



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

April 10, 2023

## 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

draft

# 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



## Spring 2023

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

# 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

# Where We've Been

## Initial Proposal

### **LUMO “Clean Up” Text Amendments**

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

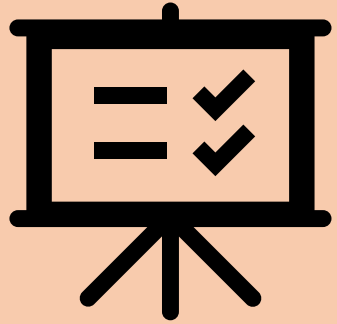
### **Opportunities to Increase Missing Middle Housing**

- Remove density limitations
- Cottages on Compact Lots
- Admin. Approval of Triplexes and Fourplexes in R-1 and R-2
- Cottage Courts starting in R-2

## Research and Stakeholder Engagement

- Meeting with city and county departments
- Analysis of existing infrastructure, access to transit, and walkability scores
- Engaging with affordable housing groups
- Met with UNC about student housing demands
- Consulting with similar cities about Missing Middle Housing efforts
- Community Outreach

# Public Engagement



2 Public Information Meetings &  
7 Community Open Houses

**127 attendees**



13 Neighborhood Meetings

**332 residents**

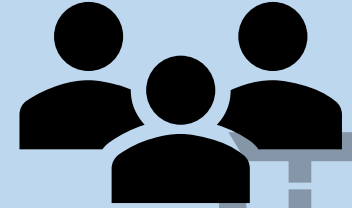


Digital Outreach

- Public Input Website
- Email Listserv
- Online Survey

**471 Email Subscribers**

**821 Survey  
Participants**



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

**135 Staff Hours on  
Public Meetings**

## 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

draft

# 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
- Designate units as affordable housing for 80% AMI and below. Nor does this zoning amendment ensure that missing middle housing is allocated for middle-income earners.
- Prevent student rentals.

## What this is intended to do:

- **Preserve existing permitted uses** in Neighborhood Conservation Districts (NCDs)
- Allows **administrative approval** for small, multi-family developments up to 4 units in zones that already allow 3-7 units
- Allows **site plan approval by the Planning Commission** for cottage courts
- Imposes standards to ensure that new development is **compatible with existing neighborhoods**



# 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

Townhouse development standards

Duplex & ADU standards

Prioritize dimensional standards over density restrictions

Introduce cottages on compact lots

Administrative approval of triplexes and fourplexes

Add new missing middle housing types in higher density districts.

Accessory Apartments for Cultural and Institutional Facilities as well as Places of Worship

# LUMO Clean Up & Refining Missing Middle

## Proposed Types & Placement:

*Highest Density*

*Lowest Density*

*Allowed in all  
residential districts*



Accessory Apartment



Duplex

*Allowed in all residential  
districts except rural  
(RLD and RT)*



Cottage on Compact Lot

*Allowed wherever  
multifamily is allowed  
(R-3 and higher)*



Triplex, Fourplex, Cottage Court

draft

# 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  
Compact  
Lot



Triplex



Fourplex



Cottage  
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

HIGHER  
DENSITY

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



# LUMO Clean Up & Refining Missing Middle

# Cottage on a Compact Lot

- *Smaller, stand-alone house containing 1-2 units on a reduced sized single family lot*
- Min. Lot Size: 2,700 SF
- Max. Footprint: 1,000 SF
- Max. Floor Area: 1,600 SF
- Max. Unit Size: 1,600 SF
- Impervious Surface Ratio: 0.50
- Stormwater Management: Not Typical
- Tree Canopy Coverage: Not Applicable
- Max. Height: 29 FT
- Parking: Not applicable

[illegible]



# LUMO Clean Up & Refining Missing Middle

## Accessory Apartments

- *Accessory dwelling unit associated with either a single family home, institutional or cultural facility, or place of worship*
- Max. Floor Area: 1,000 SF

[illegible]

# LUMO Clean Up & Refining Missing Middle

## Duplexes

- *Two units side-by-side or one-over-the other*
- Min. Lot Size: Follows Zoning District
- Max. Footprint: Not Applicable
- Max. Floor Area: 3,000 SF/building
- Max. Floor Area Ratio: 0.40
- Impervious Surface Ratio: 0.50
- Stormwater Management: Not Typical
- Tree Canopy Coverage: Not Applicable
- Parking: Follows multi-family requirements



|          | 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 |
|----------|-------|----|-------|------|-----|-----|------|-----|-----|-----|-----|------|------|------|
| Duplexes | ✓     | ✓  | ✓     | ✓    | ✓   | P   | ✓    | P   | P   | P   | P   | P    | P    | P    |



# LUMO Clean Up & Refining Missing Middle

## Triplexes

- *Three units side-by-side or one-over-the other*
- Min. Lot Size: Follows Zoning District
- Max. Footprint: Not Applicable
- Max. Floor Area: 3,000 SF/building
- Max. Floor Area Ratio: 0.40
- Impervious Surface Ratio: 0.50
- Stormwater Management: Required
- Tree Canopy Coverage: 30%
- Parking: Follows multi-family requirements
- Neighborhood Compatibility Design Criteria



|           | 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 |
|-----------|-------|----|-------|------|-----|-----|------|-----|-----|-----|-----|------|------|------|
| Triplexes | -     | -  | -     | -    | -   | -   | -    | ✓   | ✓   | ✓   | ✓   | P    | P    | P    |

# LUMO Clean Up & Refining Missing Middle

# Four-plexes

- *Four units side-by-side or one-over-the other*
- Min. Lot Size: Follows Zoning District
- Max. Footprint: Not Applicable
- Max. Floor Area: 3,000 SF/building
- Max. Floor Area Ratio: 0.40
- Impervious Surface Ratio: 0.50
- Stormwater Management: Required
- Tree Canopy Coverage: 30%
- Parking: Follows multi-family requirements
- Neighborhood Compatibility Design Criteria




|                   | 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 |
|-------------------|-------|----|-------|------|-----|-----|------|-----|-----|-----|-----|------|------|------|
| <u>Fourplexes</u> | .     | .  | .     | <    | <   | <   | <    | <   | <   | <   | <   | .    | .    | P    |



# LUMO Clean Up & Refining Missing Middle

# Cottage Courts

- 3 to 12 cottages oriented around a central, landscaped area
  - Lot Size: 10,000 SF – 20,000 SF (0.22-0.55 acres)
  - Max. Footprint: Not Applicable
  - Max. Floor Area/cottage: 1,600 SF
  - Max. Floor Area Ratio: Follows Zoning
  - Impervious Surface Ratio: 0.50
  - Stormwater Management: Required
  - Tree Canopy Coverage: 30%
  - Parking: 1 to 2 spaces/unit
- 
- An isometric illustration of a residential development. It shows a small white cottage with a grey roof and a covered porch, situated on a green lawn. A paved road runs along the front of the property, with a yellow curb and a green grassy area. A large green tree stands to the right of the cottage, and a smaller tree is in the foreground. The scene is set against a white background.

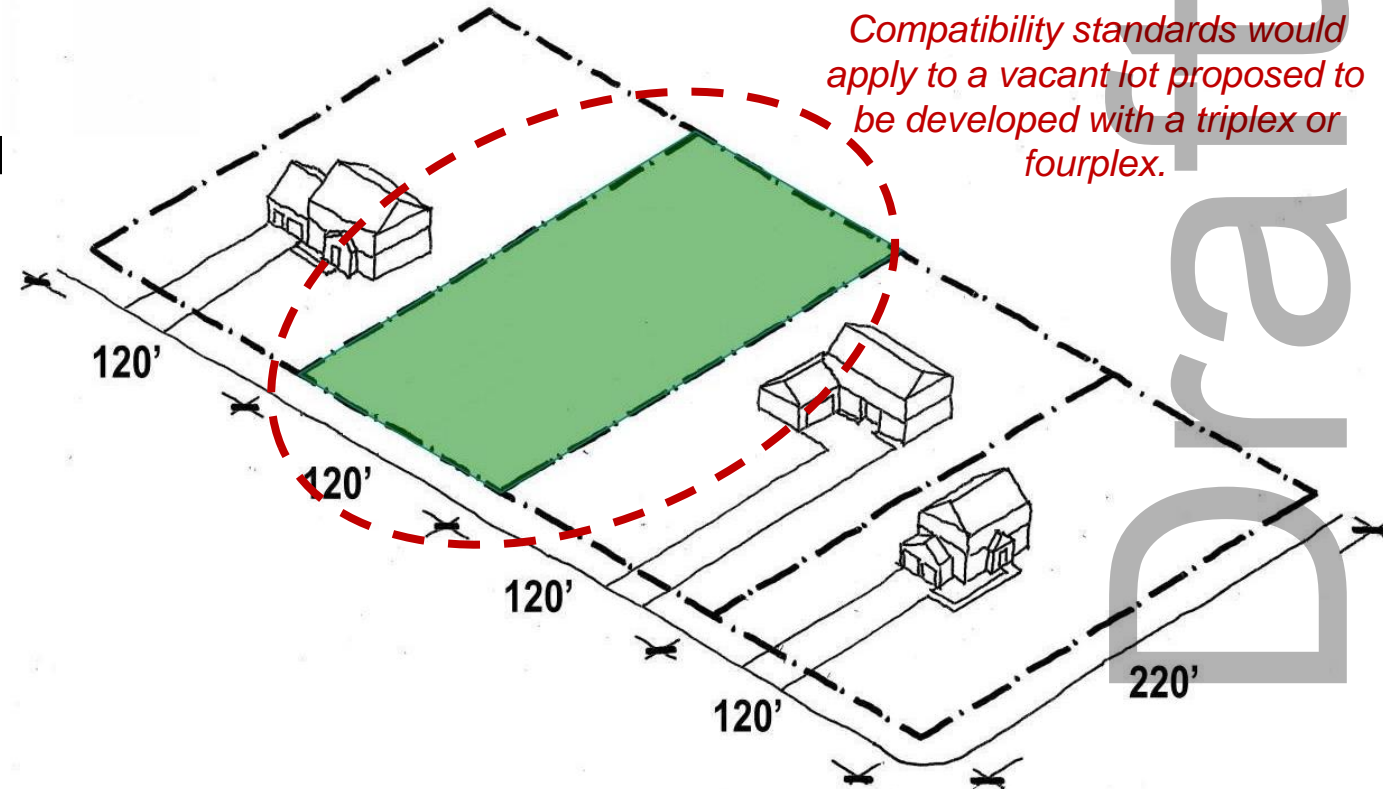


|                      | R-LD5 | RT | R-LD1 | R-1A | R-1 | R-2 | R-2A | R-3 | R-4 | R-5 | R-6 | HR-L | HR-M | HR-X |
|----------------------|-------|----|-------|------|-----|-----|------|-----|-----|-----|-----|------|------|------|
| <u>Cottage Court</u> | .     | .  | .     | <    | <   | <   | <    | <   | <   | <   | <   | P    | P    | P    |

# LUMO Clean Up & Refining Missing Middle

## Neighborhood Compatibility For Triplexes & Fourplexes

- *Applies to new development in single-family neighborhoods in R-1 through R-6 zoning districts*
- Requires new buildings to be compatible with those found within 150' of the proposed site by regulating:
  - Building height
  - Roof forms, pitches, breaks, and massing
  - Street setbacks
  - Building width, articulation, and modulation of facades
  - Building orientation and entrances
  - Fenestration patterns (windows and doors)
  - Building materials
  - Parking in side or rear yard







## Council Reaction

- *Does the Council support this strategy for the LUMO clean up and refining missing middle?*
- *Is Council supportive of moving forward with the uses and changes proposed?*
- *What advisory boards should staff engage with for policy guidance?*

# Expanding Missing Middle Housing Opportunities

## Consider incorporating additional opportunities through the LUMO Rewrite

- Identify criteria for strategic placement of triplexes, fourplexes, and cottages:
  - Opportunities through overlay zones
  - Identifying vacant and underdeveloped sites
  - Requirements for proximity to sidewalks, major streets, or transit service
- Limit the pace of triplex and fourplex construction through guardrails
  - Cap on the number of permits issues per year
  - A minimum separation distance

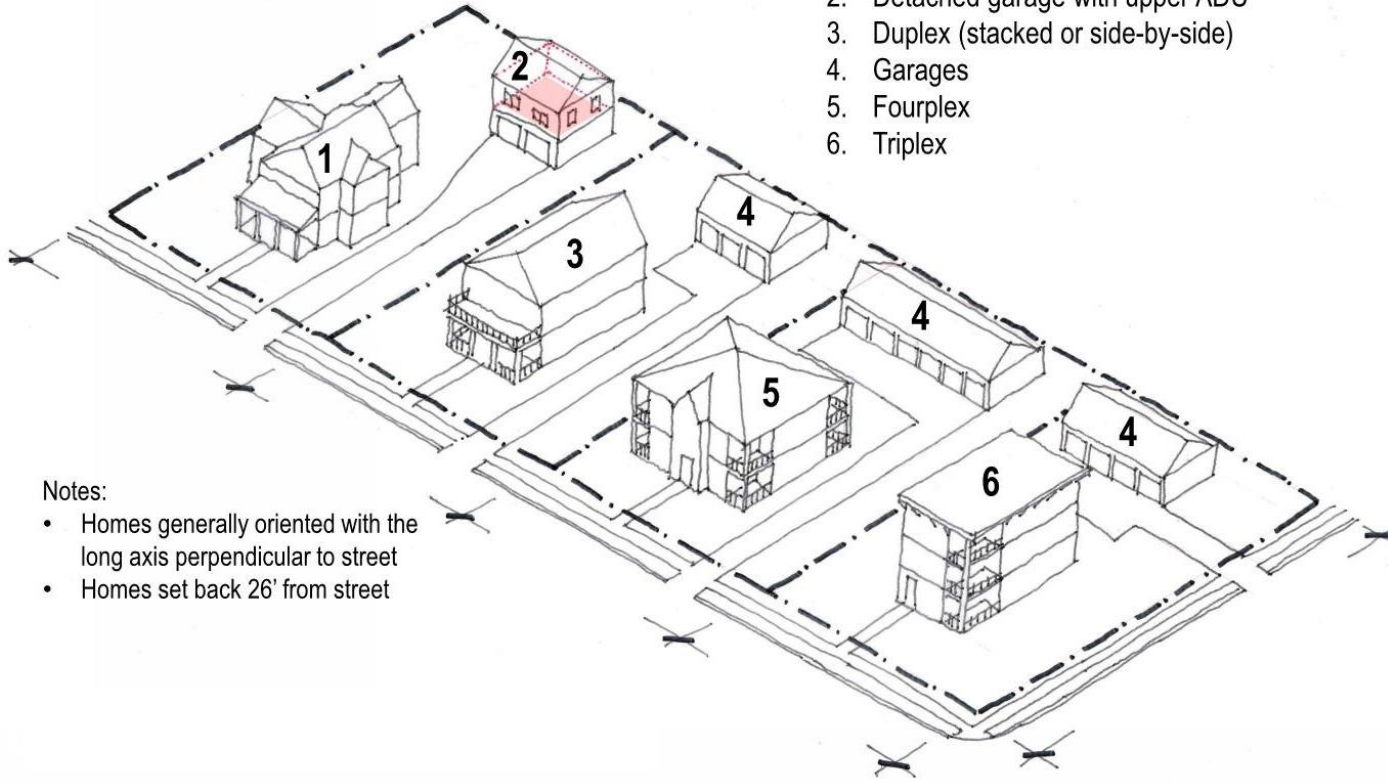
draft



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



- *What are Council's reactions to this initial list of potential strategies?*

## Council Reaction