with the goal of preserving and enhancing the optimal character of Durham’s downtown and commercial core.