



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

May 24, 2023

Recommendation

- Open the Legislative Hearing
- Receive public comment
- Continue the hearing to June 21, 2023



Zoning is One “Tool in the Toolbox”

Zoning on its own will not meet our community’s housing needs

Other considerations to meet housing needs:

- Zoning map amendments to allow more density
- Development bonuses for income-restricted affordable housing
- Transit-oriented development (underway)
- Expedited review for pre-approved housing designs
- Programs that incentivize the construction of income-restricted affordable housing units



Purpose of the Text Amendments



Clean up the Land Use Management Ordinance (LUMO)

Diversify Housing Types

Increase Housing Production

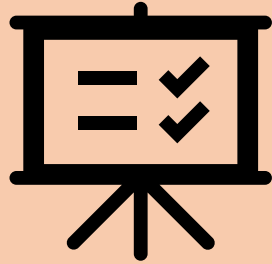
Encourage Compatible Infill

Promote Gentle Density

Work Completed



Staff Research



2 Public Information Meetings &
7 Community Open Houses

127 attendees



13 Neighborhood Meetings

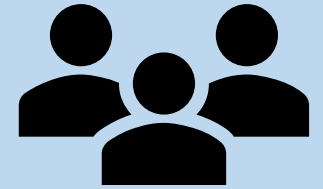
332 residents



Digital Outreach

**577 Email
Subscribers**

**928 Survey
Participants**



5 Planning Staff &
Staff from
Communications,
Housing,
Inspections,
Ombuds, Managers
Office

**+150 Staff Hours
on Public
Meetings**

Clean up the LUMO & Refine Missing Middle Housing

Original Proposal

Setbacks & height exceptions

Townhouse development standards

Prioritize dimensional standards over density restrictions

Duplex & Accessory Apt. standards

Introduce cottages on compact lots

Administrative approval of triplexes and fourplexes

Add new missing middle housing types in most R- zoning districts:

- Triplexes
- Fourplexes
- Cottage Courts

Current Proposal

Setbacks & height exceptions

Accessory apartment Standards (Increased to 1,000 SF)

Addressing townhouses as multi-family development

Prioritize dimensional standards over density restrictions

Increasing flexibility for multi-family housing development by allowing units to be attached or detached

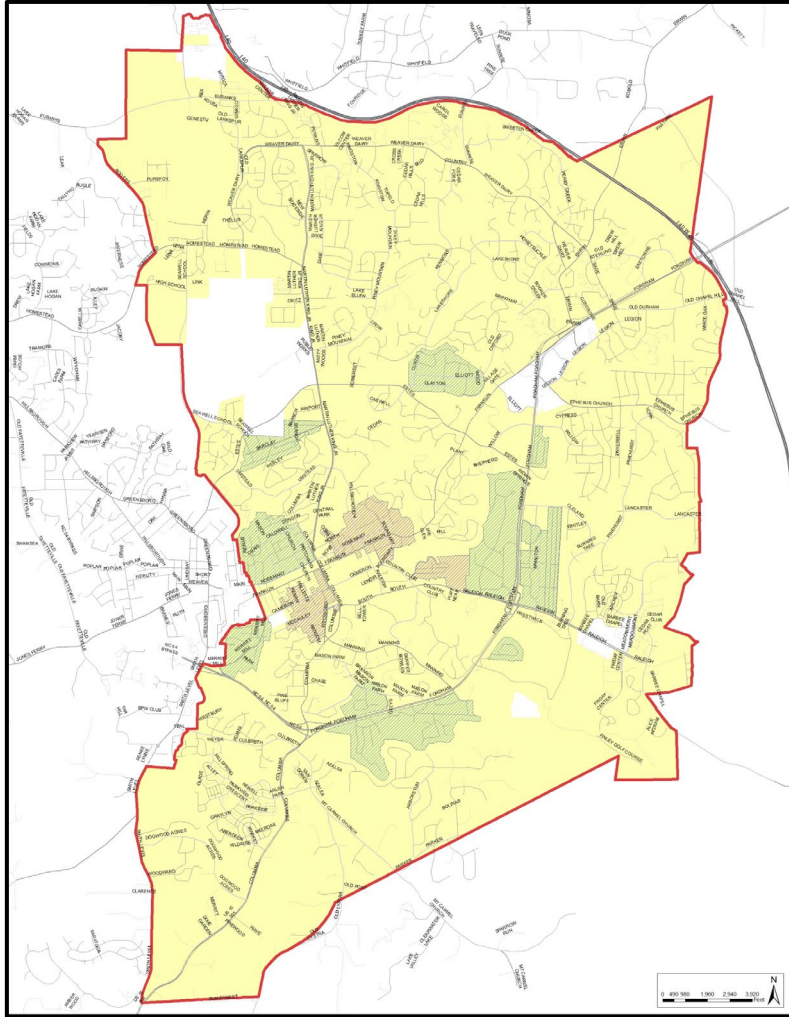
Allowing 2-family developments, attached or detached, in most residential (r-) zoning districts and reducing minimum lot size

Introducing Single Family + Cottage

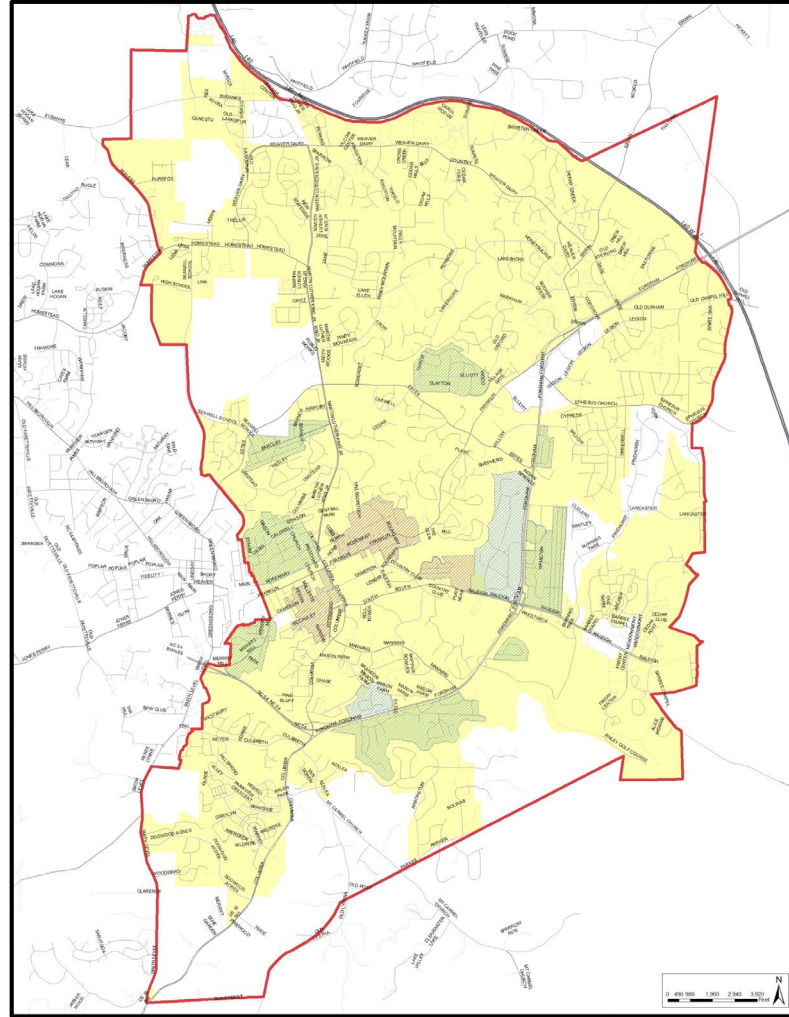
Limiting 3- and 4-family developments, attached or detached, in those zones that currently allow multi-family, 3-7 units

Allowing administrative (staff) approval of 3- and 4-family developments

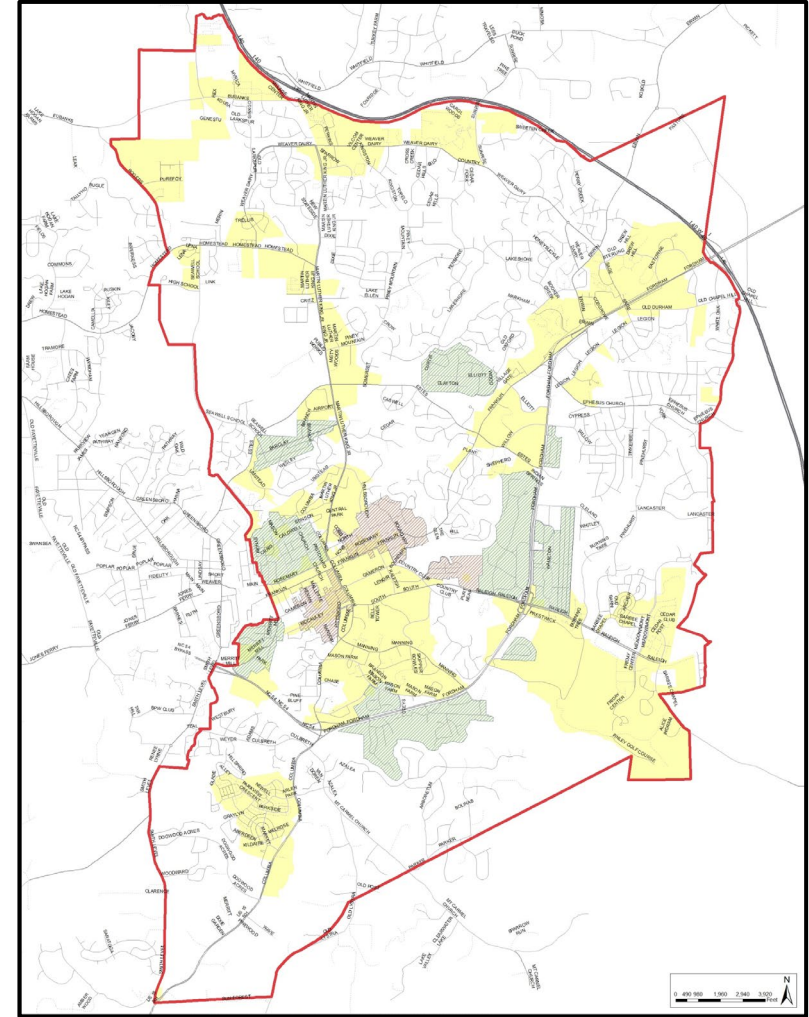
Proposed Locations for Housing Types



Two-family, Attached/Detached



Single Family + Cottage



Three- and Four-Family,
Attached/Detached

 *Where housing type will be permitted*

 *Neighborhood Conservation Districts*

 *Historic Districts*

Housing Types

Lowest Density Zones

Highest Density Zones

Allowed in all residential districts



Single Family + Accessory Apartment

Proposed in all residential districts



2-Family, Attached/Detached

Proposed in all residential districts starting in R-1



Single Family + Cottage

Proposed wherever multifamily is allowed (R-4 and higher)



3- & 4-Family, Attached/Detached

R-1 Zoning District

R-4 Zoning District

Summary of Proposed Changes

What this does not do:

- Make single-family houses non-conforming or prohibit single-family developments
- Eliminate single family residential zoning
- Supersede restrictive covenants or entitlements
- Guarantee income-restricted affordable housing
- Prevent student rentals

What this does do:

- Allows **administrative approval** for small, multi-family developments up to 4 units in zones that already allow 3-7 units
- Imposes dimensional standards to ensure that new development is **compatible with existing neighborhoods**

Neighborhood Conservation Districts (NCDs)



- No amendments to NCDs proposed
- Added language so that no new uses are proposed in the NCDs

Timeline



Fall 2022

- Staff presents to Planning Commission, Housing Advisory Board, and Council Committee for Economic Sustainability (CCES)



Winter 2022-2023

- Staff presents to Housing Advisory Board and Planning Commission
- Council opens the legislative hearing (1.25) and closes the legislative hearing (2.22)
- Staff hosts Community Open Houses and neighborhood meetings



Early Spring 2023

- Staff hosts Community Open Houses and neighborhood meetings
- Council work session (4.10)



Late Spring/Summer 2023

- Staff presents to Historic District Commission and Planning Commission
- Town Council Public Hearing
- Possible Town Council Action – tentative June 21, 2023

Recommendation

- Open the Legislative Hearing
- Receive public comment
- Continue the hearing to June 21, 2023



Text Amendment Process

**Staff
Review**



**Advisory
Board
Review**



**Council
Legislative
Hearing
5/24/2023**



**Council to
Consider
Action**

Staff Recommendation

Purpose of Text Amendments is the guide for staff recommendation

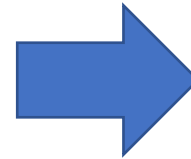
Clean up the Land Use Management Ordinance (LUMO)

Diversify Housing Types

Increase Housing Production

Encourage Compatible Infill

Promote Gentle Density



Setbacks & height exceptions

Accessory Apartment Standards

Prioritize dimensional standards over density restrictions

Introduce single-family + cottage

Expand two-family uses into all R-zoning districts

Opportunities for Attached/Detached Three- and Four-Family Developments

Why are we doing this?

- September 2021 – Council members petition staff to create pathway for missing middle housing
- Projected Housing Needs, 2020-2040
 - Little variety in existing housing stock – single family homes and luxury apartments
 - Many needs are going unmet
 - Need to increase housing production by 35% (an average of 500 units annually)
- Complete Community Strategy

Purpose of the Text Amendments

Initial Proposal

LUMO “Clean Up” Text Amendments

- Setback & Height Exceptions
- Townhouse Development Standards
- Updated Standards for Duplexes & Accessory Apartments

Opportunities to increase Missing Middle Housing

- Remove density limitations
- Cottages on Compact Lots
- Admin. Approvals of Tri- and Fourplexes
- Cottage Courts

Research & Stakeholder Engagement

Met with Town and County Departments

Looked at existing infrastructure (transit, walkability)

Engaged with affordable housing groups

Met with UNC about housing demands

Consulted with other cities

Community outreach

Council Guidance & Further Refinements

Council work session on 4/10

LUMO “Clean Up” Text Amendments

Considerations for refining “Missing Middle” housing types

Summary of Community Feedback

- Student Housing
- Parking/Traffic
- Nuisances
- Infrastructure capacity
- Equity and diversity
- Locations for density
- Housing affordability
- Neighborhood character
- Tree canopy
- Out-of-town investors
- Demolitions and loss of neighborhood character
- Historic designations
- Occupancy
- Stormwater
- Unintended consequences
- Zoning as a promise of expectations

Part 1: Proposed Text Amendments

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



Part 2: Allowed Housing Types & Revised Use Table

	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
Two-Family Dwelling														
Single-Family with Accessory Apartment	P	P	P	P	P	P	P	P	P	P	P	A	A	A
<u>Single-Family with Cottage</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>Two-Family, Attached (i.e duplex)</u>	<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
<u>Two-Family, Detached</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>	<u>P</u>	<u>P</u>	<u>P</u>
Multi-Family Dwellings														
<u>Three-Family, Attached/Detached</u>	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Four-Family, Attached/Detached</u>	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-
<u>Multi-family, 5-10 units, Attached/detached</u>	-	-	-	-	-	-	-	-	P	P	P	-	-	-
<u>Multi-family, over 10 units Attached/detached</u>	-	-	-	-	-	-	-	-	-	-	P	-	-	-

P : Proposed as a new permitted use

A : Proposed as a new accessory use

Other Considerations

- LUMO limits occupancy to 4 unrelated, but Building Code allows up to 8 unrelated
- No proposed changes to stormwater requirements for multi-family (3+ units)
- Subdivisions standards remain
- Fire code may be more restrictive than LUMO, such as access requirements



LUMO Clean Up & Refining Missing Middle

Proposed Housing Types and Placement:

Accessory
Apartment



Duplex



Cottage on
Compact
Lot



Triplex



Fourplex



Cottage
Court



*LOWER
DENSITY*

*HIGHER
DENSITY*

LUMO Clean Up & Refining Missing Middle

Proposed Housing Types and Placement:

Accessory
Apartment



Duplex



Cottage on
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Fourplex



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Court



*LOWER
DENSITY*

*HIGHER
DENSITY*

Proposed for all residential zoning districts

LUMO Clean Up & Refining Missing Middle

Proposed Housing Types and Placement:

Accessory
Apartment



Duplex



Cottage on
Compact
Lot



Triplex



Fourplex



Cottage
Court



*LOWER
DENSITY*

*HIGHER
DENSITY*

Proposed for all residential zoning districts except rural (RLD and RT)

LUMO Clean Up & Refining Missing Middle

Proposed Housing Types and Placement:

Accessory
Apartment



Duplex



Cottage on
Compact
Lot



Triplex



Fourplex



Cottage
Court



*LOWER
DENSITY*

*HIGHER
DENSITY*

Proposed for all existing multi-family residential zoning districts and staff review

LUMO Clean Up & Refining Missing Middle

Proposed Housing Types and Placement:

Accessory
Apartment



Duplex



Cottage on
Compact
Lot



Triplex



Fourplex



Cottage
Court



*LOWER
DENSITY*

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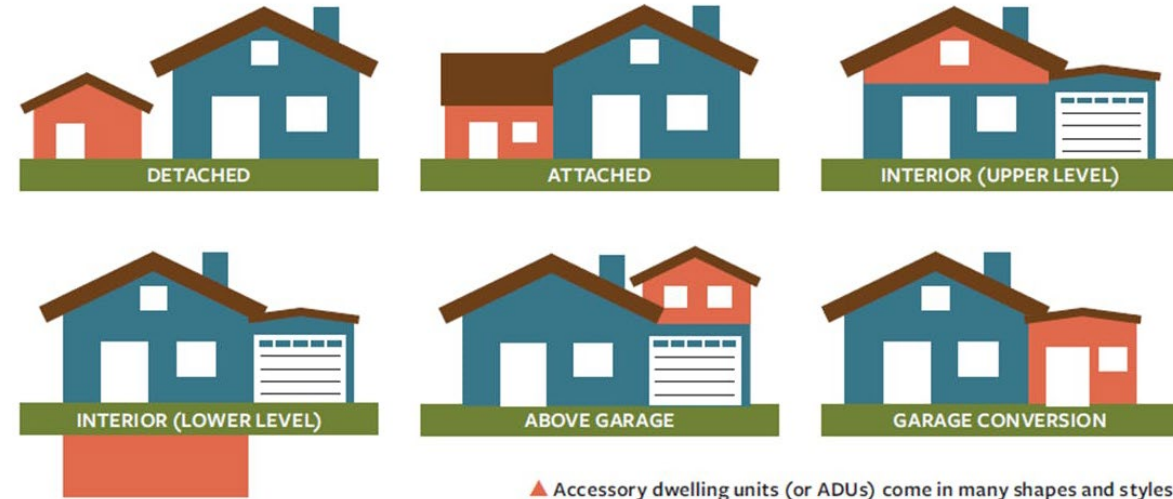
Proposed for all existing multi-family residential zoning districts and review by Planning Commission

Part 2: Housing Types

Single Family + Accessory Apartment

Accessory Apartment Dimensions

Unit Size:	<ul style="list-style-type: none"> No more than 75% of the primary dwelling No more than 1,000 SF Planning Director may grant an exception allowing up to 1/3 of the floor area of the primary dwelling
Maximum Height	29 ft. or height of the primary structure (whichever is less)
Density	1 accessory apartment per house
Parking	1 space/bedroom
Occupancy	No more than 4 unrelated per lot
Key changes:	<ul style="list-style-type: none"> Increased size Height restriction



▲ Accessory dwelling units (or ADUs) come in many shapes and styles.

	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 with Accessory Apartment	P	P	P	P	P	P	P	P	P	P	P	A	A	A

Part 2: Housing Types

Two-Family, Attached or Detached

Lot Dimensions

Minimum Lot Size Minimum Zoning Lot Size

Building Dimensions

Maximum Floor Area Ratio 0.40

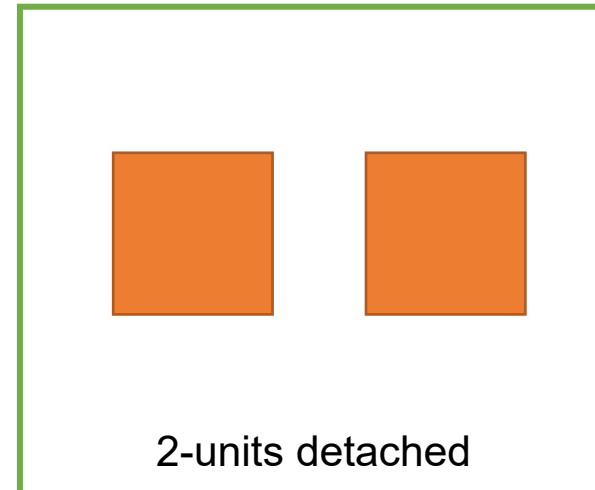
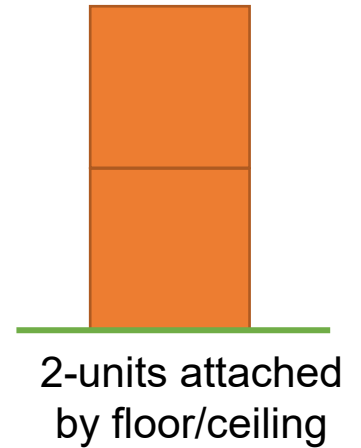
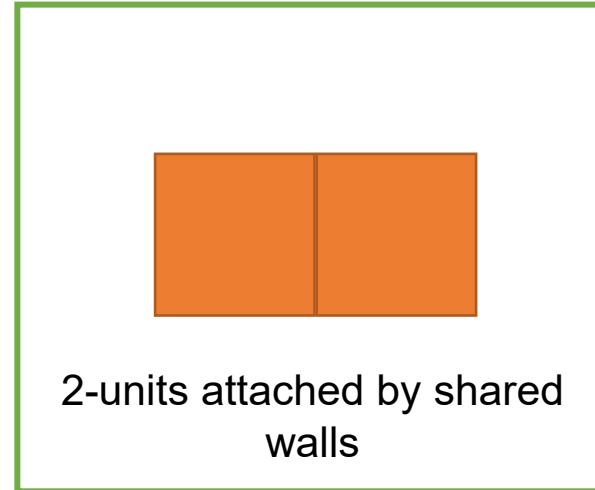
Maximum Floor Area 3,000 SF

Parking No more than 4 vehicles

Occupancy No more than 4 unrelated/unit

Key changes:

- Existing use (Duplex)
- Allowed in R-1 and higher density zoning districts
- Create opportunities for attached and detached units



	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
Two-Family, Attached or Detached	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Part 2: Housing Types

Single Family + Cottage

Lot Dimensions

Minimum Lot Size Minimum Zoning Lot Size + 2,700 SF

Building Dimensions

Maximum Footprint • 1,000 SF

Maximum Floor Area • 1,200 SF

Maximum Height 29 ft. or height of the primary structure (whichever is less)

Density 1 cottage per lot

Parking Maximum 1 space/bedroom

Occupancy No more than 4 unrelated

Key changes:

- New Use
- Allowed in R-1 and higher density zoning districts



	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 with Cottage	-	-	-	-	P	P	P	P	P	P	P	A	A	A

Part 2: Housing Types

Three-Family, Attached or Detached

Lot Dimensions

Minimum Lot Size Minimum Zoning Lot Size x 2

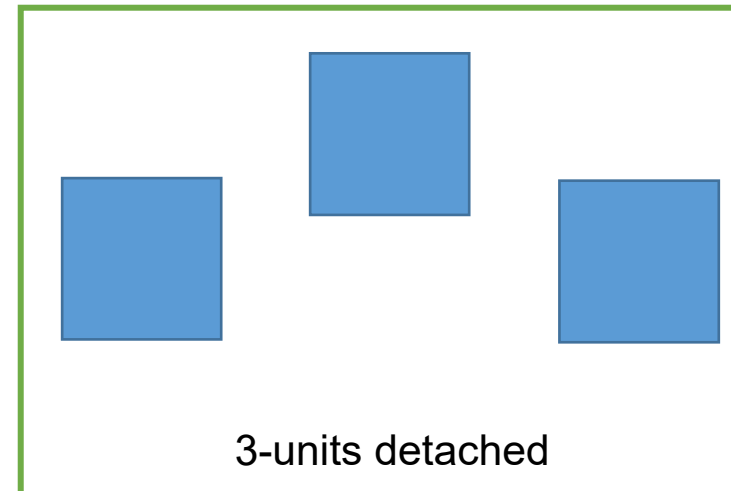
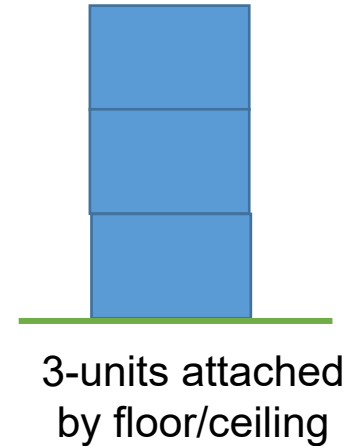
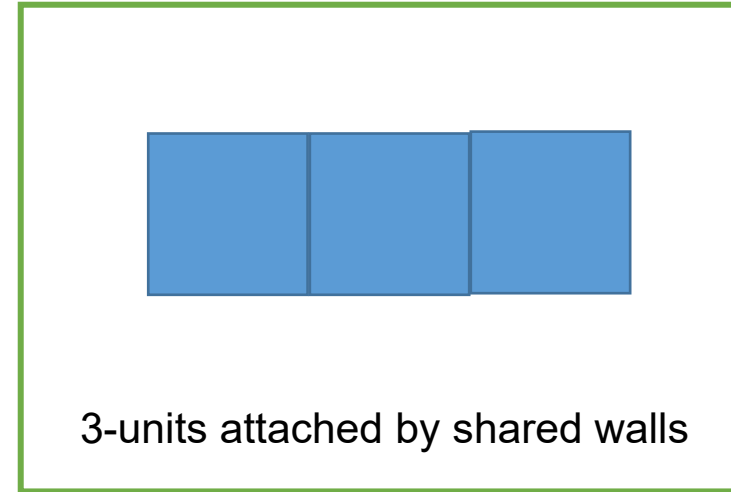
Building Dimensions

Maximum Floor Area Ratio Follows underlying zoning

Parking No more than 4 vehicles

Occupancy No more than 4 unrelated/unit

- Key changes:
- Currently fall under Multifamily, 3-7 units
 - Calling out Three-family as its own use
 - Creating opportunities for attached or detached units
 - No change to the zoning districts that allow this type of development
 - Administrative approval



	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
Three-Family, Attached or Detached	-	-	-	-	-	-	-	-	P	P	P	P	P	P

Part 2: Housing Types

Four-Family, Attached or Detached

Lot Dimensions

Minimum Lot Size Minimum Zoning Lot Size x 2

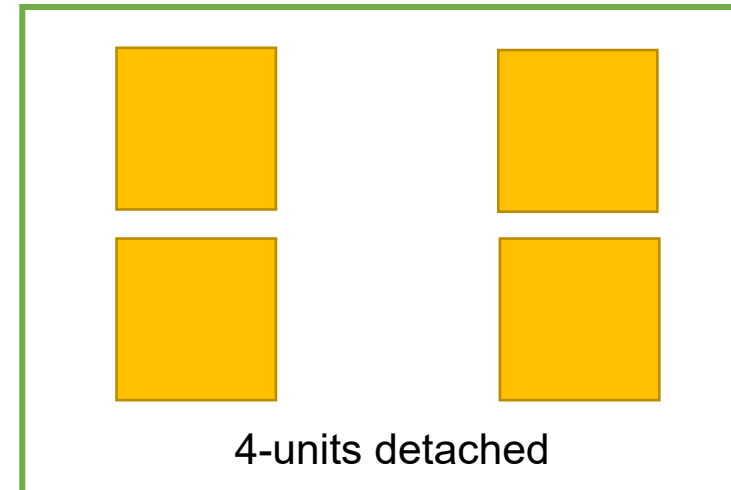
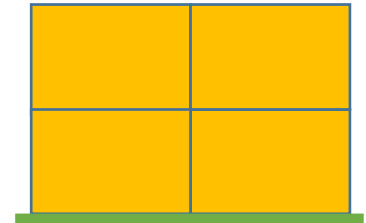
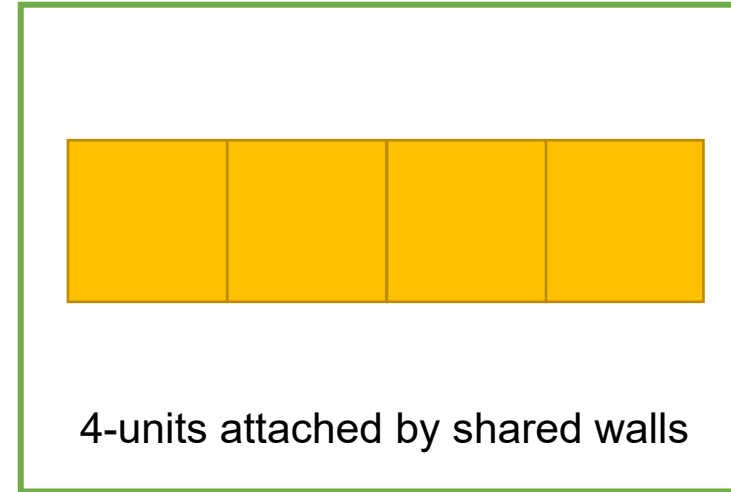
Building Dimensions

Maximum Floor Area Ratio Follows underlying zoning

Parking No more than 4 vehicles

Occupancy No more than 4 unrelated/unit

- Key changes:
- Currently fall under Multifamily, 3-7 units
 - Calling out Three-family as its own use
 - Creating opportunities for attached or detached units
 - No change to the zoning districts that allow this type of development
 - Administrative Approval



	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
Four-Family, Attached or Detached	-	-	-	-	-	-	-	-	P	P	P	-	-	-

Potential Outcomes

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">• 15 duplexes (3.68% of total permits)• 132 small lot options (32.4% of total permits)
Raleigh Missing Middle Housing Reforms (August 2021-October 2022)	<ul style="list-style-type: none">• Approximately 2,682 residential permits:<ul style="list-style-type: none">• 166 Accessory Dwelling Units (6.2%)• 0 Townhouses (0%)
Berkley, CA and California Senate Bill – 9 (SB-9) (January 2022-2023)	<ul style="list-style-type: none">• Approximately 550 residential permits for year<ul style="list-style-type: none">• 5 applications based on SB-9 (1% of total permits))
Predicted Chapel Hill Outcomes	<ul style="list-style-type: none">• Based on the same percentages above and approximately 262 new housing units/year:<ul style="list-style-type: none">• 5 accessory apartments per year (current average)• 1.8 – 9.6 duplexes per year (0.68% - 3.68%)• 0.47 triplexes per year (0.18%)• 84.8 new cottages on compact lots (32.4%)