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Town Planner's Review
Wednesday, December 14, 2022

- X. **Public Hearing - Housing Amendments.** Consideration of numerous amendments to the Zoning Ordinance proposed by the Durham Housing Task Force to enhance housing opportunities in Durham.
- I recommend that the board discuss the proposal and decide how to proceed.

The proposed amendments were developed by the Durham Housing Task Force. These are extensive amendments to the Zoning Ordinance intended to expand housing opportunities in Durham. They are shown here: https://www.ci.durham.nh.us/boc_planning/housing-amendments. The draft changes give a broad picture of most areas of the ordinance where housing could theoretically be expanded.

The public hearing was opened on November 30. There were numerous comments, mostly objecting to the changes. There were a few comments generally in support of at least responding to the statewide housing crisis in some manner. Should the public hearing be closed or continued?

There are two grants that might be worth applying for:

- We could pursue a HOP (Housing Opportunity Planning) grant to prepare a needs analysis to get a better sense of what kind of housing is needed and possible in Durham, if that is desirable. The grant maximum is \$25,000 and an application would be due January 27 or when funds are exhausted, whichever occurs first. I don't believe that any match from the Town would be needed.
- We could pursue a mini-grant to hire a facilitator for a community forum to discuss housing. The grant maximum is \$5,000 and there is no Town match. Applications are submitted on a rolling basis.

Should we pursue one or both of these?

This is a significant debate for the community. Are there changes that should be made to the zoning ordinance to accommodate more housing development? Or is the existing zoning ordinance right the way that it is for Durham? Does Durham have a responsibility to do more in light of the wider housing crisis? Or has Durham already done a great deal by accommodating substantial multi-unit student housing? And are there aspects of Durham different from other towns and cities that make it difficult to do more regarding housing?

(over)

In my view, the issue is less about workforce or affordable housing than it is for the potential expansion of housing in general. Creating workforce housing under the state definition is complex anywhere but especially tricky in Durham given the demand for student housing.

Even board members of the nonprofit Workforce Housing Coalition of the Greater Seacoast have stated that their goal for the coalition is to expand housing opportunities in general – the amount of housing units and the type of housing along with creating affordable housing.

Here is the state’s definition of “Workforce Housing:”

*674:58 IV. " Workforce housing " means **housing which is intended for sale** and which is **affordable to a household with an income of no more than 100 percent of the median income** for a 4-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. " Workforce housing " also means **rental housing** which is **affordable to a household with an income of no more than 60 percent of the median income** for a 3-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. Housing developments that exclude minor children from more than 20 percent of the units, or in which more than 50 percent of the dwelling units have fewer than two bedrooms, shall not constitute workforce housing for the purposes of this subdivision.*

Here is another recently adopted state law tying density bonuses for senior housing to workforce housing. The Town’s zoning ordinance provides a bonus for senior housing of double the density otherwise allowable (and triple for units with one bedroom and studio units). At any rate, the Town will need to decide in the next few months how to respond to this statute.

*RSA 674:17, IV. If a municipality allows an increased density, reduced lot size, expedited approval, or other dimensional or procedural incentive under this section for the development of housing for older persons, as defined and regulated pursuant to RSA 354-A:15, VIII, it may allow the same incentive for the development of workforce housing as defined in RSA 674:58, IV. **Beginning July 1, 2023, incentives established for housing for older persons shall be deemed applicable to workforce housing development.***

I think the key questions for the community are whether changes should be made to provisions in the ordinance dealing with residential development (i.e. housing) and if so, is there a consensus for the types of changes that should be made?