



Land Use Management Ordinance Text Amendment
**Housing Regulations & Housing Choices for
a Complete Community**

January 25, 2023

Recommendation

- Open the Public Hearing
- Receive public comment
- Continue the hearing to February 22, 2023



Background

Why are we doing this?

- September 2021 – Council members petition staff to create pathway for missing middle housing
- Projected Housing Needs, 2020-2040
- Complete Community Strategy



Purpose of Proposed Text Amendments



Clean up the LUMO



Diversify Housing types



Increase Housing Production



Encourage Compatible Infill Development



Strategically and Sensitive Increase Density

Public Engagement

10.4.2022	Planning Commission
10.11.2022	Housing Advisory Board (HAB)
11.15.2022	Missing Middle Roundtable with Homebuilders Association and developers
11.21.2022	Townhouse Development Roundtable with Homebuilders Association and developers
12.2.2022	Council Committee on Economic Sustainability (CCES)
1.10.2023	Housing Advisory Board (HAB)
1.11.2023	Virtual Public Information Meeting (PIM)
1.12.2023	Hybrid Public Information Meeting (PIM)
1.17.2023	Planning Commission
1.25.2023	Town Council Public Hearing
1.31.2023	Virtual Community Open House
2.2.2023	In-Person Community Open House
2.22.2023	Town Council Public Hearing

Advisory Boards



Advisory Board Feedback:

Housing Advisory Board:

- Recommended approval

Planning Commission:

- Support for the intent and recognized need for refinements
 - Need to understand neighborhood impact
 - Concerns for exempting NCDs
 - Apprehension of student rentals
 - Reconsider setbacks and design standards
-

Text Amendment Summary

Proposed “Clean Up” Text Amendments

- Setback & Height Exceptions
- Townhouses
 - Definition
 - Development Standards
 - Subdivision Standards
- Updated standards for duplexes and accessory apartments

Opportunities to Increase Missing Middle Housing

- Focus on dimensional standards instead of density limitations
- Introduce cottages on compact lots to allow small single-family houses
- Add Missing Middle Housing Types & Development Standards in most zoning districts
 - Triplexes
 - Fourplexes
 - Cottage Courts
- Allow triplexes and fourplexes to be approved administratively

Proposed “Clean Up” Text Amendments



- Setback & Height Exceptions:
 - Fences
 - Mechanical Equipment
 - Window Wells
 - Site Access
 - Transportation-related Improvements
 - Solar Collectors
- Tree Protection & Canopy Requirements
- Townhouse-specific Development Standards

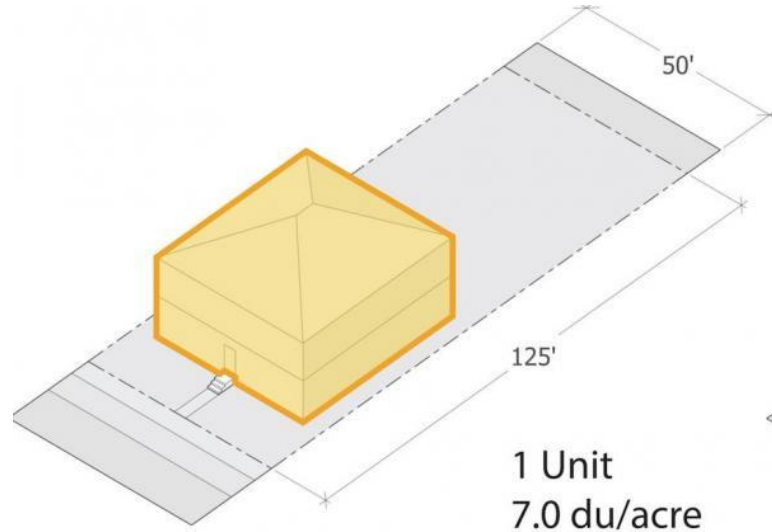
Opportunities to Increase Missing Middle Housing

Definitions:

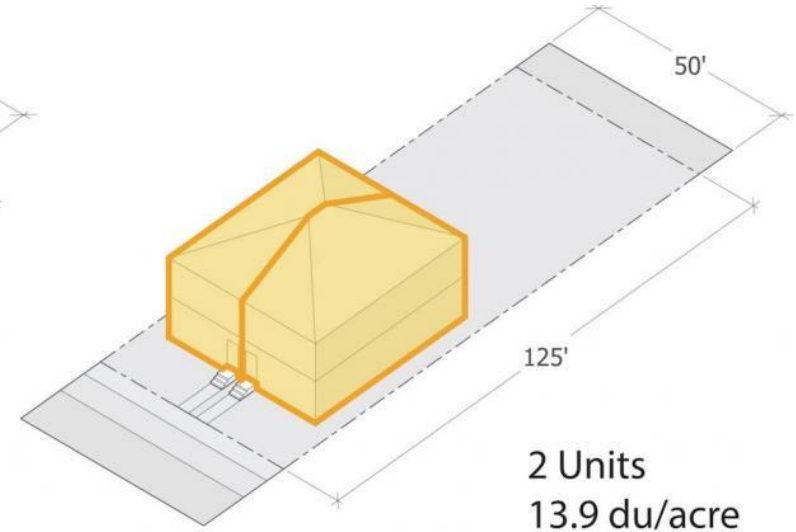
- *Missing Middle is a range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable urban living. These types provide diverse housing options along a spectrum of affordability, including duplexes, fourplexes, and bungalow courts, to support walkable communities, locally-serving retail, and public transportation options.” –MissingMiddleHousing.com*
- *Gentle Densification: Process of increasing density in existing single-family neighborhoods through the construction of townhomes, two- to four-family homes, and small-scale apartment or condominium buildings.–Brookings Metro*

Opportunities to Increase Missing Middle Housing

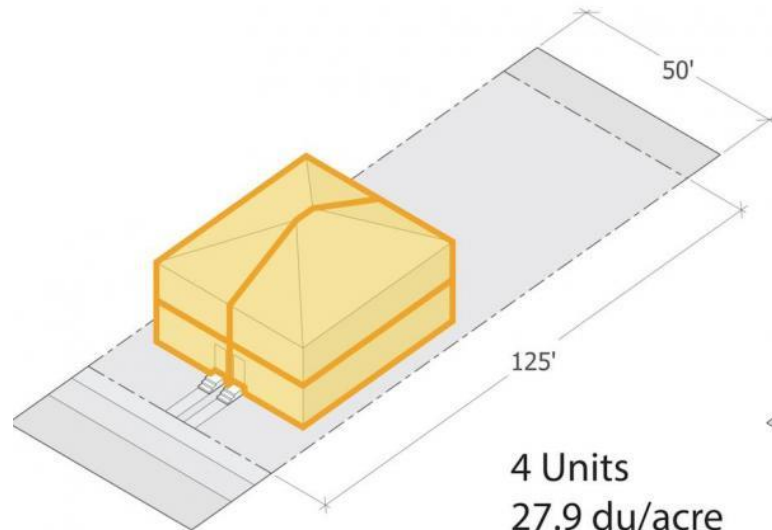
- Focus on:
 - Lot Size
 - Setbacks
 - Building Dimensions
- Eliminate Prescribed Density Maximums



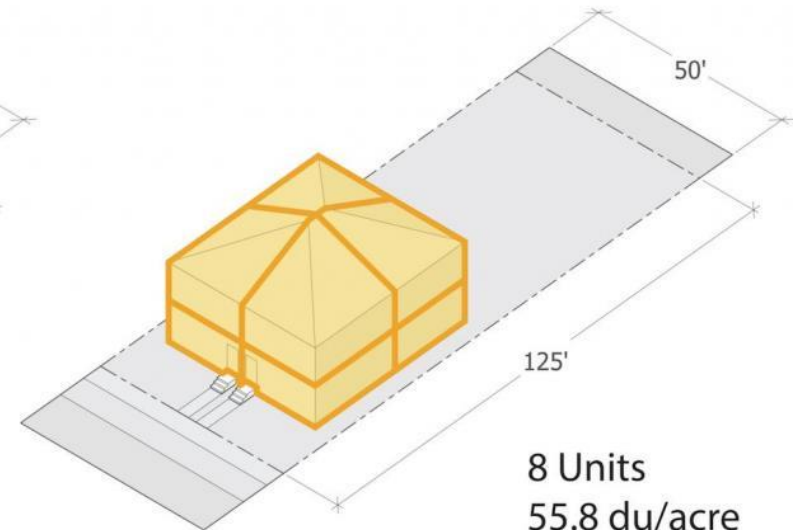
1 Unit
7.0 du/acre



2 Units
13.9 du/acre



4 Units
27.9 du/acre



8 Units
55.8 du/acre

Allowed Housing Types

	R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	HR-L	HR-M	HR-X
Single Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Single Family + Accessory Apartment	P	P	P	P	P	P	P	P	P	P	P	P	P	P
<u>Cottage on a Compact Lot</u>	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Duplex	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	P	P	P	P	P	P	P
Triplex	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P
<u>Fourplex</u>	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>
<u>Cottage Courts</u>	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>
multifamily (<u>5-10 units</u>)	-	-	-	-	-	-	-	<u>P</u>	P	P	P	-	-	P
multifamily (<u>10+ units</u>)	-	-	-	-	-	-	-	-	-	-	CZ	-	-	-

P : Proposed as a new permitted use

Missing Middle Housing Types

Cottage on Compact Lot

Lot Size Min. 2,700 square feet

Impervious Surface 0.50

Tree Canopy Coverage N/A

Parking N/A

Building Dimensions

Footprint Max. 1,000 square feet

Floor Area of Primary Structure Max. 1,600 square feet

Height Max. 29 feet

Allowed Residential Zones

R-1A, R-1, R-2, R-2A, R-3, R-4, R-5, R-6, HR-L, HR-M, HR-X



Missing Middle Housing Types

Triplex/Fourplex

Minimum Lot Size Follow Zoning District

Impervious Surface 0.50

Tree Canopy Coverage 20%

Parking Follows multifamily Requirements

Building Dimensions

Unit Size Min. 500 SF – Max. 1,600 SF

Maximum Height Zoning Height & Neighborhood Context

Allowed Zones

R-1A, R-1, R-2, R-2A, R-3, R-4, R-5, R-6, HR-L and HR-M (Triplex only), HR-X



Image courtesy of Missingmiddle.com

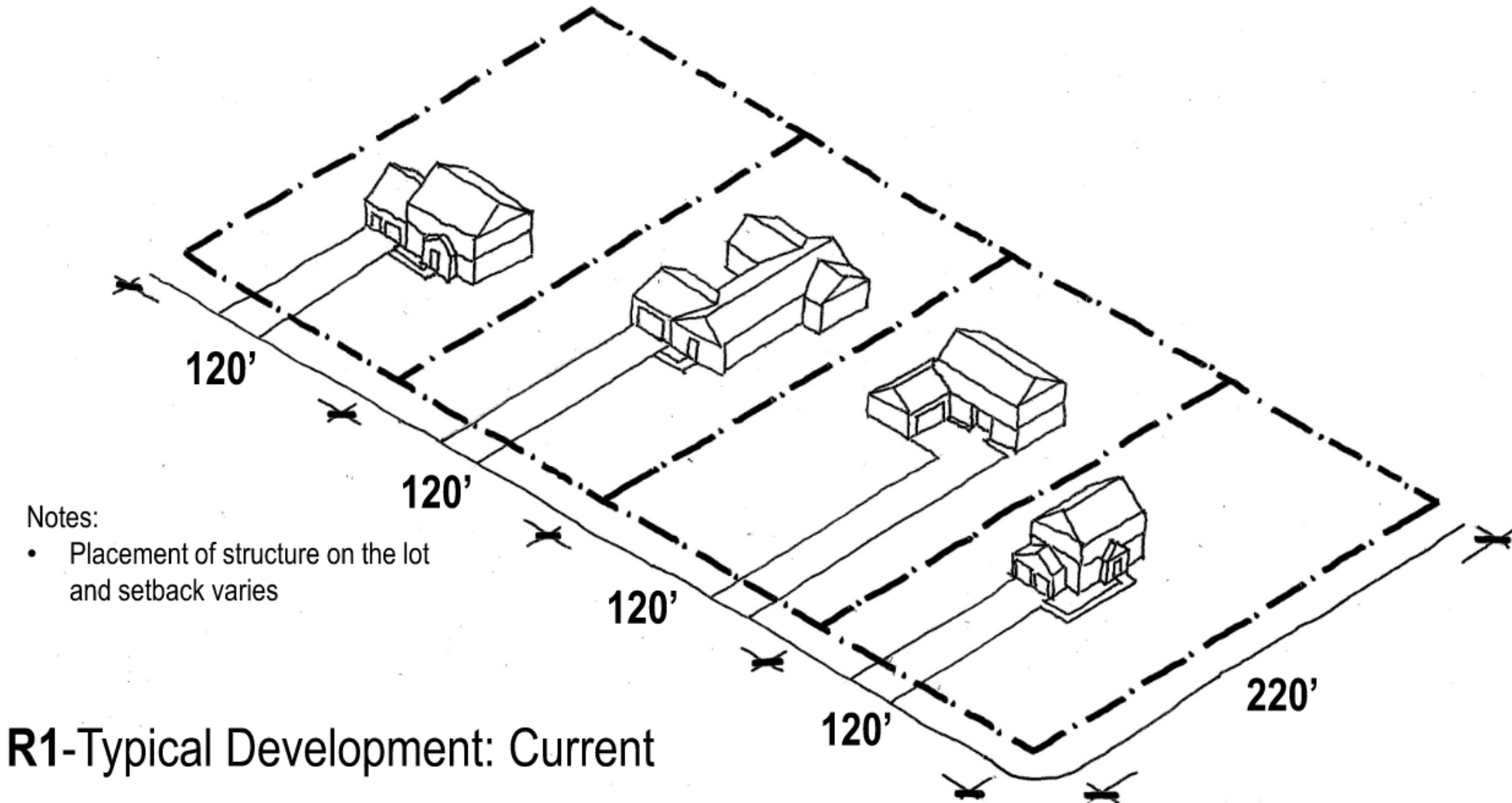
Missing Middle Housing Types

Cottage Court Development Standards

Lot Size	10,000 to 24,000 square feet
Number of Dwelling Units	3 to 12 units
Tree Canopy Coverage	30%
Parking	1-2 vehicular spaces/dwelling unit 1 bicycle space/3 dwelling units
Impervious Surface	0.50
<u>Building Dimensions</u>	
Building Width	Min. 18 to Max. 24 feet
Building Depth	Min. 24 to Max. 36 feet
Floor Area	Min. 500 to Max. 1,500 square feet
<u>Allowed Residential Zones</u>	
R-2, R-2A, R-3, R-4, R-5, R-6, HR-X	

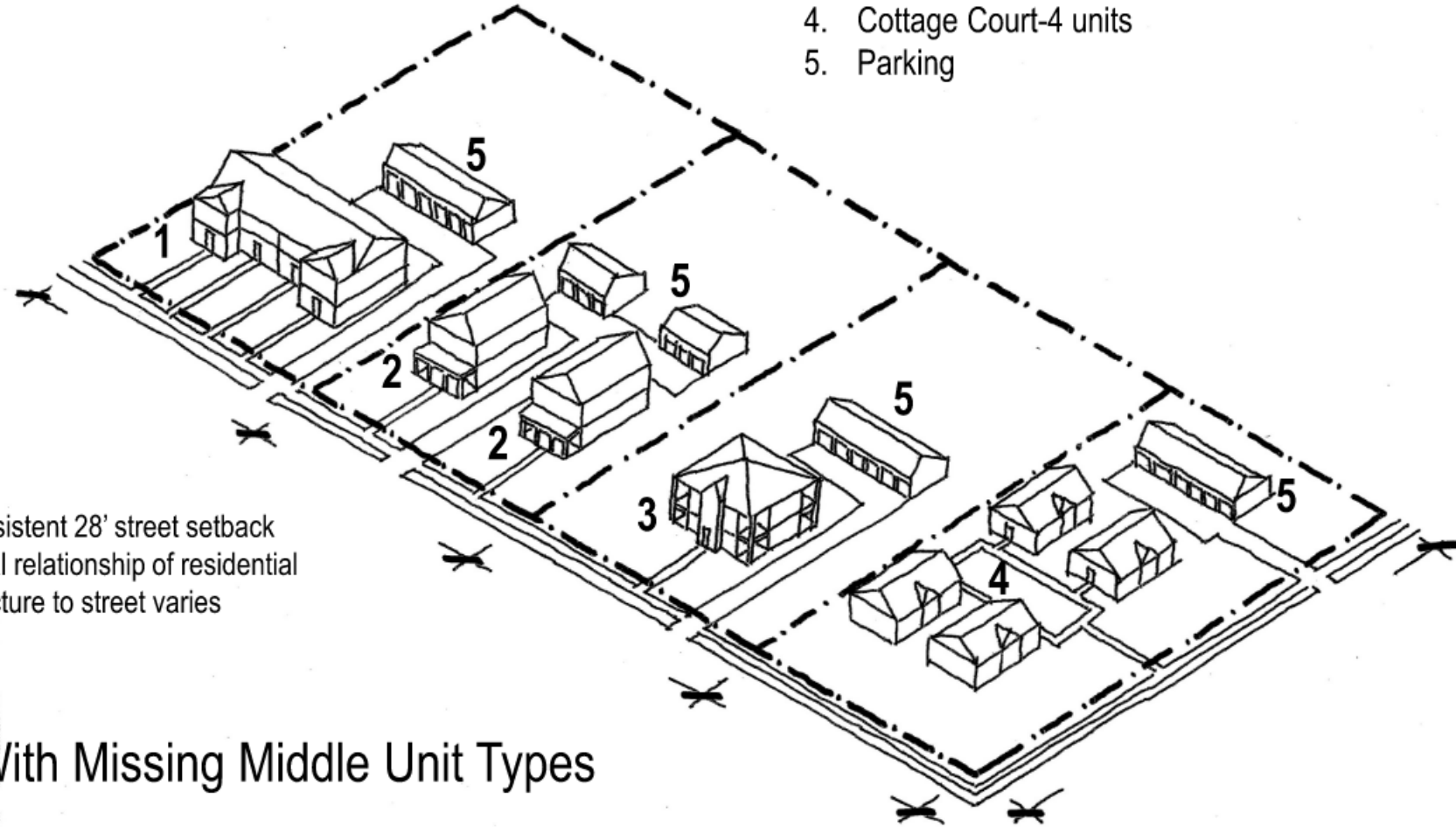


Neighborhood Character



Neighborhood Character

1. Townhouse-4 units
2. Duplex (stacked or side-by side)
3. Fourplex
4. Cottage Court-4 units
5. Parking

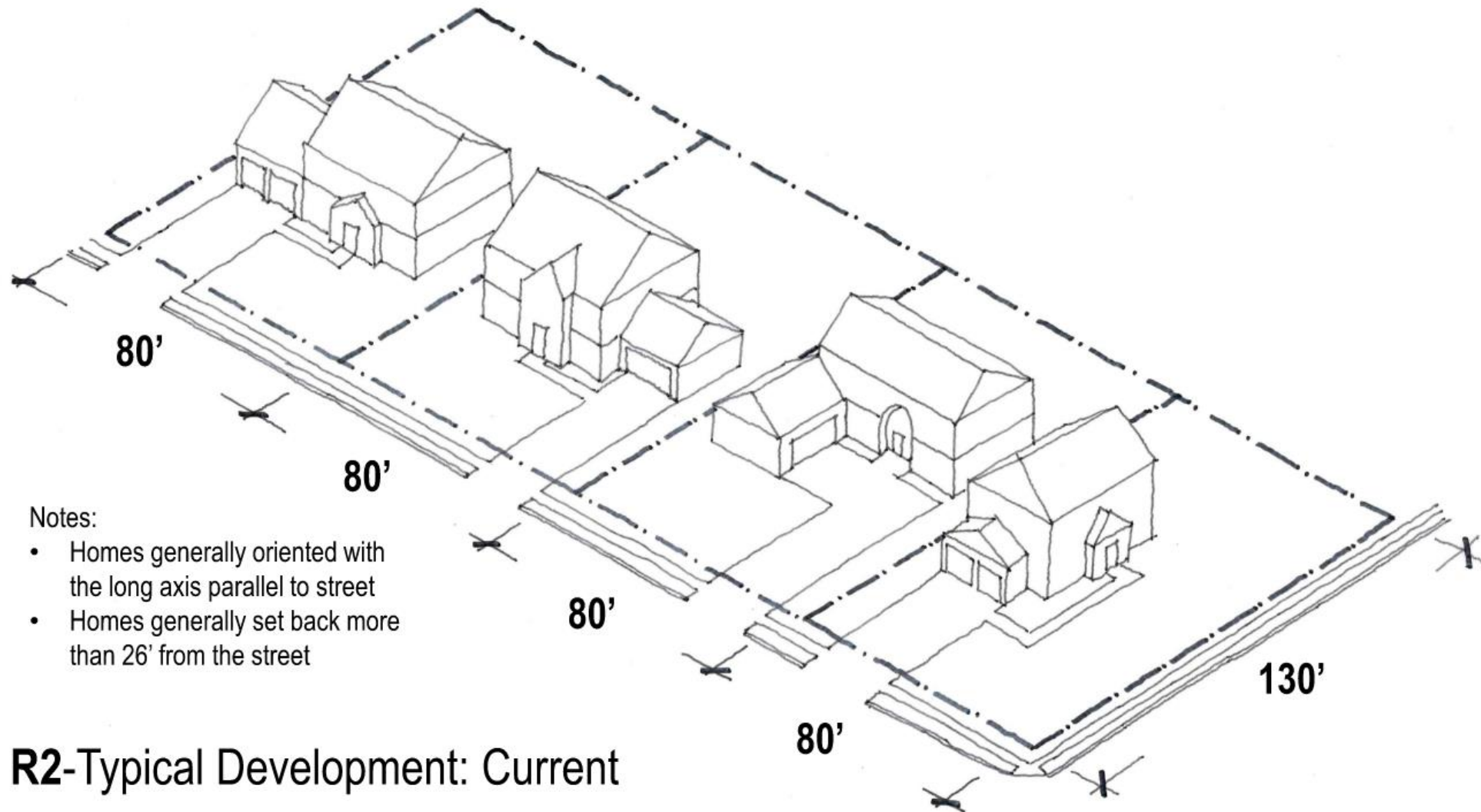


Notes:

- Consistent 28' street setback
- Axial relationship of residential structure to street varies

R1- With Missing Middle Unit Types

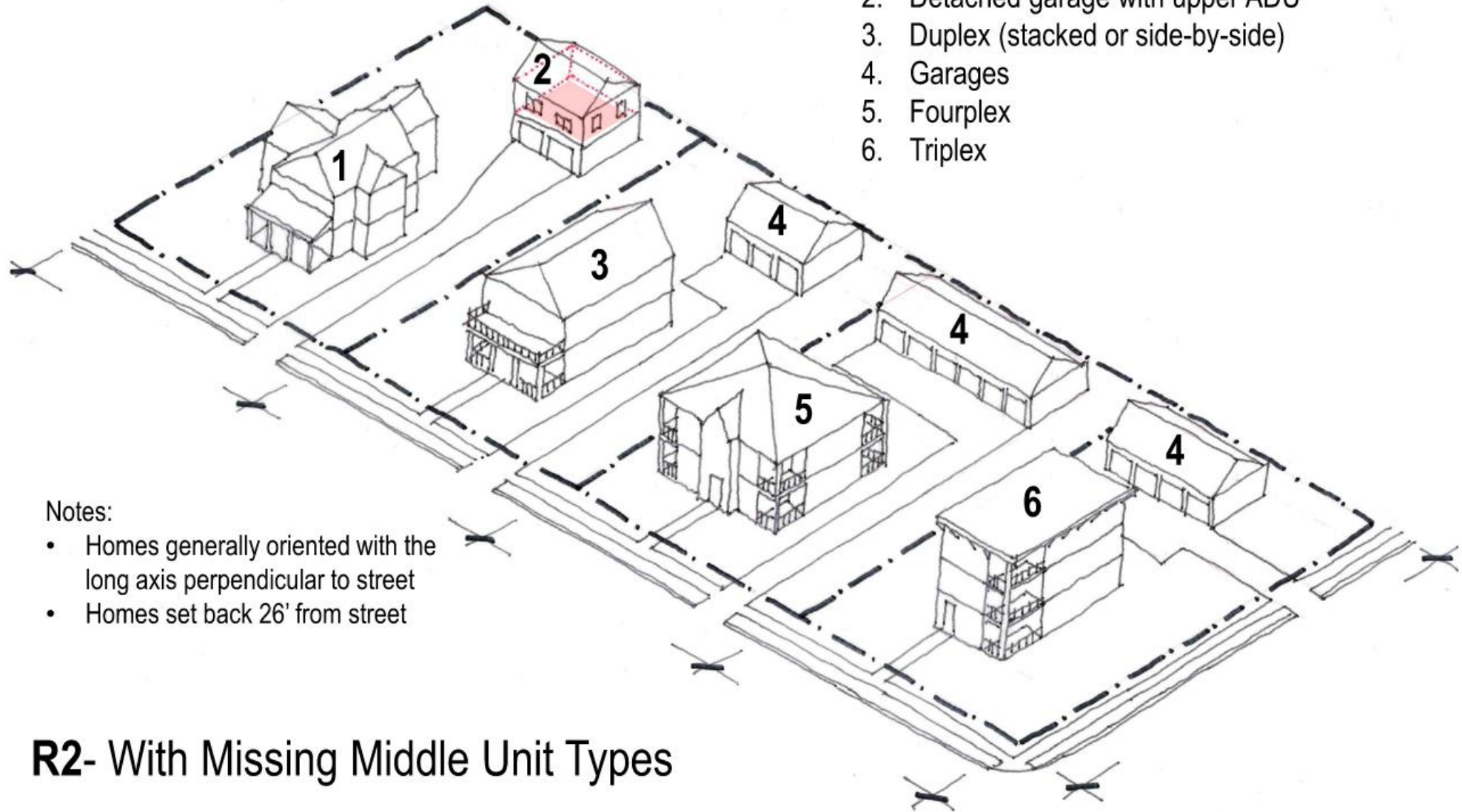
Neighborhood Character



R2-Typical Development: Current

Neighborhood Character

1. Single Family
2. Detached garage with upper ADU
3. Duplex (stacked or side-by-side)
4. Garages
5. Fourplex
6. Triplex



Notes:

- Homes generally oriented with the long axis perpendicular to street
- Homes set back 26' from street

R2- With Missing Middle Unit Types



Neighborhood Context

- Design Standards
- Tree Canopy
- Stormwater Management
- Steep Slopes



Summary of Proposed Changes

What this is designed to do:

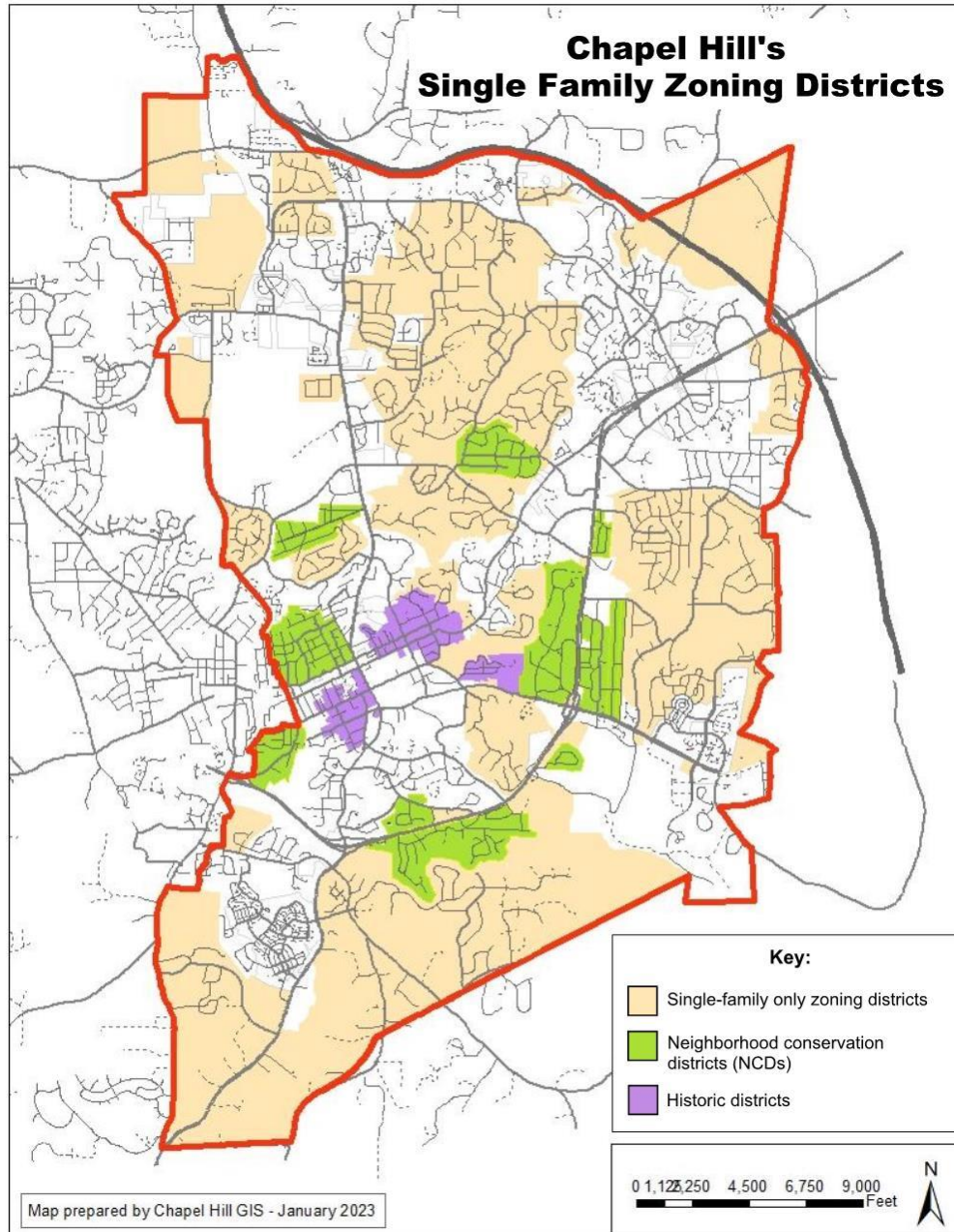
- Create **opportunities for more housing** production and a variety of housing types in residential zoning districts
- Allow **administrative approval** for small, multifamily developments of up to 4 units
- Impose standards to ensure that new development is **compatible with existing neighborhoods**

What this does not do:

- Make single-family houses non-conforming or prohibit single-family developments
- Address Neighborhood Conservation Districts (NCDs) that prohibit these uses
- Supersede restrictive covenants or entitlements
- Designate units as affordable housing based on specified income levels.
- Prevent student rentals
- Discriminate between owners and renters

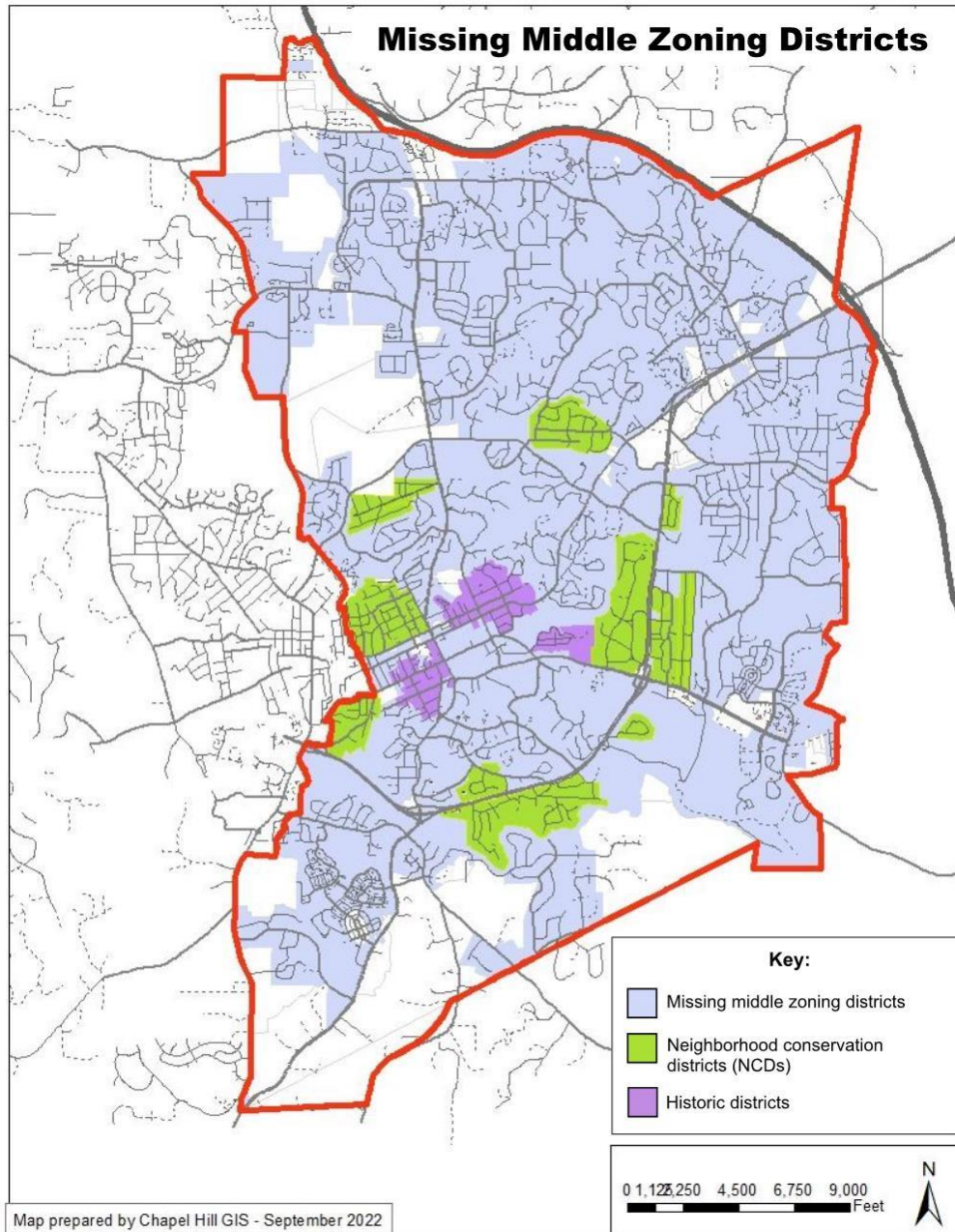
Neighborhood Conservation Districts (NCDs)

- No amendments to NCD regulations are included in these reforms
- Robust community engagement with residents is critical to determine needs and interests
- Potential follow-up to proposed reforms



Other Considerations

- Occupancy
- Inclusionary Zoning
- Interactions with Building and Fire codes
- No proposed changes to stormwater requirements for multifamily (3+ units)
- Subdivisions standards remain with carveouts to allow for implementation of cottage courts and compact lots
- Previous entitlements
- Private controls on land use (i.e. restrictive covenants)



Potential Outcomes & Monitoring

- Raleigh, Durham, & Minneapolis have made similar changes to their ordinances
- On average, Chapel Hill permits 262 housing units/year
 - 3 cottages/year (1.25%)
 - 0-2 duplexes/year (0.14% - 0.68%)
 - < 1 triplex/year (0.18%)
- Staff will monitor implementation and report to Council



Other Considerations

Zoning alone will not fix the housing shortage

Other supportive measures:

- Development bonuses for affordable housing
- Increased funding for affordable housing development
- Transit-oriented development (underway)
- Expedited review for pre-approved housing designs



Purpose of Proposed Text Amendments



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Summary & Council Direction

Proposed “Clean Up” Text Amendments

- Setback & Height Exceptions
- Townhouses
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Opportunities to Increase Missing Middle Housing

- Focus on dimensional standards instead of density limitations
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Next Steps



Planning Actions:

- Preliminary mapping of neighborhoods impacted

How to Stay Involved:

- Project webpage: <https://bit.ly/3ld1LXe>
- Public Input: <https://publicinput.com/v3540>
- Town Calendar:
<https://www.townofchapelhill.org/government/newsroom/calendar>
- Social Media
- Planning@townofchapelhill.org
- Upcoming Public Meetings
 - Virtual Community Open House. 1.31.2023 at 5pm-6pm
 - In-Person Community Open House. 2.2.2023 at 12pm- 1pm / Chapel Hill Library, Room B
 - Town Council Public Hearing. 2.22.2023 at 7pm/ Town Hall

Recommendation

- Open the Public Hearing
- Receive public comment
- Continue the hearing to February 22, 2023



Potential Outcomes

Predicted Chapel Hill Outcomes	<ul style="list-style-type: none">• Based on the development outcomes observed in other communities:<ul style="list-style-type: none">• 0-2 duplexes per year (0.68% - 3.69%)• < 1 triplex per year (0.18%)• 3 new cottages on compact lots (1.25%)
Minneapolis 2020 Comprehensive Plan (January 2020 -2022)	<ul style="list-style-type: none">• Approximately 9,000 housing units permitted including:<ul style="list-style-type: none">• 62 new duplexes (0.68% of total permits)• 17 new triplexes (0.18% of total permits)
Durham Expanded Housing Choices (EHC) (October 2019 – November 2022)	<ul style="list-style-type: none">• 407 EHC-related permits:<ul style="list-style-type: none">• 132 small lot options (32.4% of total permits)
Raleigh Missing Middle Housing Reforms (August 2021-October 2022)	<ul style="list-style-type: none">• Total applications related to Missing Middle Housing ordinance changes:<ul style="list-style-type: none">• 11 subdivisions• 0 Townhouses

Public Engagement

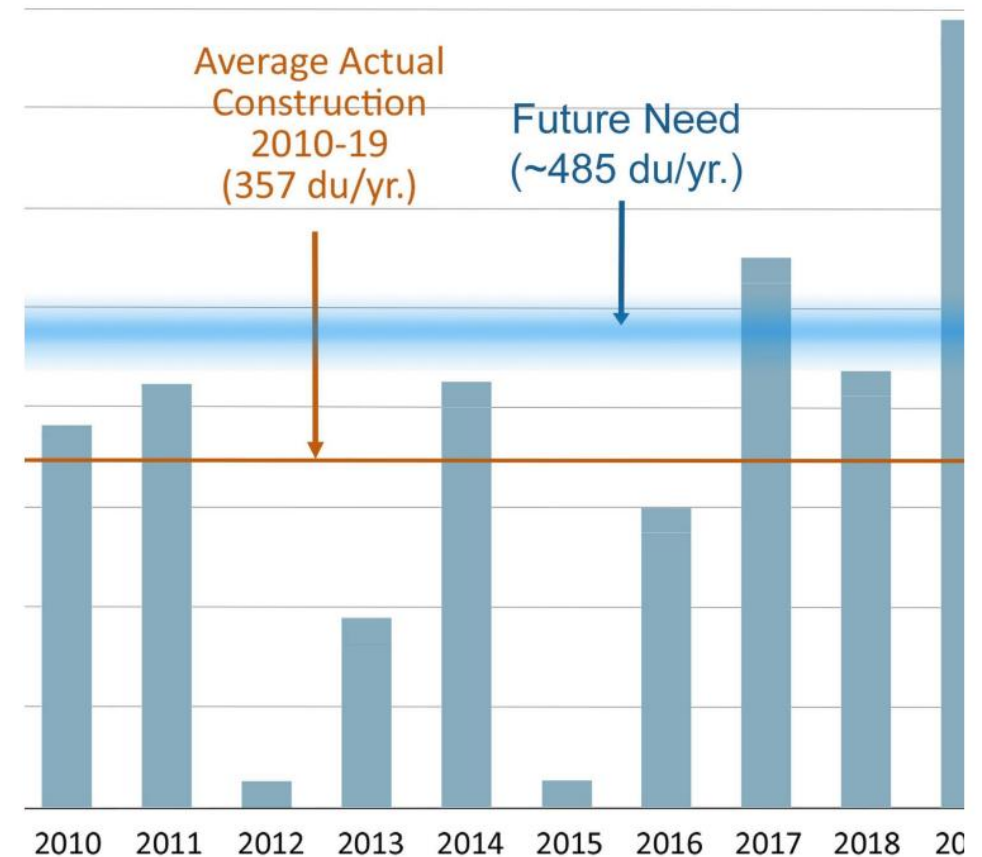
What we've heard:

- Demolition of single-family houses
- Neighborhood character
- Ensuring affordability
- Corporate investors
- Walkability and transit-oriented development
- Parking ratios
- Student housing
- Ownership vs. rentals
- Need for utility and street improvements
- Creating inclusive neighborhoods
- Impervious surface and stormwater
- Neighborhood Conservation Districts (NCDs)
- Historic Districts

Part 2: Opportunities to Increase Missing Middle Housing

What's Needed:

- About 500 units annually (35% increase in housing production)
 - Approx. 440 units/year for individual households
 - Approx. 45 units/year for student housing
- Diversity of housing product at different price points to increase affordability
- Older neighborhoods need to evolve to meet housing needs for all income levels



From [Chapel Hill Housing Needs Analysis: 2020-2040](#)

Text Amendment Process

**Staff
Review**



**Advisory
Board
Review**



**Council
Public
Hearing
1/25/2023**



**Council to
Consider
Action**

Part 2: Opportunities to Increase Missing Middle Housing

Neighborhood Compatibility for Triplex/Fourplex:

Building Orientation No more than 10 ft. taller than height of the shortest dwelling unit

Setbacks

Street: No closer than the shortest street setback and no further than the longest setback (Must comply with zoning)

Interior: Equal to the setback on abutting lot and not less than 8 ft.

Solar: Follow underlying zoning:

Building Width

Not to exceed average building width by more than 25%

No façade wall can extend more than 50 ft. without a projection/recession of at least 4 ft. in depth and 10 ft. in width

Articulation required on side walls that are 22 ft. or taller and located within 15 ft. of the adjoining building.

Modulation of facades and elevations similar to those found on adjacent lots

Building Orientation

Single entry to multiple units

Separate, but distinct covered entries facing the street

Part 2: Opportunities to Increase Missing Middle Housing

Neighborhood Compatibility for Triplex/Fourplex:

Fenestration Pattern	Window and door placement, design, proportion, and solid-to-void ratios similar to those found within neighborhood context
Building Materials	Similar to existing materials within neighborhood context
Unit Size	Min. 500 SF – Max. 1,600 SF
Connectivity	Construct sidewalks that connect to adjacent sidewalk system Continuation of bike lanes, greenways, and other multi-modal paths along the frontage of the property

Neighborhood Conservation Districts (NCDs)

Current NCD Regulations Related to Housing Types:

	Single Family	Single Family + Accessory Apt.	Duplexes & Triplexes- Affordable Housing only	multifamily of 3-7 Units
Northside	✓		✓	
Greenwood	✓	✓		
Kings Mill/Morgan Creek	✓	✓		
Pine Knolls	✓		✓	
Mason Farm/Whitehead Circle	✓	✓		
Coker Hills	✓	✓		
Highland Woods	✓	✓		
Glen Lennox (CD-8A)	✓	✓		
Glen Lennox (CD-8B)	✓	✓		
Glen Lennox (CD-8C)	✓	✓	✓	✓
Little Ridgefield	✓	✓		
Elkin Hills (CD-10A)	✓	✓		
Elkin Hills (CD-10B)	✓	✓		

Allowed Housing Types

	R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	HR-L	HR-M	HR-X
Single Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Single Family + Accessory Apartment	P	P	P	P	P	P	P	P	P	P	P	P	P	P
<u>Cottage on a Compact Lot</u>	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Duplex	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>P</u>	P	P	P	P	P	P	P
Triplex	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P
<u>Fourplex</u>	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>
<u>Cottage Courts</u>	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>
<u>multifamily (5-10 units)</u>	-	-	-	-	-	-	-	<u>P</u>	P	P	P	-	-	P
<u>multifamily (10+ units)</u>	-	-	-	-	-	-	-	-	-	-	CZ	-	-	-

P : Proposed as a new permitted use