



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

*Historic District Commission*

*May 9, 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

# 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)
- *Return to advisory boards*
- *Town Council public hearing and action (TBD)*

# 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

## 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

# 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 affordable housing.
- Prevent student rentals.

## What this is intended to do:

- **Preserve existing 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 Housing Types and Placement:

Accessory  
Apartment



Duplex



Cottage on  
Compact  
Lot



Triplex



Fourplex



Cottage  
Court



*LOWER  
DENSITY*

*HIGHER  
DENSITY*

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*LOWER  
DENSITY*

*HIGHER  
DENSITY*

Proposed for all residential zoning districts

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Cottage on  
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Triplex



Fourplex



Cottage  
Court



*LOWER  
DENSITY*

*HIGHER  
DENSITY*

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



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Cottage on  
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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  
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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**



A row of colorful houses with a blue house in the foreground and a yellow house behind it. The blue house has a dark blue roof and white trim. The yellow house has a grey roof and white trim. In the foreground, there is a stone and wood bench. The text "Housing Types" is overlaid on the image.

# Housing Types



# LUMO Clean Up & Refining Missing Middle

## Single-Family with Accessory Apartment

- *Single-family home with attached or detached accessory apartment (only 1 apartment/house)*
- ***Already an allowed use***
- ***Move development standards from Definitions to LUMO***
- Min. Lot Size: Follows Zoning District
- Max. Footprint: Not Applicable
- Max. Floor Area:
  - Detached: No more than 750 SF or 75% of the floor area of main house (whichever is smaller)
  - Attached: Up to 1,000 SF
- Building Height: 29 feet
- Parking: Min. 1 parking space/bedroom



|  | 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    |

# 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

## Cottage on a Compact Lot

- *Smaller, detached single-family house 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



|                                 | 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 on a Compact Lot</u> | -     | -  | -     | ✓    | ✓   | ✓   | ✓    | ✓   | ✓   | ✓   | ✓   | ✓    | ✓    | ✓    |

# 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: 40%
- 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    |



# 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: 40%
- Parking: Follows multi-family requirements
- Neighborhood Compatibility Design Criteria

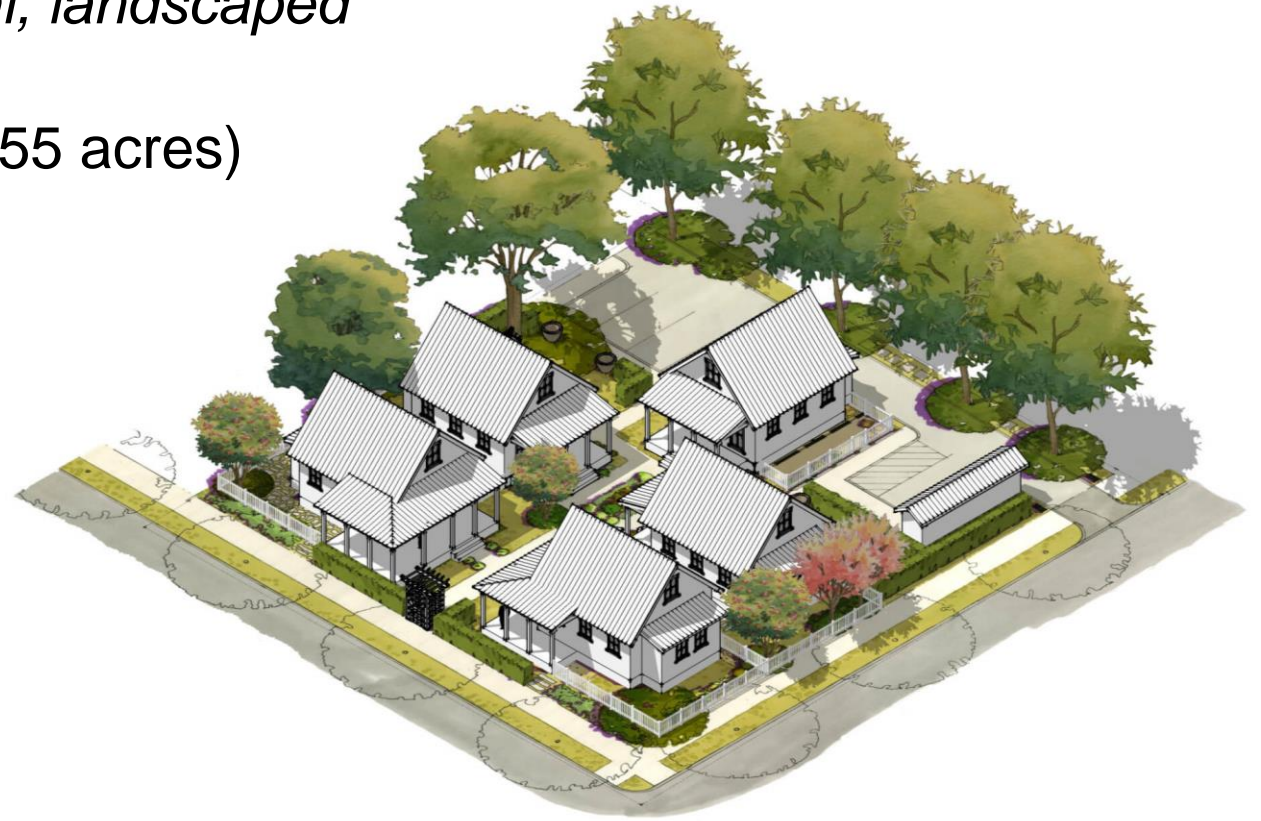


|                   | R-LD5 | RT | R-LD1 | R-1A | R-1 | R-2 | R-2A | R-3 | R-4 | R-5 | R-6 | HR-L | HR-M | HR-X |
|-------------------|-------|----|-------|------|-----|-----|------|-----|-----|-----|-----|------|------|------|
| <u>Fourplexes</u> | -     | -  | -     | -    | -   | -   | -    | -   | ✓   | ✓   | ✓   | -    | -    | 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: 40%
- Parking: 1 to 2 spaces/unit



|                      | 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    |



# LUMO Clean Up & Refining Missing Middle

## Townhouse Developments of 5+ units

- *Five or more attached single-family houses, each on its own lot*
- Parent Lot Size: Follows Zoning
- Individual Lot Size: Min. 1,600 SF
- 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: 40%
- Parking: 1 to 2 spaces/unit



|               | 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 |
|---------------|-------|----|-------|------|-----|-----|------|-----|-----|-----|-----|------|------|------|
| Cottage Court | -     | -  | -     | -    | -   | -   | -    | -   | ✓   | ✓   | ✓   | -    | -    | P    |

# LUMO Clean Up & Refining Missing Middle

|   | 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>                         | -     | -  | -     | ✓    | ✓   | ✓   | ✓    | ✓   | ✓   | ✓   | ✓   | ✓    | ✓    | ✓    |
| Duplex  | ✓     | ✓  | ✓     | ✓    | ✓   | P   | ✓    | P   | P   | P   | P   | P    | P    | P    |
| Triplex   | -     | -  | -     | -    | -   | -   | -    | -   | ✓   | ✓   | ✓   | P    | P    | P    |
| <u>Fourplex</u>   | -     | -  | -     | -    | -   | -   | -    | -   | ✓   | ✓   | ✓   | -    | -    | ✓    |
| <u>Cottage Courts</u>                                   | -     | -  | -     | -    | -   | -   | -    | -   | ✓   | ✓   | ✓   | -    | -    | ✓    |
| <u>Townhouses</u>                                       | -     | -  | -     | -    | -   | -   | -    | -   | ✓   | ✓   | ✓   | -    | -    | ✓    |
| Multi-Family ( <del>3-7 units</del> <u>5-10 units</u> ) | -     | -  | -     | -    | -   | -   | -    | P   | P   | P   | P   | -    | -    | P    |
| Multi-Family ( <del>7+ units</del> <u>10+ units</u> )   | -     | -  | -     | -    | -   | -   | -    | -   | -   | -   | CZ  | -    | -    | -    |

Underlined Text - Changes to the table

A - Accessory Use

P - Permitted uses

✓ New Permitted Use

# 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)*

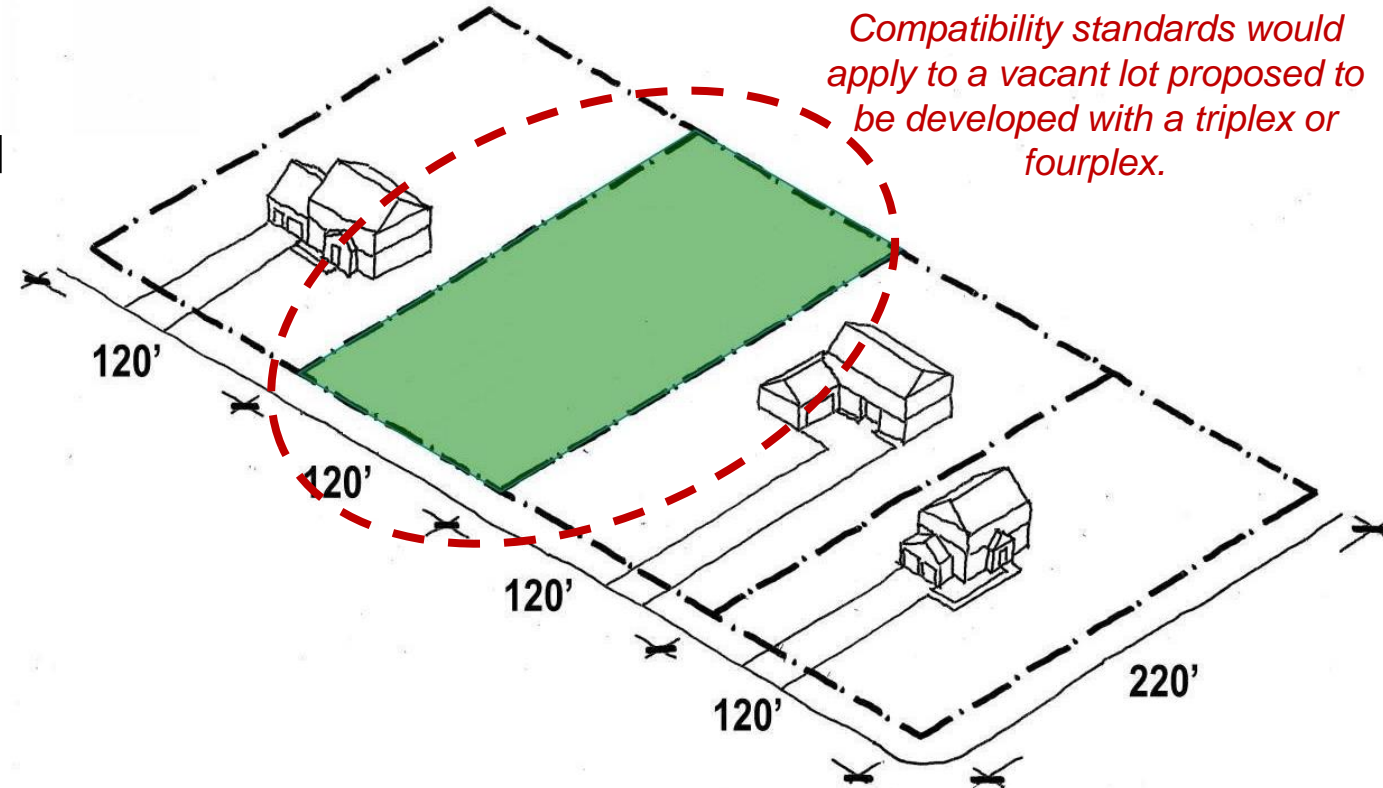


Triplex, Fourplex, Cottage Court

# LUMO Clean Up & Refining Missing Middle

## Neighborhood Compatibility For Triplexes & Fourplexes

- *Applies to new development in single-family neighborhoods in R-3 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





# Proposed Phasing of LUMO Clean Up & Refining Missing Middle

## Original Proposal

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 most R- zoning districts:

- Triplexes
- Fourplexes
- Cottage Courts

## Immediate Next Steps

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, inc. cottage courts, in higher density districts (R-4 and up)

## Future Work

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

Strategically add new missing middle housing types in most zoning districts:

- Triplexes
- Fourplexes
- Cottage Courts

# Moving Forward

- May 24, 2023 (Tentative) – Town Council opens a new public hearing
- June (Tentative) – Council takes action on LUMO Cleanup and Refined Missing Middle Housing proposal