

**Housing Champions Scoring**  
**With Notes from Town Planner about Durham**

*\*Where Durham does not, or most likely does not meet the requirement note shown like this*

*\*\*\*Where Durham meets, or most likely meets, the requirement note shown like this*

*\*Where it is debatable whether or not Durham meets the requirement the note is shown like this.*

***\*Town Planner responses are shown below for each item, assuming that the Town would need to meet every statement under any given item (e.g. under 2) ADU, that we must allow one ADU in all zoning districts under the first sentence plus a detached ADU in all zoning districts). It appears to be quite unlikely that we would meet the requirement for 80 points.***

1. A municipality needs a total of 80 points to qualify for HC designation.
2. Scoring is in 6 categories
  - a) Adoption of land use regulations or ordinances.
  - b) Training of planning board and zoning board members
  - c) Implementation of water and sewer infrastructure upgrades.
  - d) Implementation of walkability infrastructure upgrades.
  - e) Adoption of financial tools to incentivize the building of workforce housing.
  - F) Other activities supporting HC designation

**Qualifications Based on Adoption of Land Use Regulations**

a) A municipality shall receive a minimum of 10 point and a maximum of 40 points for adaption of land use regulations which the department determines are necessary to promote the development of workforce housing. 10 points for up to 4 land use regulations. Applicants shall receive a maximum 10 point bonus if they have 5 or more qualifying land use regulations. Can substitute up to 2 other land use regulations pursuant to RSA 674:21.

B) List of qualified ordinances

1) **Workforce Housing Ordinance.** Allow multifamily rental housing containing 5 or more dwellings as a matter of right in majority of land area that is zoned to permit residential uses. Does not place lots size, or dimensional requirements that are more restrictive than the residential uses. Contains a provision of deed restriction for no less than 10 years.

*\*Durham does not meet this requirement even with the proposed new ordinance.*

2) **ADU.** Allow one ADU by right in all zoning districts that permit single family dwellings. Allow detached ADUs by right, conditional use, or special exemption in all zoning districts that permit single-family homes. Not require more than one off street parking space per ADU. Complies with RSA 674:72.

*\*Durham does not meet this requirement because we do not allow detached ADUs in the Rural*

and RC zones.

3) **Cluster development ordinance/ conservation subdivision** Allow cluster development by right in majority of areas zoned for residential use. Provide density bonus of a least 20% above Total units allowed in conventional subdivisions in exchange for more protected lands. Has a density formula or yield plan to determine maximum number of homes that can be build at a design review phase.

*\*Durham does not meet this requirement. The density bonus is not tied to protecting more land.*

4) **Form Base Code** Allows diverse range of housing types, a minimum of 5 dwellings units per building, adaptive reuse of existing buildings into residential buildings in downtown by a matter of right.

*\*Durham does not meet this requirement. We do not allow multifamily downtown by right.*

5) **Inclusionary Zoning Ordinance** Require no less than 10% of units in 10 plus unit development are deed-restricted workforce housing. Voluntary commitment of property owner to provide deed-restricted workforce housing in exchange for 20 percent density bonus or allowance for an extra story.

*\*Durham does not meet this requirement.*

6) **Manufactured Housing Ordinance** Allow manufactured housing on individual lots in most areas zoned for residential use. Provide reasonable and realistic opportunity for manufactured housing parks in areas zoned as residential and not requiring more restrictive density and parking requirements. Allowing reasonable and realistic opportunities for manufactured housing subdivisions with with no greater parking and density restrictions.

*\*Durham does not meet this requirement. We meet the first sentence but not the second as we do not allow parks apart from a manufactured housing subdivision.*

7) **Missing Middle Housing Ordinance** Allow reasonable opportunity for mixed of residential and commercial in same building or same lot by right. Allow multi-family housing containing 5 or more dwelling units by right in mixed use zones. Allow conversion of space in existing buildings or structures to residential use by right in mixed use districts.

*\*Durham does not meet this requirement.*

8) **Mixed Use Zoning.** Allow mix of residential, commercial, and retail uses in same building by right. Allow 5 or more dwelling units by right in new developments in mixed use district. Allow conversions of existing space to residential by right in mixed use zones.

*\*Durham does not meet this requirement.*

9) **Multi-family Housing Ordinance** Allow Muti-family non-age restricted by right in all zoning districts that encourage higher density mixed use, multi-family, or overlay district. Not place restrictions on number of housing units in a Muti-family building.

*\*Durham does not meet this requirement.*

10) **PUD** Allowing a planned unit development by right in a PUD base or overlay district that

encourages higher density mixed-use development, missing middle housing zones, cluster development zones, multi-family zones, or in zones that permit residential development.

*\*Durham does not meet this requirement. We probably would if/once the proposed PUD ordinance is passed but that is likely a year away.*

11) **Minimum Lot Size** No greater than 43,560 sf for lots with best soil, no slope if majority of the lots in the zoning district do not have public sewer or water. No greater than 10,890 if majority of lots in zone have access to public sewer and water. No greater than 21,780 if majority of lots in zone have access to public sewer or water.

*\*Durham does not meet this requirement.*

12) **Tiny Homes** Allow by right that are as small as 220 sf as long as they meet fire and building code. Not place limitations on tiny houses on foundations that are 400sf or less and meet state building code.

*\*\*\*I believe that Durham does meet this requirement.*

13) **Parking** In most zones that permit residential use not more than one off-street parking space per housing unit.

*\*Durham does not meet this requirement.*

14) **Transfer of Development Right** Designate sending and receiving zones. Include formula to purchase density and send fund to affordable housing or conservation fund. Include mechanism for property owner to sell or donate rights. Include legal mechanism to ensure land in sending zone is conserved.

*\*Durham does not meet this requirement.*

### **Qualification Based on Planning and Zoning Board Training**

A) Municipalities shall receive a maximum of 25 points in this area.

1) 10 points if municipality facilitates regular training sessions with land use members.

*\*It is debatable whether or not Durham meets this requirement.*

2) 10 points if municipality demonstrates the majority of each land use board inclusive of alternates has engaged in at least 2 hours of training during their current term.

*\*It is debatable whether or not Durham meets this requirement.*

3) 5 points if a municipality regularly distributes training material to land use board members.

*\*\*\*I believe that Durham meets this requirement.*

B) 10 Additional bonus points can also be awarded if majority of land use boards including alternates does the following.

1) 5 points if a majority of planning board successfully completes the department of planning and development planning board handbook test.

*\*Durham does not meet this requirement.*

2) 5 points if a majority of ZBA successfully completes the department of planning and development zoning board of adjustment handbook test.

*\*Durham probably does not meet this requirement. It has been suggested but we do not believe that any have completed it.*

### **Qualifications Based on Sewer and Water Infrastructure Improvements**

A) Municipalities shall receive a maximum of 25 points for eligible completed, ongoing sewer and water infrastructure that are intended to support the development of workforce or housing needed for economic development.

1) 10 points for completed infrastructure projects completed within 6 calendar years following application for HC designation.

*\*It is debatable whether or not Durham meets this requirement. Durham has certainly completed a number of infrastructure projects within the past 6 years but it might be a stretch to argue that we meet the intent of this requirement.*

2) 10 points for ongoing infrastructure improvements that are amidst development or construction and will be completed within 6 years of HC designation.

*\*It is debatable whether or not Durham meets this requirement.*

3) Planned projects that lack sufficient funding to move forward and would rely on HC funds get 0 points.

B) Sewer and water projects must increase residential connections.

*\*It is debatable whether or not Durham meets this requirement.*

C) 5 bonus points shall be awarded if the municipality has adequate water and sewer capacity to accommodate a minimum 10 percent increase in housing units above the most recent decennial census. The municipality has implemented sewer and water improvements in the 6 years preceding the HC application that support infill in downtowns. The sewer and water improvements benefit an entire zone and allow the construction of workforce housing.

*\*\*\*I believe that Durham meets this requirement.*

### **Qualifications Based on Public Transportation, Sidewalks, Walkability Infrastructure**

A) A municipality shall receive a maximum of 10 points for completed, ongoing, or planned implementation of qualify transportation projects that support workforce housing or types of housing deemed necessary for economic development.

1) Complete projects receive 2 points if they were completed 6 calendar years preceding the municipalities application for HC designation.

*\*It is debatable whether or not Durham meets this requirement.*

2) Ongoing investment in eligible improvements will receive 2 points if the municipality is amidst development or construction of a project that will be completed 6 years following the HC designation.

*\*It is debatable whether or not Durham meets this requirement.*

3) Planned or future projects will receive 2 points if the municipality has completed the planning stage of the project and has an obligation to complete the project within 9 years following the application for HC designation.

*\*It is debatable whether or not Durham meets this requirement.*

4) A maximum of 4 bonus points shall be awarded to applicants that have demonstrated the following:

a) the applicant municipality has adopted a complete street program. 2 points.

*\*Durham does not meet this requirement. We are guided by the complete streets philosophy but have not formally adopted a program.*

b) the applicant demonstrates that it has implemented qualifying public transportation, sidewalk, or walkability infrastructure in or adjacent to infill locations in downtown. 2 points.

**\*\*\*I believe that Durham meets this requirement.**

**\Qualifications Based on Financial Tools to Incentive Workforce Housing Development**

A) a Maximum of 10 points will awarded based on the adoption of qualifying financial tools the incentive the development of workforce housing, with each financial tool valued at 5 points.

B) Qualifying financial tool for workforce development include:

1) Adoption of RSA 79-E and:

a) At least one district where 79-E applies in downtown, town center, central business district or village center.

b) Adoption of guidelines which extend period of 2 years if a project results in new residential development units.

c) Adoption of guidelines that extend period of tax relief for 4 years if a project includes affordable housing.

*\*Durham does not meet this requirement. We meet a) but not b) and c).*

2) Adoption of municipal revitalization and economic development districts. RSA 162-K:5. TIF

a) Establish a least one development district pursuant to RSA 162-K:5.

**\*\*\*I believe that Durham meets this requirement (This is different from TIF districts, below)**

b) Establish a development program which includes acquisition of real property to construct housing units that meet the definition of workforce housing.

*\*Durham does not meet this requirement.*

c) Establish a development program which includes the purpose

d) of acquisition of property to construct workforce housing units whether or not such

construction results in private development or commercial enterprise.

*\*Durham does not meet this requirement.*

e) Establish a tax increment financing pursuant to RSA 162-K:9-10.

**\*\*\*Durham meets this requirement.**

3) Acquisition or sale of property by the municipality for the development of workforce housing.

*\*Durham does not meet this requirement.*

a) Acquisition of land or buildings intended for development of workforce housing in 6 years preceding municipality's application for HC designation.

b) Acquisition of state-owned property which has been declared surplus by the state and is intended for workforce housing development 6 years preceding municipality's application for HC designation.

c) Sale of municipal owned land or buildings for the development of workforce housing 6 years preceding municipality's application for HC designation.

d) Publishing requests for proposals for the development of workforce housing on municipal owned land 6 year preceding municipality's application for HC designation.

4) Establishment of a non-capital reserve trust fund pursuant to RSA 34:1-a or RSA 35:1-c.

*\*Durham does not meet this requirement.*

a) Establishment of a trust fund with the purpose of providing funding for affordable housing.

b) Establishment of such fund with the restriction that it can only be used for the purchase of land or to offset the cost of the developer to build workforce housing and associated infrastructure.

c) For city councils, the appropriation, payment, or transfer of funds into a trust fund 5 years preceding the municipality's application for HC designation.

d) For a towns, the appropriation, payment, or transfer of funds by approval of a warrant article into a trust fund 5 year preceding a municipality's application for HC designation.

### **Qualification for Base on Other Activities to Incentivize Workforce Housing**

1) Applicants shall be awarded up to 10 points for implementing activities outlined with each qualifying activity valued at 5 points.

a) Establishing a housing commission as defined in RSA 674:44-h or appointing members to the commission pursuant to RSA 673:4-c with regular meetings.

**\*\*\*Durham does meet this requirement.**

b) Interconnected community water systems primarily for residential use including the following:

1) Cooperative HC designated applicant with adjacent municipality on interconnection of

community water systems primarily for residential use. Which may be demonstrated by a legally binding agreement.

2) Construction of interconnection between systems completed no more than 6 years preceding municipality's HC designation.

3) A fully funded project to interconnect water systems which shall be completed no more than one year after municipality's HC designation application.

*\*I do not believe that Durham meets this requirement.*

c) Establishing a joint municipal development and revitalization district with an adjacent municipality pursuant to RSA 162-K and implantation of a development program pursuant to RSA 162-K:6.

*\*I do not believe that Durham meets this requirement.*

d) Establishment of a joint agreement with an adjacent municipality pursuant to RSA 53-A for the provision of shared infrastructure or services which support the development of workforce housing.

*\*Durham does not meet this requirement.*

e) Receipt of an InvestNH housing opportunity grant or NH HC designation housing and planning regulation municipal grant.

**\*\*\*Durham does meet this requirement.**

f) Construction of units of workforce housing that results in a minimum 5 percent increase in its total number of housing units above the number reported in the most recent decennial census during the preceding 3 years.

*\*Durham does not meet this requirement.*

g) Providing a narrative that supports a municipal's request for inclusive activities which create or incentivize workforce housing.

**\*\*\*Durham can probably meet this requirement.**