

Workforce Housing for Durham – Summary of State Law

NH Workforce Housing Law: RSA 674:58-61 - A Summary

This law:

- Requires municipalities to provide opportunities for development of owner and renter workforce housing.
- Establishes a mechanism for expediting relief from municipal actions which deny, impede, or delay qualified proposals for workforce housing.



Community Responsibility:

- Shall provide **reasonable and realistic opportunities** for the development of workforce housing, including rental multi-family housing.
- Shall allow workforce housing to be located in a **majority**, but not necessarily all, of the land area that is zoned to permit residential uses within the municipality.

Qualifications to State Requirements:

- Law **does not require** a municipality to allow for the development of multifamily housing in a majority of its land zoned for residential uses. *Could be in single location, i.e., town center*
- **Existing housing stock can be taken into consideration** to determine if a municipality is providing its “fair share” of current and reasonably foreseeable regional need for workforce housing. *There is no common formula to determine “fair share”; not done by SRPC.*
- Law allows communities to **apply reasonable restrictions** related to environmental protection, water supply, sanitary disposal, traffic safety, and fire and life safety protection.

Definitions:

Affordable—housing with combined rental and utility costs or combined mortgage loan debt services, property taxes, and required insurance that **do not exceed 30 percent** of a household’s gross annual income.

Multi-family housing—a building or structure containing **5 or more dwelling units**.

Workforce housing—Affordable to household:

- Owner family of 4 with an income of no more than 100 percent of the area median income
- Renter family of 3 with an income of no more than 60 percent of the area median income.

Does not include: a. housing that excludes minor children from more than 20 percent of the units (age restricted) or b. more than 50 percent dwelling units have fewer than 2 bedrooms.



Planning Board Process:



- As part of the application, the developer must notify PB that a workforce housing development is being proposed.
- PB plan review (or other process) proceeds as normal.
- Upon approval with conditions, board notifies the applicant, who then has at least 30 days to identify the cost impact of the conditions upon the economic viability of the project.

Effective Date: January 1, 2010; MPC—05/10