



## Planning Commission/Housing Advisory Board

### Regular Agenda – Text Amendment to Land Use Management Ordinance Regarding Housing Regulations and Housing Choices for a Complete Community Related to Articles 1, 3, 4, 5, 6, 7 and Appendix A.

#### Summary Report

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
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<b>Applicant</b> Town of Chapel Hill	<b>Meeting Date</b> January 10, 2023	<b>Amendment Request</b> Amend sections of the Land Use Management Ordinance (LUMO) to address housing regulations and encourage a range of housing types.									
<b>Staff Recommendation</b>  Staff recommends that the Planning Commission/Housing Advisory Board (HAB) review the proposed text amendment and forward a recommendation to the Town Council in time for the Council's review at the January 25, 2023, Legislative Hearing.											
<b>Process</b>  The LUMO requires the Planning Commission to make recommendations to the Town Council on the proposed text amendment. The Council will then hold a public hearing to consider the proposed amendments.	<b>Decision Points</b> <ul style="list-style-type: none"><li>• Encourage gentle density by allowing a diversity of incremental, small-scale residential developments containing up to four units in most zoning districts.</li><li>• Remove density limitations in all zoning districts and instead focus on regulating the size of new construction based on the lot size, setbacks, and height.</li><li>• Provide opportunities for smaller development through bungalows on compact lots and cottage courts.</li><li>• Define townhouses of five (5) or more units as a specific use with specific design standards and subdivision regulations</li><li>• Clarify and revise setback and height exceptions to reflect current housing and construction trends</li><li>• Specify standards for single-family with accessory apartment, duplex, triplex, and fourplex uses to ensure neighborhood compatibility</li><li>• Provide revised and new definitions that address the changes outlined above</li></ul>										
<b>Background</b>  In October 2022, Planning staff introduced a series of text amendments to encourage “gentle density” int existing residential neighborhoods. Staff met with the following Advisory Boards:											
<table><tr><th>Date:</th><th>Advisory Board:</th><th>Meeting Materials:</th></tr><tr><td>October 4, 2022</td><td>Planning Commission</td><td><a href="#">Meeting Materials</a><sup>1</sup> <a href="#">Minutes</a><sup>2</sup> <a href="#">Video</a><sup>3</sup></td></tr><tr><td>October 11, 2022</td><td>Housing Advisory Board (HAB)</td><td><a href="#">Meeting Materials</a><sup>4</sup> <a href="#">Minutes</a><sup>5</sup> <a href="#">Video</a><sup>6</sup></td></tr></table>			Date:	Advisory Board:	Meeting Materials:	October 4, 2022	Planning Commission	<a href="#">Meeting Materials</a> <sup>1</sup> <a href="#">Minutes</a> <sup>2</sup> <a href="#">Video</a> <sup>3</sup>	October 11, 2022	Housing Advisory Board (HAB)	<a href="#">Meeting Materials</a> <sup>4</sup> <a href="#">Minutes</a> <sup>5</sup> <a href="#">Video</a> <sup>6</sup>
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<sup>1</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=5858729&GUID=DDB39A96-4073-4A6D-A166-4D59BED0F5E5>

<sup>2</sup> <https://chapelhill.legistar.com/View.ashx?M=M&ID=1002261&GUID=1D34F7CA-9F20-4CDB-A33C-F2B374FE96D3>

<sup>3</sup> [https://chapelhill.granicus.com/MediaPlayer.php?view\\_id=7&clip\\_id=6011](https://chapelhill.granicus.com/MediaPlayer.php?view_id=7&clip_id=6011)

<sup>4</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=5866430&GUID=62400C13-C594-43AB-9D51-701D42140D50>

<sup>5</sup> <https://chapelhill.legistar.com/View.ashx?M=M&ID=994251&GUID=12C5C144-C6D1-47B6-A898-C9FAC3F3B95C>

<sup>6</sup> <https://chapelhill.legistar.com/Video.aspx?Mode=Granicus&ID1=6038&Mode2=Video>

Staff heard support from both the Planning Commission and HAB, and Planning Commissioners recommended taking the proposed text amendments even further by:

- Providing unit size minimums
- Reconsidering minimum lot sizes
- Maximizing the number of units that can be built within a structure roughly the same size as a single-family house
- Considering eliminating parking requirements
- Allowing more flexibility with design standards
- Introducing gentle density in all residential zoning districts

Since meeting with Planning Commission and HAB, staff has done additional research, analysis, and outreach, including:

- Creating an online survey and public forum on [PublicInput.com](https://publicinput.com/v3540)<sup>7</sup>
- Engaging with the Home Builders Association, architects, and developers to receive feedback on the proposal related to Missing Middle Housing forms and townhouses
- Discussing the proposal with Town staff from the Town Attorney's, Building & Development Services, Code Enforcement, Fire, Housing, and Stormwater departments as well as the town's Urban Designer and Diversity, Equity, and Inclusion Officer
- Meeting with Durham Planning staff to discuss their Expanded Housing Choices text amendments
- Receiving preliminary Council feedback at their December 2, 2022 [Council Committee on Economic Sustainability \(CCES\) meeting](https://www.townofchapelhill.org/government/departments-services/economic-development/council-economic-sustainability-committee)<sup>8</sup>
- Scheduling Public Information Meetings on [January 11, 2023](https://www.townofchapelhill.org/Home/Components/Calendar/Event/20302/15?curm=1&cury=2023)<sup>9</sup>, and [January 12, 2023](https://www.townofchapelhill.org/Home/Components/Calendar/Event/20304/15?curm=1&cury=2023)<sup>10</sup>

Staff has incorporated the feedback received from the Advisory Boards and groups above to revise draft Ordinance A.

### Text Amendment Overview

Since the last meeting in October, staff has made the following revisions to the proposed text amendments:

- Expanded the zoning districts that allow Missing Middle housing forms.
- Removed references to two-family, clarifying that this term refers to single family, single family with accessory apartment, and duplexes
- Introduced additional housing types as well as design standards for the following uses:
  - Bungalows on Compact Lots ("Bungalot"). These are smaller detached dwellings containing up to two units with a maximum floor area of 1,600 square feet on lots measuring a minimum of 2,700 square feet.
  - Cottage Courts. This development type allows clusters of three to twelve cottages, each measuring no more than 1,500 square feet in size, to be built around a landscaped central courtyard.
- Amending the Inclusionary Zoning Ordinance to base calculations on number of lots in a subdivision rather than maximum number of housing units per lot

These items are summarized in more detail in the attached Technical Report.

### Exhibits

1. Technical Report
2. Table 1: Comparison of Housing Options
3. Ordinance A (Enactment of Land Use Management Text Amendment Proposal)

<sup>7</sup> <https://publicinput.com/v3540>

<sup>8</sup> <https://www.townofchapelhill.org/government/departments-services/economic-development/council-economic-sustainability-committee>

<sup>9</sup> <https://www.townofchapelhill.org/Home/Components/Calendar/Event/20302/15?curm=1&cury=2023>

<sup>10</sup>

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# TECHNICAL REPORT

## PROJECT HISTORY/BACKGROUND

For nearly a decade, the Town Council has stressed the need for a mix of housing types to meet the price points, life stages, and preferences of current and future residents. In response to Town Council's direction, the Planning Department proposes addressing Chapel Hill's housing crisis by encouraging "Gentle Density." Gentle density increases opportunities for incremental, small-scale residential projects such as accessory apartments, duplexes, triplexes, and fourplexes to be constructed within existing neighborhood fabric. Staff has also included bungalows, small houses on small lots, as well as cottage courts to help address the need for smaller, detached housing units. By allowing these uses in existing residential zoning districts, staff hopes to:

- Expand opportunities for diverse housing types that meet different price points, life stages, and preferences
- Increase housing unit production that will in turn improve the availability and affordability of housing
- Encourage compatible infill development specifically designed to respond to the context of existing single-family neighborhoods
- Sensitively and slowly increase the density of existing neighborhoods. In turn, this will support community commercial centers, transit routes, and greenways
- Increase density and promote walkability on existing and proposed greenways and trails and increases transit ridership. These alternative forms of transportation meet the town's goals for fostering environmental suitability.

These changes are supported by the following adopted plans, commissioned reports, and the Council's own petition:

Plan	Goals or themes supporting diversity of housing:
<b>Chapel Hill 2020 Comprehensive Plan<sup>11</sup></b> <b>Adopted: June 25, 2012</b>	<ul style="list-style-type: none"><li>• A range of housing options for current and future residents (<i>Place For Everyone.3</i>)</li><li>• Low density, green Rural Buffers that exclude urban development and minimize sprawl (<i>Good Places, New Spaces.1</i>)</li><li>• A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential, and cultural development and activity (<i>Good Places, New Spaces.2</i>)</li><li>• A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (<i>Good Places, New Spaces.5</i>)</li><li>• Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (<i>Good Places, New Spaces.8</i>)</li><li>• Reduce the carbon footprint of all Town-owned or managed services and properties; require that all new development meets standards; and support residents in minimizing their personal footprints (<i>Nurturing Our Community.7</i>)</li><li>• Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community (<i>Town Gown Collaboration.4</i>)</li></ul>

<sup>11</sup> <https://www.townofchapelhill.org/home/showpublisheddocument?id=15001>

	<ul style="list-style-type: none"> <li>Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (<i>Town Gown Collaboration.6</i>)</li> </ul>
<b>Future Land Use Map<sup>12</sup></b>  <b>Adopted: December 9, 2020</b>	<ul style="list-style-type: none"> <li>Guiding Statement 1: Respond to the threats associated with climate change and environmental stewardship and resiliency by: <ul style="list-style-type: none"> <li>Creating compact, walkable, mixed-use communities where activities are in close proximity and require less time and energy to access and travel between destinations.</li> <li>Densify at strategic locations and mixing land uses shortens trips and reduces car dependency.</li> <li>Promote patterns and styles of development that are climate responsive and utilize existing infrastructure.</li> <li>Support transit systems through additional housing units and more intense land uses.</li> </ul> </li> <li>Guiding Statement 2: Ensure equitable planning and development. <ul style="list-style-type: none"> <li>Mitigate residential displacement as development and redevelopment occurs</li> <li>Provide affordable housing options for all family sizes and incomes in all neighborhoods</li> <li>Preserve and strengthen intact neighborhoods, building upon local assets and resources</li> <li>Develop healthy and safe communities through, among other improvements, walkable neighborhoods.</li> </ul> </li> <li>Guiding Statement 3: Encourage of Diversity of Housing Types <ul style="list-style-type: none"> <li>Development of duplexes, triplexes, fourplexes, and accessory dwelling units with an approval process and requirements similar to single-family detached dwellings. FLUM recognizes that small-scale multi-family uses could fit into the existing fabric of single-family neighborhoods if carefully integrated into the existing neighborhood.</li> <li>Development of townhouses at the edge of existing neighborhoods that act as a transitional use.</li> <li>Small lot single-family subdivisions that utilize traditional neighborhood design to create compact, livable, and accessible neighborhoods.</li> </ul> </li> <li>Guiding Statement 4: Promote distinctive, safe, and attractive neighborhoods. <ul style="list-style-type: none"> <li>Direct dense growth to multimodal and key transportation corridors to promote a multi-modal network and increase mobility options.</li> <li>Protect and preserve historic neighborhoods and neighborhood conservation districts (NCDs).</li> </ul> </li> <li>Guiding Principal 8: Provide appropriate transitions between land uses and buildings of different scales. <ul style="list-style-type: none"> <li>Create harmonious transitions between different types and intensities of land uses and built forms physically through form, use, architectural, and landscaped transitions.</li> </ul> </li> <li>Guiding Principal 9: Preserve and maintain the appearance of Chapel Hill and create quality design and development <ul style="list-style-type: none"> <li>Focus high quality appearance and design of private development to public views</li> <li>Develop design guidelines, regulations, streetscape plans, and improvements that provide guidance on building massing, scale, shape, and orientation</li> </ul> </li> </ul>
<b>Mobility &amp; Connectivity Plan</b>	<ul style="list-style-type: none"> <li>Compact, higher density and multi-family development creates demand for greenways, walking and biking paths, as well as transit.</li> </ul>

<sup>12</sup> <https://online.flippingbook.com/view/26191/>

<b>Adopted October 28, 2020</b>	
<b>Climate Action &amp; Response Plan<sup>13</sup></b> <b>Adopted: April 7, 2021</b>	<ul style="list-style-type: none"> <li>• Compact, walkable, bikeable, transit-served neighborhoods require higher density development. The plan calls for incentivizing more compact, affordable, and mixed income housing, including “missing middle” and accessory dwelling units.</li> </ul>

The following reports have also identified housing needs in the Chapel Hill community.

- Council Petition Regarding Affordable and Missing Middle Housing<sup>14</sup> (September 22, 2021): Council asked staff to create a new application pathway to foster the creation of missing middle housing, such as duplexes, triplexes, townhouses, and other forms of compact development.
- Projected Housing Needs, 2020-2040<sup>15</sup> (October 12, 2021): The Town of Chapel Hill and University of North Carolina jointly funded a report to determine housing needs. The report found that most new housing was single-family and apartments, with only 5% of new units completed serving as owner-occupied condominiums or townhouses. The Chapel Hill housing market found that more diverse housing types were needed in walkable neighborhoods to meet the needs of those left out of the current market, including first time homeowners, young families, divorcees, empty nesters, and seniors. About 485 units/year are needed to meet housing demands.
- Complete Community Strategy<sup>16</sup> (2021-Present): The Town of Chapel Hill is working with consultants to develop a new approach to housing that clarifies where and how its built to create inclusive, sustainable, and complete communities. The strategy supports:
  - Diversity of housing types, including missing middle density for both renters and homeowners.
  - Diversity of tenures for a diversity of households and recognizes that both units and secondary suites add gentle density.
  - Higher density, higher use, and lessened need for driving/parking will lower infrastructure and building costs.

## PROPOSED TEXT AMENDMENT CHANGES

The following is a summary of the proposed text amendments to housing regulations and to encourage gentle density by expanding housing choices:

### 1. Clarify definition of two-family.

Staff proposes amendments throughout the Land Use Management Ordinance (LUMO) to clarify that “Two-family” currently refers to both single-family dwelling units with an accessory apartment as well as duplex dwelling units. Staff has proposed amendments to clarify the distinction between single-family dwelling unit with accessory apartments and duplex dwelling units.

### 2. Expand residential land use categories to allow greater diversity of housing types.

Staff has proposed amendments throughout the Land Use Management Ordinance (LUMO) to clarify residential land use categories and provide greater opportunity for diverse housing types. Specifically, these include:

- Staff has added Triplex and Fourplex Dwelling Units to this category.
- Staff proposes a new use—bungalows on compact lots—that would allow small houses on lots that are below the minimum lot size of the zoning district. Durham has found success in allowing a similar use.
- Staff has crafted regulations for cottage courts to encourage clusters of small houses around a shared open space.
- “Multi-family dwelling units” has been redefined as either 5 to 10 units or more than 10 units.

<sup>13</sup><https://www.townofchapelhill.org/?splash=https%3a%2f%2fonline.flippingbook.com%2fview%2f857144275%2f&isexternal=true>

<sup>14</sup> <https://chapelhill.legistar.com/View.ashx?M=F&ID=9834553&GUID=1DB8AFA8-3BDF-42E2-9E41-D6747BD4ECF4>

<sup>15</sup> <https://www.townofchapelhill.org/home/showpublisheddocument/50141/637715343396500000>

<sup>16</sup> <https://www.townofchapelhill.org/businesses/complete-community#:~:text=The%20Complete%20Communities%20Strategy%20is,current%20and%20future%20housing%20needs.>

**3. Amend Table 3.7-1: Use Matrix to expand small-scale residential development in residential zones and introduce fourplex and townhouse uses.**

This amendment will expand housing choices by allowing duplexes in all residential (R-) zoning districts. The text amendment also allows bungalows, triplexes, and fourplexes in most residential zoning districts, starting with Residential-1A (R-1A).

Through their Expanding Housing Choices Ordinance, Durham found that there was still significant demand for detached single-family housing. Staff proposes a similar “small house, small lot” initiative that would allow bungalows on compact lots. Bungalows, with a maximum floor area of 1,600 square feet, would be permitted on lots measuring a minimum of 2,700 square feet. This is roughly half the size of the smallest lots of 5,500 square feet allowed in the R-5 and R-6 zoning districts. The typical thresholds for minor or major subdivisions would apply to the creation of compact lots.

Cottage courts are proposed to be permitted in residential zoning districts, starting with Residential-3 (R-3). This would allow the development of clusters of cottages, measuring no more than 1,500 square feet in floor area each, to be constructed around a landscaped open space.

Staff has also introduced townhouses as a new use that would be permitted in most Residential (R-) zoning districts: R-1, R-2, R-3, R-4, R-5, R-6, R-SS-CZD as well Town Center, Community Commercial, Neighborhood Commercial, and Office/Institutional districts.

Table 3.7-1 does not supersede any use requirements specifically detailed in the Neighborhood Conservation Districts (NCDs). Many of the NCDs have already provided context-sensitive requirements for duplexes and multi-family dwelling units. Others have restricted duplex uses altogether. They are currently silent on triplexes and fourplexes as these uses are not currently permitted in most low residential zoning districts.

**4. Amend Section 3.8.2 Dimensional Regulations and Table 3.8-1-Dimensional Matrix to remove density restrictions and set standards for small-scale housing developments.**

Staff has proposed several amendments to this section:

- *Remove density requirements.* The current LUMO limits the number of dwelling units per acre of gross land area by zoning district. Staff proposes eliminating these density requirements. Minimum lot size, minimum and maximum setbacks, height, impervious surface ratios, and floor area ratios will define a building envelope and work to keep any new buildings and lot sizes compatible with the surrounding neighborhood and single-family development. This would be a shift away from regulating through density and instead focusing on the number of dwelling units contained within a building.
- *Maximum Impervious Surface.* Currently the LUMO allows residential developments an impervious surface ratio of 0.5 and commercial developments a ratio of 0.7. This can be confusing as multi-family developments fall under the commercial building code and use a ratio of 0.7. Staff has clarified that residential developments of up to 4 units shall have a maximum impervious surface ratio of 0.5 and larger multi-family and townhouse developments as well as fraternities and sororities shall provide a ratio of 0.7.
- *Maximum Floor Area Ratio (FAR).* Staff has clarified that duplexes, triplexes, and fourplexes should provide an FAR no greater than 0.40 unless the zoning district or neighborhood conservation district establishes a more restrictive FAR. Staff finds that the FAR will help limit the size of the building and encourage compatibility with neighboring single-family developments.

**5. Update the setback and height exceptions outlined in Section 3.8 to reflect current housing trends.**

Staff has proposed amendments related to the following setback exceptions:

- *Fences.* Distinguish between fence heights in front yards versus side and rear yards. Provide setback exceptions for arches and trellises incorporated into the fence design.
- *Mechanical Equipment and Wells.* Staff regularly receives variance requests for new mechanical equipment located in interior setbacks. Staff proposing allowing mechanical equipment associated with residential developments of less than five (5) units to encroach up

to five feet (5') into setbacks so long as they can comply with the Town's Noise Ordinance. Staff has also allowed well to encroach into setbacks so long as any necessary well house does not exceed four feet (4') in height.

- Window Wells. Currently, any window wells are required to meet setbacks. Staff proposes allowing window wells to encroach into the interior and solar setbacks so long as they are the minimum size required by the Building Code.
- Site Access. Staff has incorporated amendments to allow for sidewalks, pathways, accessibility ramps and similar structures to be located in setbacks. Currently, Chapter 17 provides setback requirements for driveways, and staff has incorporated it here as a reference.
- Transportation-related improvements. Both residential and commercial developments have seen increased demand for electrical vehicle charging stations, and staff has provided a provision for these to encroach into setbacks. Bus shelters and rideshare shelters may also be located in setbacks to promote these uses.

Staff has also reorganized the height exceptions to group similar architectural features and mechanical equipment together. Additionally, staff has incorporated a provision for solar collectors to extend above the maximum building heights based on the [SolSmart](#)<sup>17</sup> model ordinance.

## **6. Revise Inclusionary Zoning Standards.**

Currently, the Inclusionary Zoning Ordinance determines the minimum number of affordable housing units generated by a subdivision as a percentage of the number of dwelling units permitted on the lots in the approved subdivision. Under the current zoning, most subdivisions in residential zoning districts would yield one (1) single family or duplex dwelling unit per lot in a new subdivision. Roughly:

$$15\% \text{ of proposed lots} \times 1 \text{ single family dwelling unit/lot} = \text{Number of affordable housing units}$$

The new regulations would significantly increase the number of affordable housing units generated if a fourplex were permitted in most zoning districts and the method of calculation remained the same:

$$15\% \text{ of proposed lots} \times 4 \text{ units/lot} = \text{Number of affordable housing units}$$

Staff finds that this would become a deterrent to many small-scale developers seeking to add gentle density. Instead, staff proposes that the number of affordable housing units in that 15% of the lots be deed restricted to affordable housing development.

## **7. Incorporate Townhouse Subdivision in the Subdivision Procedures.**

Currently the requirements for a townhouse subdivision are included in Appendix A- Definitions. Staff proposes relocating these to LUMO Section 4.6. Subdivision. Townhouse subdivision requirements have been further refined so they may be applied to cottage courts and other detached housing developments on smaller lots within a larger zoning lot.

## **8. Exempt triplexes and fourplexes from Site Plan Review.**

Currently, only single-family, single-family with accessory apartment, and duplex dwelling units are exempt from site plan review by the Planning Commission. The FLUM calls for the development of duplexes, triplexes, fourplexes, and accessory dwelling units to have an approval process and requirements similar to single-family detached dwellings. As such, staff proposes allowing these uses to be administratively approved.

## **9. Require Site Plan Review for Cottage Courts.**

Staff finds that this is a new use that is intended to be pedestrian-oriented. Additional review may be necessary to ensure standards are met.

## **10. Amend Zoning Compliance Permit (ZCP) requirements to expedite the review process for small-scale multi-family developments as well as clarify exemptions to ZCP requirements for tree removal.**

Staff has matched duplexes, triplexes, fourplexes, and other multi-family developments of less than five (5) units to the same ZCP exemptions as single-family residential development. This is

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<sup>17</sup> <https://solsmart.org/solar-energy-a-toolkit-for-local-governments/planning-zoning-development/>



consistent with the direction provided by the FLUM that seeks to encourage small-scale residential development by offering a process similar to that of single-family development.

Currently, projects requiring less than 1,500 square feet of land disturbance do not trigger a ZCP and the LUMO does not regulate trees related to single-family development. Staff has found that removal of tree canopy measuring less than 1,500 square feet can have a detrimental effect on stormwater as it the loss of tree canopy exposes soil and causes runoff issues. Staff has incorporated an additional exemption to address this by exempting from a ZCP those projects that do not include tree removal of five (5) trees (2,500 square feet of canopy) or more than 25% of the total tree canopy coverage of the site, whichever is less.

**11. Clarify Recreation Space requirements for Multi-family and Townhouse Developments of five (5) or more units.**

Currently, townhouses meet the definition of single-family dwelling units because they are located on individual lots. They do not meet the current definition for multi-family because it is defined as a combination of dwellings on a single lot. This has caused confusion as to which development standards apply.

Staff finds that to fit into the context of existing single-family neighborhoods, small-scale residential developments of four (4) or less units should not be required to meet recreation space requirements. Staff has clarified that multi-family and townhouse developments of five (5) or more units should meet the LUMO requirements for multi-family developments for active recreation space.

**12. Amend Table 5.6.6-1 Schedule of Required Buffers to treat small-scale residential development the same as single-family development.**

Single-family and two-family developments are not required to provide buffers with other developments of the same intensity. Staff proposes incorporating triplexes and fourplexes into this list.

**13. Clarify the tree protection and tree canopy requirements.**

Staff proposes reiterating that the requirements apply to multi-family and townhouse developments of five (5) or more units. Staff has also exempted single-, two-family, triplex, and fourplex units from activities that will require a zoning compliance permit for projects where the work requires tree removal and the total land disturbance exceeds 5,000 square feet.

Staff has heard concerns that more density will lead to the loss of tree canopy. To combat this, staff proposes amendments that would require 20% tree canopy coverage for triplexes and fourplexes as well as 30% for cottage courts. No minimum tree canopy requirements are proposed for single family, duplex, or bungalows.

**14. Update parking standards and provide requirements for small-scale residential developments.**

Staff proposes the following amendments:

- *Motorcycle and Moped Parking*: Staff proposes removing a requirement to provide motorcycle, moped, and bicycle parking for parking facilities accommodating more than five (5) vehicles as this provision regularly requires an increase in the number of parking spaces provided, causes confusion as there is no reduced parking space dimensions for mopeds and motorcycle parking, and leads to an increased impervious surface ratio. Applicants typically request a modification to regulations for this provision in conditional zoning district applications. Staff finds that motorcycles and mopeds can likely share vehicular parking spaces. Bicycle parking requirements are provided, and the Engineering Design Manual further clarifies Class I and II bicycle parking and storage.
- *Small-scale Residential and Multi-family development parking ratios*: Staff proposes duplex, triplex, fourplexes, and multi-family developments provide parking at the same rates based on the number of bedrooms.
- *Cottage Court parking ratios*: Staff recommends a minimum of one (1) parking space and maximum of two (2) parking spaces per unit for non-Town Center (TC-) zoning districts.
- *Townhouse development parking ratios*: Staff has also incorporated parking requirements for townhouses. In the Town Center (TC-) zoning districts, a maximum of 1 parking



space/townhouse is required. For other zones, the required parking increases to a minimum of 1 space and maximum of 2 spaces.

As part of this requirement, staff seeks to encourage rear-loaded townhouses over front-loaded ones. This would push parking behind the townhouse and allow for pedestrian-oriented entrances and streetscapes. Staff has heard concerns from the Town Council and Community Design Commission (CDC) that front-loaded townhouses are too vehicle-oriented with wide garages that consume much of the front façade. Garages are often used for storage, which dictates that driveways and shared parking areas be provided. Successive driveways also prevent continuous sidewalks and decrease walkability. The combination of these improvements leads to greater impervious surface areas and built upon areas.

In order to incentivize rear-loaded townhouses, staff has provided a provision that garage and driveway parking will not count towards the maximum parking requirement when located at the rear of the lot. This allows rear-loaded townhouses to potentially exceed the maximum number of parking spaces allowed. For instance, a two-car garage could have a two-car driveway leading to a rear alley. This could allow a townhouse up to four parking spaces, reducing the need for significant amounts of shared parking elsewhere in the development.

#### **15. Amend Article 6- Special Regulations for Particular Uses to address development standards for housing types.**

Staff has proposed regulations for each of the following uses:

- *Accessory Apartments*. Currently the development standards for accessory apartments are included in Appendix A- Definitions. Staff proposes creating a new section in Section 6 dedicated to this use. Additional provisions have been added to ensure that an accessory apartment remains subordinate in mass, size, scale, and location to the primary dwelling unit.
- *Bungalows*. Staff proposes new development standards for these small houses to ensure that they remain small-scale development. Bungalows are defined as units with a maximum floor area of 1,600 square feet on a lot measuring a minimum of 2,700 square feet. These units and lots would require plat notes specifying the limitations of the development.
- *Cottage Courts*. These developments could contain between three to twelve single-family or duplex cottages on lots measuring 10,000 to 24,000 square feet. The intent of the cottage court is to develop pedestrian-oriented houses around a shared centralized, landscaped open area. Parking would be relegated to the rear or side of the development.
- *Triplexes and Fourplexes*. Staff proposes new development regulations for these uses to ensure that they fit within the context of single-family neighborhoods by encouraging roof designs, massing, fenestration patterns, and materials to be similar to those found on single-family houses within the existing neighborhood.
- *Townhouse Developments*. Dimensional standards and subdivision requirements are currently provided in Appendix A- Definitions. Staff has relocated dimensional standard requirements to this section. Staff has also incorporated design standards and provisions for front- and rear-loaded townhouses, pedestrian entrances, changes in setback to break up the massing, and variations in design to ensure that no more than 2 contiguous townhouses have the same façade design. Many of these changes reflect the comments heard by the Community Design Commission (CDC) during their review of townhouse developments.

#### **16. Staff proposes to amend existing definitions to reflect the changes outlined above as well as introduce new definitions for fourplex and townhouse dwelling units.**

Terms Amended	Terms Introduced	Terms Removed
<ul style="list-style-type: none"><li>• Dwelling units, Duplex</li><li>• Dwelling units, multifamily</li><li>• Dwelling units, single-family with accessory apartment</li><li>• Dwelling units, two-family</li><li>• Dwelling units, triplex</li><li>• Recreation space</li><li>• Townhouse subdivision</li></ul>	<ul style="list-style-type: none"><li>• Condominium</li><li>• Dwelling units, fourplex</li><li>• Dwelling units, townhouse</li><li>• Dwelling units, cottage court</li><li>• Dwelling units, bungalow on bungalow lot</li><li>• Townhouse development</li></ul>	<ul style="list-style-type: none"><li>• Two family lot</li></ul>

