



**Adopted, February 28, 2005
Amended, January 5, 2009**

Durham Comprehensive Plan

Chapter 3 Housing Element

Durham City-County Planning Department

The Durham Comprehensive Plan

Contents

- Chapter 1. Introduction and Administration Element
- Chapter 2. Land Use Element
- Chapter 3. Housing Element
- Chapter 4. Community Character and Design Element
- Chapter 5. Historic Preservation Element
- Chapter 6. Economic Development Element
- Chapter 7. Conservation and Environment Element
- Chapter 8. Transportation Element
- Chapter 9. Water and Wastewater Element
- Chapter 10. Parks and Recreation Element
- Chapter 11. Schools Element
- Chapter 12. Public Safety Element
- Chapter 13. Solid Waste Element
- Chapter 14. Libraries Element
- Chapter 15. Capital Improvements Element
- Chapter 16. Intergovernmental Cooperation Element
- Chapter 17. Existing Conditions (Appendix A)
- Chapter 18. Appendices

Chapter 3, Housing Element

Chapter Contents

Summary of Issues..... 1

Goal 3.1, Affordability 2

 Objective 3.1.1. Affordable Housing Enhancements2

 Objective 3.1.2. Home Ownership3

 Objective 3.1.3. Rental Housing.....4

Goal 3.2, Substandard Housing 4

 Objective 3.2.1. Abandoned and Substandard Housing4

 Objective 3.2.2. Lead Abatement.....5

Goal 3.3, Subsidized Housing 5

 Objective 3.3.1. Distribution of Subsidized Housing5

 Objective 3.3.2. Rental Assistance.....9

 Objective 3.3.3. Durham Housing Authority9

Goal 3.4, Special Needs Housing 9

 Objective 3.4.1. Special Needs Housing.....9

Goal 3.5, Fair Housing..... 10

 Objective 3.5.1. Housing Discrimination 10

Goal 3.6, Housing Choice 10

 Objective 3.6.1. Accessory Dwellings..... 10

Goal 3.7, Homelessness 11

 Objective 3.7.1. Homelessness 11

Maps

Map 3-1, Concentrations of Subsidized Housing or Poverty 12

Map 3-2, Evaluation Areas 13

Map 3-3, Focus Areas 14

Housing Element



Summary of Issues
Goal 1, Affordability
Goal 2, Substandard Housing
Goal 3, Subsidized Housing
Goal 4, Special Needs Housing
Goal 5, Fair Housing
Goal 6, Housing Choice

The Housing Element identifies strategies for provision of an adequate supply of affordable, safe and attractive housing designed to meet the needs of Durham's diverse population. Residential growth cannot be considered without touching on other planning issues, including transportation and other public infrastructure, urban design and character, and preservation of open space. Therefore, many of the policies included within the Housing Element deal with how housing affects, and is affected by these other planning issues.

Summary of Issues

1. **Affordability.** Housing costs have risen faster than income over the past decade, resulting in shrinkage of housing options for very low-, low- and moderate-income households. The decline in housing options for these income groups has also contributed to the additional issues: overcrowded housing in some Durham neighborhoods; a high percentage of rental housing for the community as a whole; and concentration of substandard and inadequate housing in some neighborhoods, with continued disinvestments in those neighborhoods.
2. **Homelessness.** The number of homeless individuals and persons in families continues to increase in Durham. The number of homeless persons counted during the annual point-in-time survey has increased from 343 in 1999 to 529 persons in 2004, a 54 percent increase. Over one year, more than 2,100 persons were homeless in Durham. What strategies and resources are required to reduce homelessness in Durham?
3. **Substandard Housing.** Some of Durham's older neighborhoods exhibit concentrations of poorly maintained, abandoned and blighted residential structures. The 2000 Census revealed that Durham also had a surprisingly large number of residences with incomplete plumbing. How can the City of Durham more efficiently administer its Minimum Housing Code and address problems of blight in its older neighborhoods? How can the County address problems with substandard housing?
4. **Subsidized Housing.** Cost pressures, explosive growth and local regulations geared toward provision of suburban housing development have limited provision of affordable housing for low-

and very low-income households. Simultaneously, over-concentration of subsidized housing has had the effect of concentrating poverty and has, in some cases, promoted disinvestment in neighborhoods. How shall Durham address the need for an adequate supply of safe and attractive housing for Durham's low- and very low-income households while ensuring that subsidized housing is equitably distributed?

5. **Special Needs Populations.** The factors that have limited provision of adequate housing for low- and very low-income households have also limited provision of affordable housing for families and individuals with special needs. What incentives can Durham provide for provision of more special needs housing?
6. **Fair Housing.** How can Durham identify and rectify barriers to fair housing, including policy-related issues, market dynamics, and discrimination?
7. **Housing Choice.** Suburban residential development has accounted for a high percentage of the housing built in Durham over the past two decades. How can Durham promote a greater range of housing options, particularly within its urban area?

Goal 3.1, Affordability

Ensure an adequate supply of affordable housing to meet the needs of all Durham County residents.

Objective 3.1.1. Affordable Housing Enhancements

Facilitate the provision of affordable housing by regulatory and incentive-based means. Increase the number of households assisted annually by homeownership programs from 65 to 1,000 by 2015.

Policy 3.1.1a. Density Bonus. In the Unified Development Ordinance, provide workable density bonuses as an incentive for provision of affordable housing units.

Policy 3.1.1b. Inclusionary Zoning. The City and County, working with key stakeholders, shall seek legal authority to require that new residential development provide an affordable housing component in return for a usable density bonus, with provision for additional incentives within transit corridors.

Policy 3.1.1c. Public-Private Partnerships for Affordable Housing. The City Housing and Community Development Department shall encourage participation of the private sector (lenders, developers and builders) in government funded or operated housing programs that increase affordable housing production.

Policy 3.1.1d. Affordable Housing Pattern Book. The City-County Planning Department shall develop a pattern book based on experience in other communities on how to best integrate affordable housing into the overall community design.

Policy 3.1.1e. Energy Efficient Housing. The City Housing and Community Development Department and the County Manager's Office, in partnership with local non-profit organizations, shall develop residential energy efficiency programs for low- and moderate-income households.

Objective 3.1.2. Home Ownership

Assist in expanding homeownership opportunities for low- and moderate-income households. Increase the number of low- and moderate-income homeowners by at least 2,500 by 2030.

Policy 3.1.2a. First-Time Homebuyers. The City Housing and Community Development Department shall continue to provide assistance for the acquisition, rehabilitation and new construction of housing for very low- and low-income first-time homebuyers through the HOME Investments Partnership Program.

Policy 3.1.2b. Credit Counseling. The City Housing and Community Development Department shall continue to provide credit counseling and homebuyer education for potential homeowners.

Policy 3.1.2c. Assistance to Homebuyers. The City Housing and Community Development Department shall continue to provide down payment and closing cost assistance through the First-Time Homebuyers Assistance Program.

Policy 3.1.2d. Housing Rehabilitation Assistance. The City Housing and Community Development Department shall continue to provide rehabilitation assistance for vacant, substandard housing in order to encourage home-ownership in neighborhoods suffering abandonment problems and to provide financial assistance to nonprofit organizations and other developers who purchase, rehabilitate and resell existing homes.

Policy 3.1.2e. Housing Assistance for Local Government Employees. The City Housing and Community Development Department shall continue to provide homebuyer programs to encourage police officers and teachers to buy homes within selected areas.

Policy 3.1.2f. Employer-Assisted Housing. The City Housing and Community Development Department shall work with the Greater Durham Chamber of Commerce and other entities to encourage large employers to create employer-assisted housing (EAH) programs.

Policy 3.1.2g. Housing Education and Counseling. The City Housing and Community Development Department shall continue to support housing education and counseling programs that provide both pre- and post-purchase education and counseling services.

Objective 3.1.3. Rental Housing

Expand affordable rental opportunities through new construction and preservation of existing rental units. Increase the supply of housing affordable to extremely low-income households by 100 dwelling units by 2015.

Policy 3.1.3a. Loans for Rental Housing Rehabilitation. The City Housing and Community Development Department shall continue to provide direct loans to community-based groups and nonprofit developers to rehabilitate smaller rental developments that are affordable to low-income renters.

Policy 3.1.3b. Leveraging of Available Funds for Affordable Housing. The City Housing and Community Development Department shall continue to encourage the use of resources such as Federal or State low-income housing tax credits, historic credits, and other State and Federal resources to increase the leveraging of funds for the provision of affordable housing.

Policy 3.1.3c. Incentives for Affordable Rental Housing. The City Housing and Community Development Department shall provide incentives for developers to target at least 15 percent of all new rental units for low-income households.

Policy 3.1.3d. Affordable Rental Housing Location Policy. The City Housing and Community Development Department and the City-County Planning Department shall work with other key community stakeholders to identify shortages of affordable rental housing, set goals, and identify appropriate locations for affordable rental housing in proximity to employment opportunities, service centers and transit corridors.

Goal 3.2, Substandard Housing

Ensure safe, attractive and well-maintained residential environments by the elimination of substandard housing.

Objective 3.2.1. Abandoned and Substandard Housing

Ensure the renovation, rehabilitation or replacement of abandoned and substandard housing, as defined by Durham City Code Section 6-150, including residential units with incomplete plumbing facilities. Eliminate 300 identified substandard housing units in Durham by 2010.

Policy 3.2.1a. Substandard and Abandoned Housing Concentrations. The City Housing and Community Development Department shall identify concentrations of substandard and abandoned housing units, and develop and maintain databases on substandard and abandoned housing. These databases shall be used to identify potential revitalization and redevelopment areas.

Policy 3.2.1b. City Minimum Housing Code Enforcement. The City Housing and Community Development Department shall enforce the City of Durham's Minimum Housing Code.

Policy 3.2.1c. City Minimum Housing Code Re-Evaluation.

The City Housing and Community Development Department shall re-evaluate the Minimum Housing Code to ensure that it meets the needs of Durham residents for safe and decent housing.

Policy 3.2.1d. County Minimum Housing Code.

The County shall consider adopting and enforcing a housing code to ensure that all housing in the County jurisdiction meets a minimum standard.

Policy 3.2.1e. Substandard Housing Eradication.

The City Housing and Community Development Department shall work to eradicate substandard housing in the City of Durham by 2010.

Policy 3.2.1f. Demolition Site Reuse.

Where demolition of substandard housing is necessary, the City Housing and Community Development Department shall create a list of incentives for revitalization and eventual reuse of the property.

Objective 3.2.2. Lead Abatement

Reduce the exposure of Durham residents to lead from sources related to housing by focusing lead abatement efforts on the 5,900 properties identified as 1st priority by the Duke University Children's Environmental Health Initiative.

Policy 3.2.2a. Lead Abatement Funding. The City Housing and Community Development Department shall continue to identify and utilize funding for the Lead-Based Paint Abatement program.

Policy 3.2.2b. Lead Abatement Training. The City Housing and Community Development Department shall continue to train public housing and local government staff in the identification and removal of lead-based paint and other environmental hazards.

Policy 3.2.2c. Identifying Concentrations of Lead Contamination. The City Housing and Community Development Department, along with key community stakeholders, shall identify concentrations of housing with lead-based paint in order to prioritize abatement efforts.

Policy 3.2.2d. Lead Abatement. The City Housing and Community Development Department, along with key community stakeholders, shall develop new techniques to identify houses with lead paint and abate lead contamination.

Goal 3.3, Subsidized Housing

Provide opportunities for housing affordable to very low- and low-income households throughout Durham.

Objective 3.3.1. Distribution of Subsidized Housing

Prevent concentrations of subsidized housing, and locate subsidized housing in proximity to employment opportunities, service centers and transit corridors.

Policy 3.3.1a. Subsidized Housing Location. Opportunities for affordable housing should be available to residents throughout the City and County. The City and County shall utilize criteria designed to evaluate the dispersal of conditions of poverty as well as of subsidized housing throughout the City and County in the review of proposals for locating subsidized housing. While the application of this Policy is intended to be advisory to the governing bodies, with the governing bodies reserving the prerogative to consider each proposal for subsidized housing on its merits, as a general rule the City and County will not support proposals for subsidized housing that are inconsistent with the location criteria established herein.

Policy 3.3.1b. Review Procedures. The City Housing and Community Development Department and the City-County Planning Department shall be jointly responsible for the review of subsidized housing proposals, including proposals for the renovation, rehabilitation or replacement of existing subsidized housing, and shall follow the procedures and criteria defined herein. Proposals for subsidized housing seeking City and/or County support that are submitted to the Housing and Community Development Department shall be forwarded to the Planning Department for a review of compliance with this Goal, employing the methodology identified below. The Planning Department shall provide the Housing and Community Development Department with a report of its findings regarding consistency with the criteria established herein for the Housing and Community Development Department's use in preparing any documents related to City and/or County support for the proposed subsidized housing project.

Policy 3.3.1c. Review Criteria. A multi-step process shall be employed in determining if subsidized housing projects are consistent with this Policy. As part of this process, the Planning Department shall maintain a database and corresponding map identifying the location of all subsidized housing developments in the City and County. This process first shall consider whether the proposed subsidized housing project is exempt from this Policy as a result of complying with the established exemptions. Any project determined not to be exempt from the application of this Policy will initially be evaluated to ensure that there is not a concentration of either poverty or subsidized housing in the census-designated block group where the development is proposed to be located. Concentrations of poverty are based upon statistical analysis considering the countywide concentration of poverty and identifying those areas of the City and County where the concentration is greater than would be anticipated if poverty was dispersed throughout the City and County. If the most recent census indicates that the concentration of poverty within any block group exceeds 40 percent, the proposed subsidized housing development shall be determined to be in violation of this Policy. Concentrations of subsidized housing are determined by the ratio

of subsidized housing units to the total number of housing units, based on the database of subsidized housing units maintained by the Planning Department. If the concentration of housing units in subsidized developments in any block group exceeds 20 percent in the Urban Core or Central City, or 25 percent in the Outer City, the proposed subsidized housing development shall be determined to be in violation of this Policy. Map 3-1, Concentrations of Subsidized Housing or Poverty, indicates all census block groups that have either a concentration of poverty or of subsidized housing units, where the City and County should not support additional subsidized developments. Map 3-2, Evaluation Areas, defines the boundaries of the Urban Core, Central City and Outer City. Any project that passes this review shall be subject to a final review, considering the concentration of subsidized housing in a broader area than the immediate block group where the project is proposed to be located. In this final review, the Planning Department shall employ the Evaluation Areas shown on Map 3-2, Evaluation Areas. The Evaluation Areas represent three distinct areas of the City (as defined by census block groups) where different parameters for evaluating concentrations of subsidized housing shall be applied. The following criteria shall be applied within each Evaluation Area:

- i. **Outer City:** Areas that are continuing to experience growth in population and housing units; generally in a suburban pattern in relatively close proximity to retail and office development. Within this area, the maximum concentration of subsidized housing units, determined by the number existing and proposed subsidized housing within a 0.50 mile radius of the proposed project divided by the total number of housing units within the defined radius, should not exceed 25 percent. Existing units that are exempt from the location criteria shall be excluded from the calculation.
- ii. **Central City:** Areas that meet some of the criteria of the outer city, but may lack suitable parcels for new housing developments. Within this area, the maximum concentration of subsidized housing units, determined by the number existing and proposed subsidized housing within a 0.50 mile radius of the proposed project divided by the total number of housing units within the defined radius, should not exceed 20 percent. Existing units that are exempt from the location criteria shall be excluded from the calculation.
- iii. **Urban Core:** Areas with significantly higher concentrations of existing subsidized housing developments/units; or a lack of suitable parcels for new housing developments. Within this area, the maximum concentration of subsidized housing units, determined by the number existing and proposed

subsidized housing within a 0.25 mile radius of the proposed project divided by the total number of housing units within the defined radius, should not exceed 20 percent. Existing units that are exempt from the location criteria shall be excluded from the calculation.

Table 3-1, Summary of Evaluation Criteria, summarizes the criteria to be applied within each Evaluation Area. Unless expressly exempted below, new federally subsidized (public housing agency) multi-family developments should not exceed 50 units per site regardless of the evaluation area in which they are proposed to be located.

Table 3-1. Summary of Evaluation Area Criteria		
Evaluation Area	Evaluation Radius	Maximum Concentration
Outer City	0.50 miles	25 percent
Central City	0.50 miles	20 percent
Urban Core	0.25 miles	20 percent

Policy 3.3.1d. Exemptions to the Subsidized Housing Location Policy. Proposed Subsidized Housing that meet any of the following criteria shall be exempt from the location guidelines of the Subsidized Housing Location Policy:

- i. Rental housing proposals with four (4) or fewer units;
- ii. Home-ownership proposals of fewer than 100 single-family detached housing units;
- iii. Home-ownership proposals with 12 or fewer condominiums or other attached dwelling units;
- iv. Group homes, shelters, and homes for persons with special needs that have an occupant capacity of no more than 24 individuals;
- v. Elderly housing with 60 or fewer dwelling units;
- vi. Renovation, rehabilitation and/or replacement of existing dwellings. The total number of units in a replacement housing development shall not exceed the total number of units in the development prior to the replacement program. When replacement housing is being located on a different site the total number of subsidized units shall not exceed 50 units;
- vii. Housing assistance provided directly to owner-occupants or tenants, and is not reflected in rent, income or purchase price limits that are attached to the home or land, such as down payment assistance, second mortgages, mortgage tax credits, Section 8 or other rental assistance, or Temporary Assistance to Needy Families (TANF);

- viii. Dwellings to be built in compliance with a City-approved plan for a “Redevelopment Area” consistent with the provisions of the North Carolina Redevelopment Law (Article 22), a “Neighborhood Revitalization Area,” or a City-approved application for the HOPE VI program. Development proposals in these Focus Areas must be implemented in accordance with the plan approved by the City Council for these areas (See Map 3-3, Focus Areas); and
- ix. Housing in mixed-income projects, where no more than 20 percent of the housing is subsidized.

Policy 3.3.1e. Future Subsidized Housing Location. The City Housing and Community Development Department and the City-County Planning Department shall identify appropriate locations for future subsidized housing in proximity to employment opportunities, service centers and transit corridors, with particular focus surplus publicly-owned properties.

Objective 3.3.2. Rental Assistance

Provide rental assistance (vouchers) to very low-income and special needs persons.

Policy 3.3.2a. Rental Housing Assistance. The Durham Housing Authority and the County Department of Social Services shall provide rental assistance to very low-income and special needs persons.

Objective 3.3.3. Durham Housing Authority

Support the Durham Housing Authority’s efforts to create mixed-income rental and homeownership communities that promote self-sufficiency and further Durham’s fair housing goals.

Policy 3.3.3a. Rental Housing Acquisition and Rehabilitation. The City Housing and Community Development Department shall continue to assist in identifying local funding sources for the acquisition, rehabilitation and new construction of rental housing for low-income persons.

Goal 3.4, Special Needs Housing

Ensure that special needs populations have access to affordable, safe and sanitary housing that is appropriate to their special needs.

Objective 3.4.1. Special Needs Housing

Provide financing for the development of special needs housing, particularly transitional housing for the homeless.

Policy 3.4.1a. Supportive Services for Special Needs Populations. The City and County shall encourage the development of additional supportive or service-enriched housing

for specific special needs populations using Federal, State, and local housing programs, including:

- i. Supportive services for persons with a disability (Section 811);
- ii. The HUD “Supportive Housing Program (SHP) for Homeless Persons with a Disability;” and
- iii. The North Carolina Housing Finance Agency’s (NC HFA) “Supportive Housing Development” program.

Goal 3.5, Fair Housing

Eliminate discrimination in housing.

Objective 3.5.1. Housing Discrimination

Ensure that all citizens have access to a full range of housing opportunities.

Policy 3.5.1a. Fair Housing Training. The City Housing and Community Development Department and the City Human Relations Department shall provide fair housing training for new real estate professional, property managers, landlords and tenants.

Policy 3.5.1b. Housing Discrimination Testing. The City Housing and Community Development Department and the City Human Relations Department shall support periodic testing of rental, home sales and lending markets to determine if discrimination is occurring.

Policy 3.5.1c. Fair Housing Plan. The City Housing and Community Development Department and the City Human Relations Department shall update the City of Durham’s Fair Housing Plan. The Fair Housing Plan shall evaluate the need for a Fair Housing Ordinance.

Goal 3.6, Housing Choice

Increase the range of housing choice available to Durham residents.

Objective 3.6.1. Accessory Dwellings

Allow accessory dwellings and other housing options in the Compact Neighborhood, Urban and Suburban Tiers.

Policy 3.6.1a. Above-First-Story and Accessory Dwellings. Through the Unified Development Ordinance, allow for “multi-family above first story”.

Policy 3.6.1b. Accessory Dwellings. Through the Unified Development Ordinance, allow accessory units as secondary dwelling co-located on the same lot as single-family residences as a use by right in residential zoning districts. Allow only one accessory dwelling unit associated with each primary dwelling.

Goal 3.7, Homelessness

Reduce the number of homeless persons in Durham by developing strategies to prevent homelessness, increase supportive services, and increase affordable housing and permanent supportive housing for extremely low-income persons.

Objective 3.7.1. Homelessness

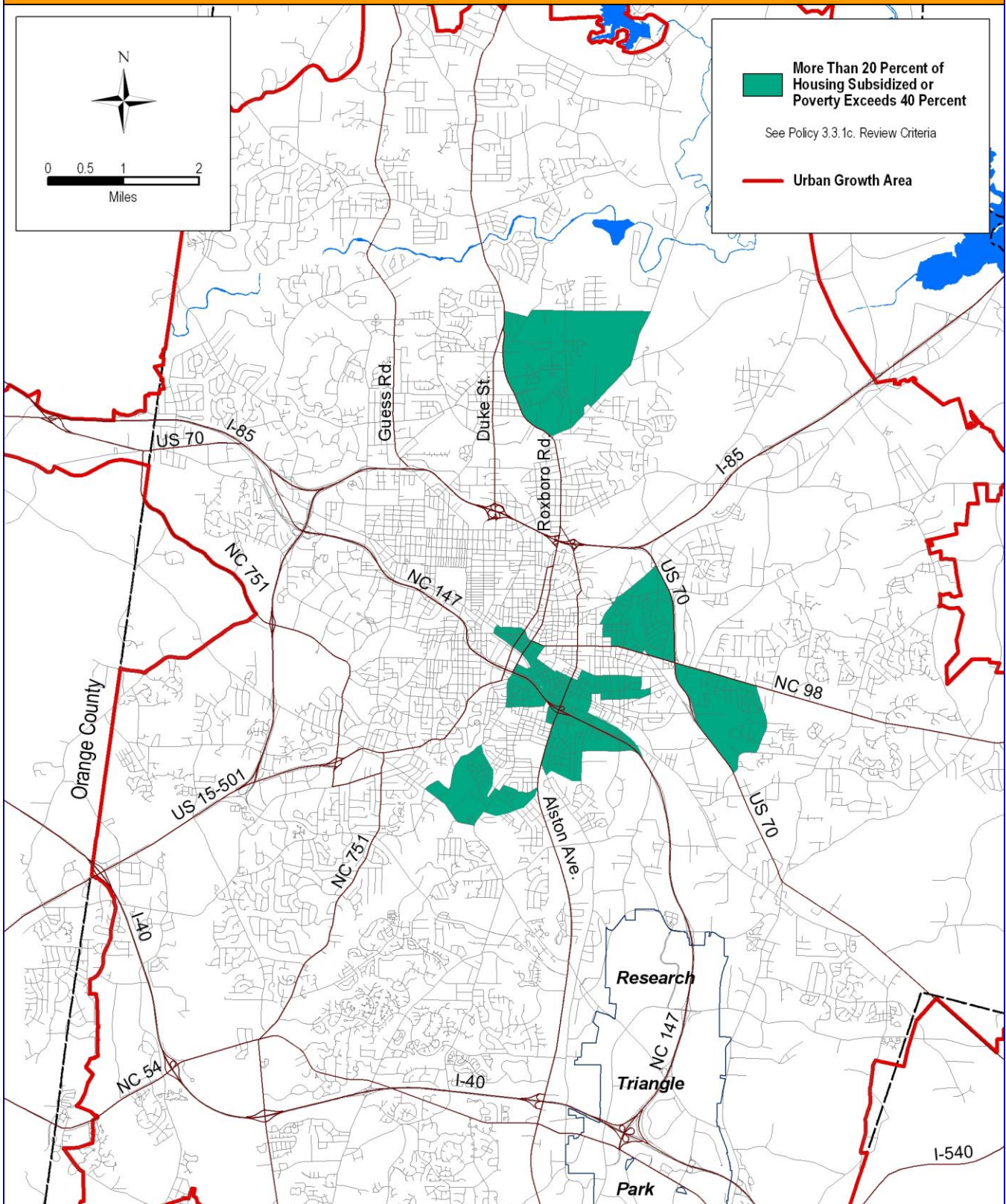
Reduce the number of homeless persons in Durham by 2008.

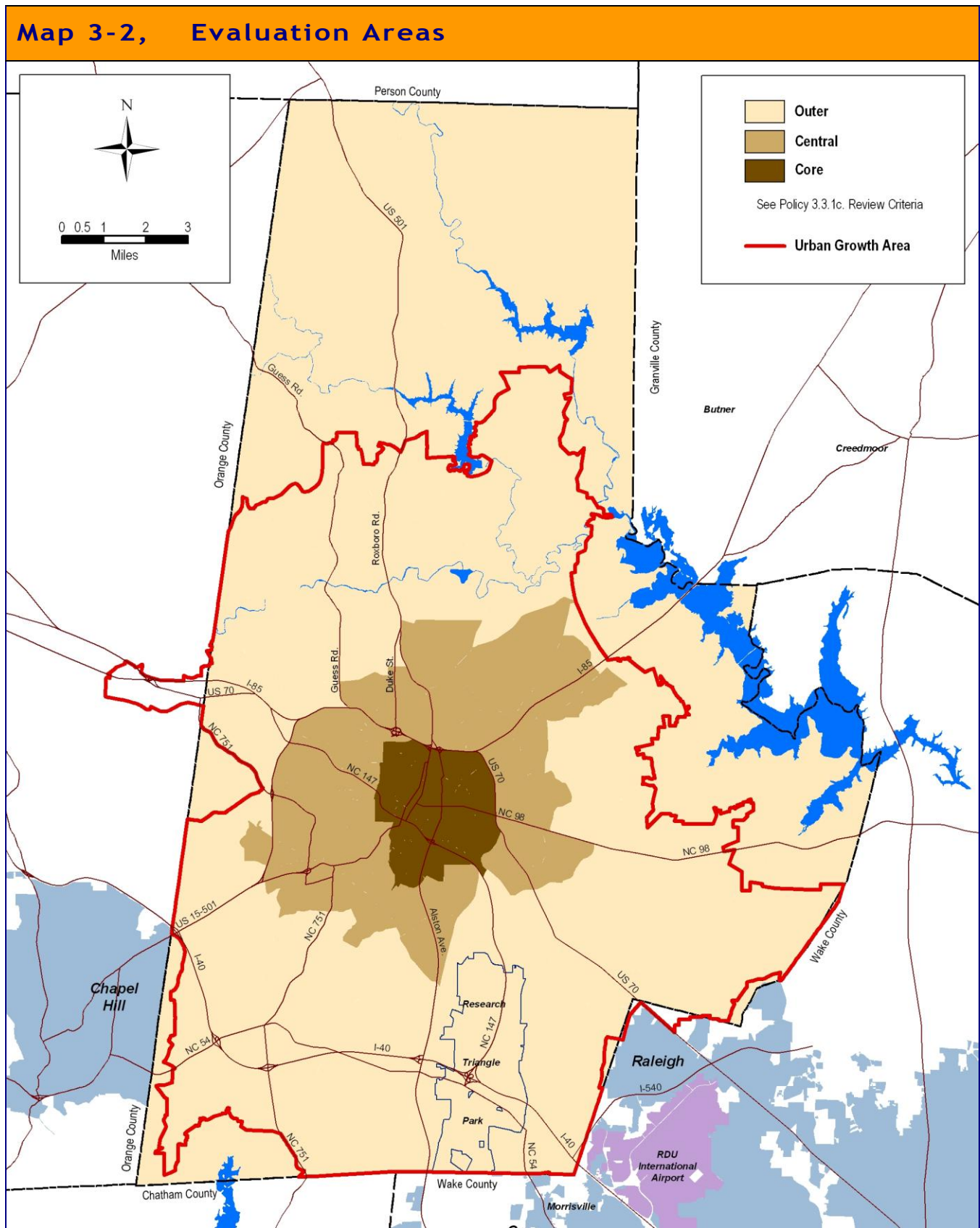
Policy 3.7.1a. Council to End Homelessness in Durham. The City Housing and Community Development Department and the City Office of Economic and Workforce Development shall designate a representative to participate in planning efforts, coordinated by the Council to End Homelessness (CEHD) to reduce homelessness, including:

- i. Development of a ten year plan to end homelessness;
- ii. Preparation of the annual Continuum of Care report for the US Department of Housing and Urban Development; and
- iii. Participation in the Triangle Partnership to End Chronic Homelessness (Triangle United Way).

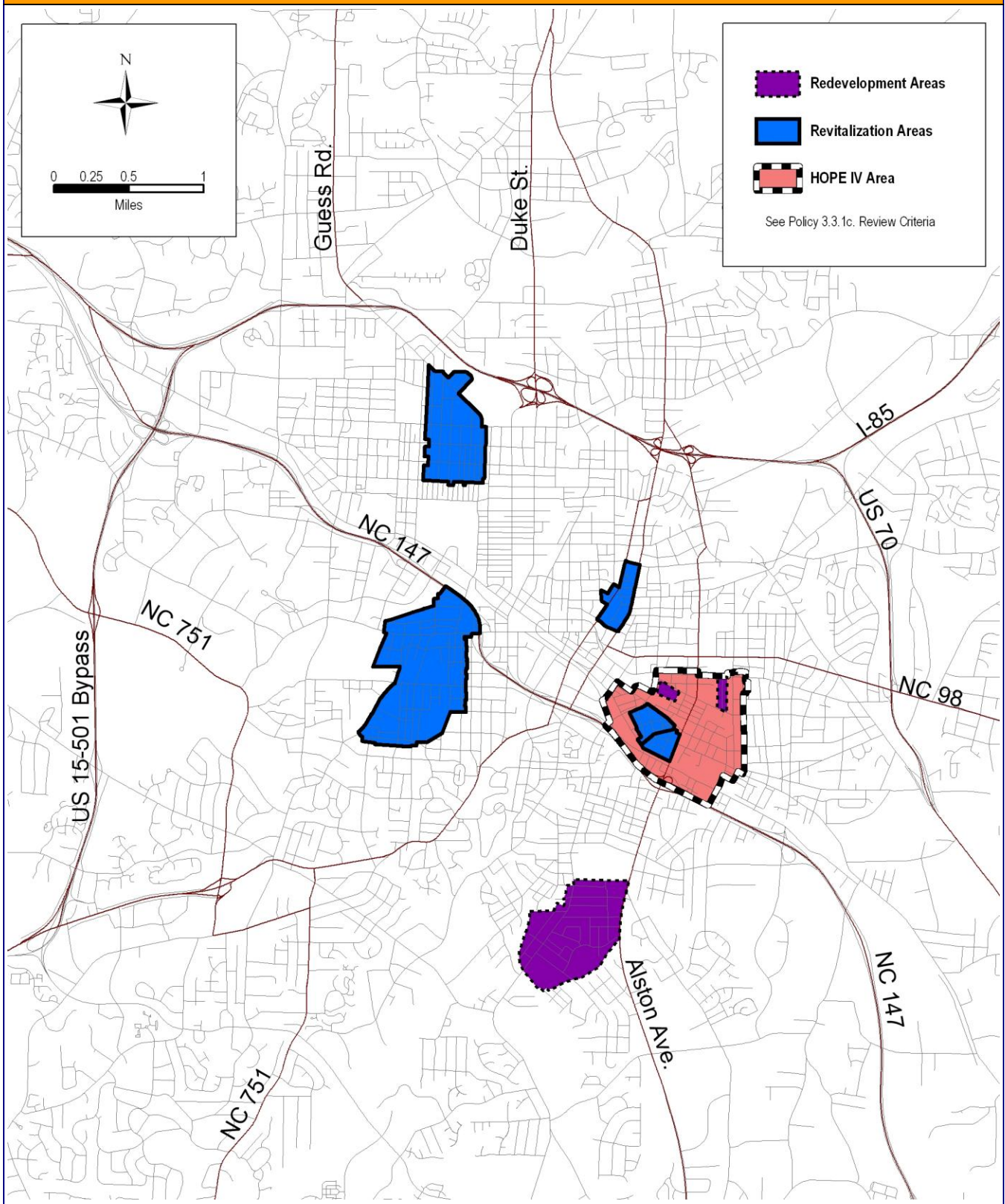
Policy 3.7.1b. Housing and Community Development Funding. The City Housing and Community Development Department shall prepare recommendations for City Council review concerning a match or set aside of Community Development Block Grant (CDBG) or HOME Investment Partnership Funds for services and housing that target the homeless population in Durham.

Map 3-1, Concentrations of Subsidized Housing or Poverty





Map 3-3, Focus Areas



Revision History

- a. None.

