

To: Members of the Town Council of Chapel Hill

Date: May 8, 2019

The following citizens of Chapel Hill wish to support the petition to the Town Council, submitted by Joe Patterson on May 8th, 2019, to modify the LUMO such that a Rooming House is no longer an approved use in R- 3 zoning districts. Furthermore, in order to prevent a rush by landlords to evade occupancy restrictions in R-3 areas while this Petition is under consideration, we ask that a temporary moratorium be placed immediately on acceptance by the staff of site plan approval applications for Rooming Houses in R-3 zones.

Pat Lowry 407 North St	Regina Wheeler 1 Cobb Terrace
Katherine C. Kopp and Vincent J. Kopp 501 E. Rosemary St.	Iris Schwintzer 19 Cobb Terrace
Philip and Linda-Britt Klemmer 409 N.Boundary St	John Wilson 12 Cobb Terrace
Julia Grumbles 350 Tenney Circle	Rob and Cathy Williams 3 Mint Springs Rd
Don Liner and Camilla Tulloch 360 Tenney Circle	Arthur and Deborah Finn 214 Hillsborough St.
Olympia Stone and Sims Preston 404 Hillsborough Street	Charles and Diana Coble 109 Rose Lane
Janet L F Smith and Roy L Smith 108 Rose Lane	Pam Camp 400 N. Boundary St.
Karla McPherson and Arnie Grossblatt 505 North Street	Linda Brown 214 N. Boundary St.
Shelley deFosset 304 Hillsborough St.	James and Melissa Bullard 510 North St.

ANY single family or two-family dwelling in the R-3 Zoning districts can be converted to a Rooming House by filing a site plan approval application that complies with the Design Standards in LUMO.

The site plan must be approved by the Planning Commission, however, there is no legal basis for rejecting the application if it complies with LUMO requirements.

What are the Rooming House Allowances and/or Requirements under LUMO?

- 1- Up to NINE lodging units (used for living and sleeping purposes) are allowed
- 2- One bathroom is required off a common hallway for every four units
- 3- Minimum unit sizes; 70 sq.ft. for single occupancy (the size of a jail cell), 50 sq.ft. per occupant for multi-tenant occupancy (200 sq.ft. for a 4-person room)
- 4- NO CAP on the number of tenants per unit except for required unit floor area size
- 5- No other facilities are required such as common areas or cooking facilities
- 6- Intended primarily for rental or lease periods of longer than one week

Implications for R-3 Residential Neighborhoods

The number of unrelated occupants in a single family or two family dwelling of, say, 3000 sq.ft. is currently limited to four. If the same structure were converted to a Rooming House, it could legally accommodate thirty-six unrelated individuals in nine four-person dorm-like bedrooms. Such a structure would be a perfect defacto annex for a nearby sorority or ripe for exploitation by an AirBnB owner.

Why Act Immediately?

Current monthly rental rates for student housing near campus is over \$1,000 per bed. This has dramatically changed the economics driving types of ownership in the R-3 zones around campus. In the past, such conversions may not have made economic sense, but they certainly do today.

Rooming Houses are a loophole in the Town's regulations designed to protect single family neighborhoods that have yet to be discovered by developers and investors. Given the recent article in the DTH, this may change very quickly.

Typically, during revisions to statutes, any application for actions related to properties that are accepted prior to the enactment of new laws are grandfathered under the prior statute.

To prevent this happening while the proposed change is under consideration, please place an immediate moratorium on the acceptance of site plan applications for Rooming Houses pending the forthcoming revisions to LUMO. This kind of action was taken in relation to Duplexes during the drafting of LUMO, so a precedent exists.

LUMO Appendix - Definitions

Family: An individual living alone or two (2) or more persons living together as a single housekeeping unit, using a single facility in a dwelling unit for culinary purposes. The term "family" shall include an establishment with support and supervisory personnel that provides room and board, personal care and habitation services in a family environment for not more than six (6) residents who are handicapped, aged, disabled, or who are runaway, disturbed or emotionally deprived children and who are undergoing rehabilitation or extended care. The term "family" shall not be construed to include a fraternity or sorority, club, rooming house, institutional group or the like.

Lodging unit: A room or group of rooms forming a separate habitable unit used or intended to be used for living and sleeping purposes by one (1) family only, without independent kitchen facilities; or a separate habitable unit, with or without independent kitchen facilities, occupied or intended to be occupied by transients on a rental or lease basis for periods of less than one (1) week.

Rooming house: A building or group of buildings containing in combination three (3) to nine (9) lodging units intended primarily for rental or lease for periods of longer than one (1) week, with or without board. Emergency shelters for homeless persons and residential support facilities, as defined elsewhere in this appendix, are not included. A rooming house shall include a single-family dwelling, two-family dwelling including accessory apartment, or a two-family dwelling duplex if used in a manner described in the applicable definition sections so as to constitute a rooming house.

ARTICLE IX. - MINIMUM STANDARDS APPLICABLE TO ROOMING HOUSES; EXCEPTIONS

Sec. 9-143. - Minimum floor area for sleeping purposes.

Every room occupied for sleeping purposes by one occupant shall contain at least seventy (70) square feet of floor area, and every room occupied for sleeping purposes by more than one occupant shall contain at least fifty (50) square feet of floor area for each occupant twelve (12) years of age and over and at least thirty-five (35) square feet of floor area for each occupant under twelve (12) years of age.

Sec. 9-142. - Water closet, hand lavatory, and bath facilities.

At least one water closet, lavatory basin, and bathtub or shower, properly connected to an approved water and sewerage system and in good working condition, shall be supplied for each four (4) rooms within a rooming house wherever said facilities are shared. All such facilities shall be located within the residence building served and shall be directly accessible from a common hall or passageway and shall be not more than one (1) story removed from any of the persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot and cold water at all times. Such required facilities shall not be located in a cellar.