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Town Planner's Recommendation
Wednesday, February 26, 2014

IX. Public Hearing - Amendments to the Durham Zoning Ordinance pertaining to ORLI and MUDOR Districts. Initiated by the Town Council, as follows:

- 1) Change Single-Family Residential use in the Office Research Light Industry and Multiunit Dwelling Office Research Districts from a Conditional Use to Not Permitted;
- 2) Change Duplex Residential use in the Office Research Light Industry and Multiunit Dwelling Office Research districts from a Conditional Use to Not Permitted;
- 3) Change Multi-Unit Residential use in the Office Research Light Industry and Multiunit Dwelling Office Research districts from a Conditional Use to Not Permitted; and
- 4) Change Mixed Use with Residential use in the Multiunit Dwelling Office Research District from a Conditional Use to Not Permitted.

➤ *I recommend a vote to adopt the proposed amendment with the following changes: a) do not include single-family residential in the amendment (1, above); and b) recommend to the Town Council that it adjust the density for single-family residential in these two districts, as appropriate.*

Please note the following:

- See my writeup from February 12.
- Again, I believe that allowing multifamily to continue in the ORLI and MUDOR districts will be harmful to the community. Allowing significant more multifamily housing will not have as positive a fiscal impact as projects in recent years because a new project will likely result in vacancies in existing older projects, thereby lowering the value of the older projects to some extent, offsetting the gain of the new project.
- Sprawl. This zoning change would allow multifamily housing only in the core zoning districts, which is where it belongs, under many circumstances. High density development should be in core areas. Placing high density/multifamily housing in outlying areas constitutes sprawl – with consumption of agricultural and rural lands and greater use of automobiles. The Cottages and Peak are excellent projects but the situation is different today.
- Core areas. The Town should use what remains of excess demand for student housing in strategic ways, i.e. as a generator to redevelop blighted or underused properties in the downtown. This includes projects such as The Grange, Orion, Madbury Commons, and Pauly's Pockets. It would be foolish to squander this excess demand on projects in outlying

areas (i.e. in the ORLI and MUDOR) districts which accomplish little for the community. If student housing continues in those districts, then we could find ourselves in a situation where the owner of a blighted property in the downtown contemplates redeveloping but then decides not to finding that there is not sufficient demand for the additional student housing to justify the project.

- Single family. Single family subdivisions must be developed as a conservation subdivisions in the ORLI and MUDOR districts so there is some control that single family subdivisions are carefully designed. *However, very high density could potentially result, hence the recommendation, above, to adjust the density.* The minimum usable area per dwelling unit in a conservation subdivision is 4,200 square feet and 1,200 square feet in the ORLI and MUDOR districts, respectively. In contrast, the minimum usable area is 20,000 square feet in the Residence A district, 40,000 square feet in the Residence B district, and 150,000 square feet in the Residence C and Rural districts.
- Duplexes. I think that duplex residences should **NOT** be allowed in the ORLI and MUDOR districts for the following reasons:
 - If there is a concern about including an appropriate readily developable use for these districts once multifamily is removed, single family residential is the standard default use.
 - Duplexes, especially at the high density permitted in ORLI and MUDOR, would likely get developed for student rentals, which would defeat the intent of this amendment.
 - Duplexes, like multifamily use, are generally not an appropriate use in outlying areas and can promote sprawl. Especially for lower income populations that often reside live in duplexes, locations closer to the center and services makes more sense.
 - Contemporary duplexes are often developed in an unattractive manner. They should only be allowed in less sensitive areas with careful parameters, which have not been established.