

**MEMORANDUM**

To: Planning Commission

From: Durham City-County Environmental Affairs Board

Date: March 11, 2019

Subject: Comments on Proposed EHC UDO Text Amendments

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In December 2018, the Environmental Affairs Board (“EAB”) wrote the Durham City Council and Board of County Commissioners to express our support for the Expanding Housing Choices (“EHC”) initiative (Exhibit A). **The EAB continues to strongly support the EHC initiative, which has the potential to deliver substantial environmental benefits as well as to help stabilize housing costs.** In our December 2018 letter, we also urged the Planning Department to make several changes to the EHC to further support the proposal’s environmental benefits, including reducing or eliminating the minimum residential parking requirement in the urban tier.

Having reviewed the final proposed EHC UDO Text Amendments, we are writing now to: 1) reiterate our general support for the initiative, as long as appropriate environmental protections are put in place; 2) re-emphasize the importance of reducing or eliminating parking minimums; and 3) provide our position on new elements of the proposal. Specifically:

- We **support** the EHC provisions intended to promote protection of the tree canopy;
- We **support** the separate tree and landscaping revision text amendment which includes several important canopy protection provisions;
- We **support** the limitation of driveway width, the utilization of ‘ribbon’ driveways, and the bar on downspout connections, to reduce impervious surface;
- We **oppose** the addition of height limitations, given that the goal of this initiative is to *increase* flexibility and density;
- We **oppose** the new provision barring ADUs from lots with duplexes, given the significant flexibility that this type of configuration would provide housing developers and property owners;
- We **oppose** the proposal’s lack of changes to minimum parking requirements in the urban tier. ***We urge the Planning Commission to revisit the minimum parking requirements in the urban tier. By reducing or eliminating these requirements, the EHC can reduce housing prices by eliminating the costly requirement to build additional parking. This change would also reduce***

*impervious surface area and help Durham move past our harmful, auto-centric development pattern.*

Durham's efforts to increase density are laudable (both to stabilize housing costs and to reduce our community's environmental footprint), but this increased density must be pursued with a careful eye towards preventing environmental harms. On balance, we believe that the EHC, when thoughtfully implemented, is a net win from an environmental perspective. **We encourage the Planning Commission to adopt the proposed text amendments, with the changes noted here.**

CC: Durham City Council

# **EXHIBIT A**

## MEMORANDUM

To: Durham City Council and Board of County Commissioners

From: Durham City-County Environmental Affairs Board

Date: December 19, 2018

Subject: Comments on Proposals for the Expanding Housing Choices Initiative

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The Environmental Affairs Board (“EAB”) applauds the City and County of Durham, and the Planning Department, for undertaking the Expanding Housing Choices Initiative (“Initiative”). The Initiative has the potential not only to improve housing affordability, but also to deliver substantial environmental benefits, including: reduction of greenhouse gas emissions; improvements to local air quality; decreases in stormwater runoff pollution; and preservation of green space.

**We are writing to highlight these environmental co-benefits, and to urge the City to adopt several changes to these proposals that will increase the Initiative’s positive impact on both affordability and the environment.**

We urge the City to: 1) expand the Initiative’s proposals regarding duplexes to triplexes as well; 2) reduce or eliminate parking minimums for residential development in the urban tier; and 3) retain the existing density bonus for minor thoroughfares.

### **I. Expand the Duplex Proposals to Triplexes**

In the questionnaire regarding the Initiative, more than half of respondents stated that they would be comfortable with triplexes in their neighborhoods. An additional 32% said they are “maybe” comfortable with triplexes.<sup>1</sup> In total, 68% of respondents were at least open to the idea of triplexes. As summarized in Appendix B to the survey results, “Respondents who are comfortable with duplexes are generally also comfortable with triplexes,” with only “a small number” who felt that triplexes added too much density.<sup>2</sup>

Despite the fact that most respondents were comfortable with both duplexes and triplexes, the Initiative only proposes modifications that would allow more flexibility for duplexes, and not triplexes.

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<sup>1</sup> Expanding Housing Choices, “Questionnaire Summary Results,” <http://durhamnc.gov/DocumentCenter/View/23616/Questionnaire-Summary-Results-August-2018>.

<sup>2</sup> Expanding Housing Choices, “Appendix B – Summary of Comments”, [http://durhamnc.gov/DocumentCenter/View/23618/Appendix-B\\_Comment-Summary](http://durhamnc.gov/DocumentCenter/View/23618/Appendix-B_Comment-Summary).

The City should expand the proposals relating to duplexes to triplexes as well, so that triplexes would be permissible by right in the same districts as duplexes.<sup>3</sup> These units add greater density, thereby providing enhanced affordability *and* environmental benefits.

### *Density Combats Climate Change*

In a 2017 study by UC Berkeley's Turner Center for Housing Innovation, the authors found that infill housing, or "compact housing in already urbanized land near transit, jobs, and services," resulted in substantial reductions in greenhouse gas emissions by reducing overall vehicle miles traveled. The study found that residents living in dense, infill areas would drive 18 fewer miles per weekday, and a total of 90 fewer miles per week.<sup>4</sup>

Approximately twenty new people move to Durham every day (about 7,300 people per year). If some of them move to dense, infill-style neighborhoods, we can expect that those new residents will each drive roughly 4,680 fewer miles annually than if they had moved to more suburban or rural areas.

If *half* of these new neighbors move to dense, infill neighborhoods, Durham will therefore save approximately 6,901 metric tons of CO<sub>2</sub> emissions<sup>5</sup> – the equivalent of 1,034 homes' annual electricity use.<sup>6</sup> Of course, large additional carbon reductions will also come from existing residents who are able to reduce their driving time when their neighborhood density increases.

### *Density Improves Local Air Quality*

These reductions in vehicle miles traveled not only address the global challenge of climate change, but they also improve local air quality. Air pollution from transportation contributes to ozone, particulate matter, and air toxics pollution, which cause negative health effects such as asthma, lung damage, cardiovascular diseases, neurological disorders, respiratory issues, and other health problems.<sup>7</sup> In the United States, low-

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<sup>3</sup> Expanding Housing Choices, "Duplexes,"

<https://durhamnc.gov/DocumentCenter/View/24696/Duplexes-PDF> (proposing allowing duplexes by right in all RU-5 zoning districts in the urban and suburban tiers, in all RS districts in the urban tier, and within cluster or conservation subdivisions).

<sup>4</sup> UC Berkeley Turner Center for Housing Innovation, "Right Type, Right Place" (March 2017), <http://next10.org/sites/default/files/right-type-right-place.pdf>.

<sup>5</sup> EPA, "Greenhouse Gas Emissions from a Typical Passenger Vehicle" (March 2018), <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100U8YT.pdf>.

<sup>6</sup> EPA, "Greenhouse Gas Equivalencies Calculator," <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>.

<sup>7</sup> EPA, "How Mobile Source Pollution Affects Your Health," <https://www.epa.gov/mobile-source-pollution/how-mobile-source-pollution-affects-your-health>.

income communities have consistently been found to have higher exposures to such pollutants.<sup>8</sup>

For these reasons, the City should seek to enhance density by expanding this initiative to triplexes as well as duplexes. As compared to duplexes, the marginal addition of a single extra unit does not create overly burdensome aesthetic, traffic, or noise issues, but will significantly enhance the affordability and environmental benefits of these zoning changes.

## **II. Reduce or Eliminate Household Dwelling Parking Minimums in the Urban Tier**

Durham's current zoning standards require most housing units to accommodate two parking spaces, including housing in the urban tier.<sup>9</sup> As we understand the parking requirements, a new duplex in the urban tier could therefore require *four* designated parking spaces. A triplex, if the proposal is expanded as we have called for here, would require *six* parking spaces. These requirements increase housing costs and have detrimental environmental effects. However, the Initiative does not propose any changes to the parking minimum requirements.<sup>10</sup>

Durham has already wisely eliminated parking minimums in the downtown tier, and reduced household parking requirements in the Compact Neighborhood Tier.<sup>11</sup> The Old West Durham Neighborhood Protection Overlay, which is used as a model for several other changes proposed in the Initiative, also reduced parking minimums to one off-street space per dwelling.<sup>12</sup>

This approach should be expanded to the full urban tier, which encompasses a number of central residential districts. These areas are highly similar to the Compact Neighborhood Tier and Old West Durham, where parking requirements have already been relaxed. In these neighborhoods, large amounts of parking are not necessary, and are in fact counter-productive to Durham's efforts to build a more equitable and sustainable city.

Parking minimums impose the following negative impacts on Durham's central neighborhoods in the urban tier:

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<sup>8</sup> Hajat et al, "Socioeconomic Disparities and Air Pollution Exposure: A Global Review," Current Environmental Health Report (December 2015), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4626327/>.

<sup>9</sup> UDO § 10.3.1A.4.

<sup>10</sup> Expanding Housing Choices, "Context Sensitivity and Scale Through Infill Development Standards" (no change proposed to parking requirements), <https://durhamnc.gov/DocumentCenter/View/24687/Infill-Standards-PDF>.

<sup>11</sup> UDO § 10.3.1B.7.

<sup>12</sup> UDO Text Amendment TC1800001, UDO Sec. 4.6.6C.5, <https://durhamnc.gov/DocumentCenter/View/21402/TC1800001-OWDNPO-ordinance-approved>.

- Reduce housing affordability by requiring construction of parking pads or garages (one recent study found that garage parking costs renter households “approximately \$1,700 per year, or an additional 17% of a housing unit’s rent”<sup>13</sup>);
- Increase stormwater runoff pollution by adding more impervious surface area;
- Impose car-centric development patterns that encourage driving rather than biking, walking, and transit use;
- Reduce green space and urban tree canopy; and
- Increase the urban heat island effect.

To mitigate these negative impacts, communities across the United States have reduced or eliminated parking requirements. These initiatives aren’t limited to the country’s biggest cities, and in fact, mid-size cities have been leaders on this front. In 2017, Buffalo, NY and Hartford, CT became the first major cities in the U.S. to eliminate parking minimums citywide.<sup>14</sup> Indianapolis, Kansas City, and Cincinnati have also substantially relaxed their parking minimums to serve economic development, affordability, and environmental goals.<sup>15</sup>

The Initiative should therefore include a reduction, or elimination, of minimum parking requirements for residential dwellings in the urban tier.

### **III. Retain Existing Thoroughfare Density Bonus for Minor Thoroughfares**

UDO Section 6.4.1B currently allows townhouses along minor and major thoroughfares and boulevards with a minimum 50-foot width. We strongly support the Initiative’s proposal to add small apartment buildings (with three to four units) as a possibility for major thoroughfares. However, the Initiative also appears to propose *deletion* of the existing allowance for townhouses along minor thoroughfares.<sup>16</sup>

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<sup>13</sup> C.J. Gabbe and Gregory Pierce, “Hidden Costs and Deadweight Losses: Bundled Parking and Residential Rents in the Metropolitan United States,” Housing Policy Debate Journal (August 2016), <https://www.tandfonline.com/doi/abs/10.1080/10511482.2016.1205647?journalCode=rhp d20&>.

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<sup>15</sup> Alan Greenblatt, “Why Cities Don’t Care Anymore How Hard it is to Find Parking,” Governing Magazine (Dec. 2018), <http://www.governing.com/topics/urban/gov-parking-requirements-economic-development.html>.

<sup>16</sup> Expanding Housing Choices, “Other Proposed Changes” (“Delete applicability along minor thoroughfares”), <https://durhamnc.gov/DocumentCenter/View/24688/Other-Proposed-Changes-PDF>.

Weakening our existing density bonuses would be a perverse outcome of this effort, and we strongly encourage the City to retain the townhouse allowance for minor thoroughfares.

#### **IV. Conclusion**

The proposals embodied in the Initiative are important efforts to strengthen both the affordability and sustainability of our city. We urge the City to adopt these proposals, with the above-described three key changes, which we believe will maximize these benefits with minimal burdens on neighborhoods, residents, and developers.



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