



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

Historic District Commission  
May 9, 2023

# Item Overview

1. Staff provides informational presentation
2. Commission clarifying questions
3. Public input
4. Commission discussion

# Text Amendment Process

**Staff  
Review**



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graph LR; A[Staff Review] --> B[Advisory Board Review]; B --> C[Council Public Hearing 5/24/2023]; C --> D[Council to Consider Action];
```

The flowchart illustrates the Text Amendment Process. It consists of four sequential steps, each in a rounded rectangular box. The first box is white with black text. The second box is light green with black text. The third box is white with black text. The fourth box is white with black text. White arrows point from the first box to the second, the second to the third, and the third to the fourth.

**Advisory  
Board  
Review**

**Council  
Public  
Hearing  
5/24/2023**

**Council to  
Consider  
Action**

## 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



## 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 (5/9) and Planning Commission (5/16)
- Town Council Public Hearing (Tentatively 5/24)
- Possible Town Council Action

# 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

# Definitions

**Missing Middle Housing:** A range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable urban living. These types provide diverse housing options along a spectrum of affordability, including duplexes, fourplexes, and bungalow courts, to support walkable communities, locally-serving retail, and public transportation options.” - *MissingMiddleHousing.com*

**Gentle Densification:** Process of increasing density in existing single-family neighborhoods through the construction of townhomes, two- to four-family homes, and small-scale apartment or condominium buildings. - Brookings Metro

# 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

# Proposed Phasing of LUMO Clean Up & Refining Missing Middle

## Original Proposal

Setbacks & height exceptions

Townhouse development standards

Duplex & Accessory Apt. 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

## Current Proposal

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

## Potential Future Work

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

- Triplexes
- Fourplexes
- Cottage Courts

Accessory apartments for cultural and institutional facilities as well as places of worship

# 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

# Part 1: Proposed Text Amendments



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

# 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>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Two-Family, Attached</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>A</u>	<u>A</u>	<u>A</u>
<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>A</u>	<u>A</u>	<u>A</u>
Multi-Family Dwellings														
<u>Three-Family, Attached/Detached</u>	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>A</u>
<u>Four-Family, Attached/Detached</u>	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>A</u>
<u>Multi-family, 5-10 units, attached/detached</u>	-	-	-	-	-	-	-	-	P	P	P	-	-	A
<u>Multi-family, over 10 units Attached/detached</u>	-	-	-	-	-	-	-	-	-	-	P	-	-	-

P : Proposed as a new permitted use

# LUMO Clean Up & Refining Missing Middle

## Proposed Types & Placement:

*Highest Density*

*Lowest Density*

*Allowed in all  
residential districts*



Single Family + Accessory Apartment



Two-Family, Attached/Detached

*Allowed starting in R-1  
zoning district*



Single Family + Cottage

*Allowed wherever  
multifamily is allowed  
(R-4 and higher)*



Multi-family

# Part 2: Housing Types

## Single Family + Accessory Apartment

### Accessory Apartment Dimensions

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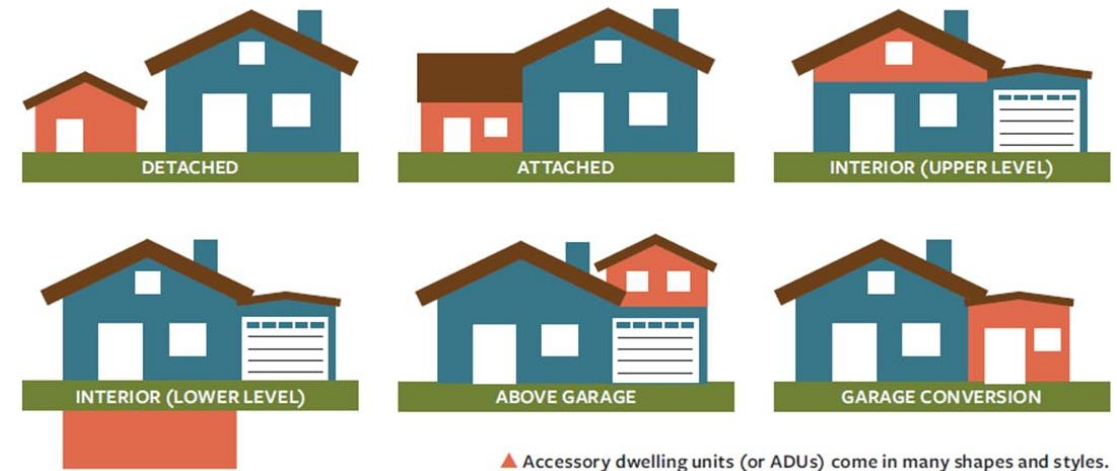
Maximum Height	29 ft. or height of the primary structure (whichever is less)
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Density	1 accessory apartment per house
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Parking	1 space/bedroom
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Occupancy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

## 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	-	-	-	-	<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>



# Part 2: Housing Types

## Two-Family, Attached or Detached

### Lot Dimensions

Minimum Lot Size	Minimum Zoning Lot Size
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### Building Dimensions

Maximum Floor Area Ratio	0.40
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Maximum Floor Area (Total)	3,000 SF
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Parking	No more than 4 vehicles
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Occupancy	No more than 4 unrelated/unit
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### Key changes:

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



2-units attached by shared walls



2-units attached by floor/ceiling



2-units detached

	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/Detached	P	P	P	P	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    Follows Multi-family parking requirements of LUMO 5.9.7

Occupancy    No more than 4 unrelated/unit

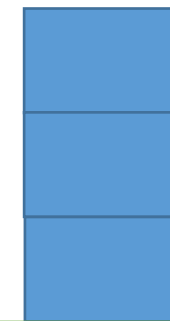
Tree Canopy Coverage    40%

### Key changes:

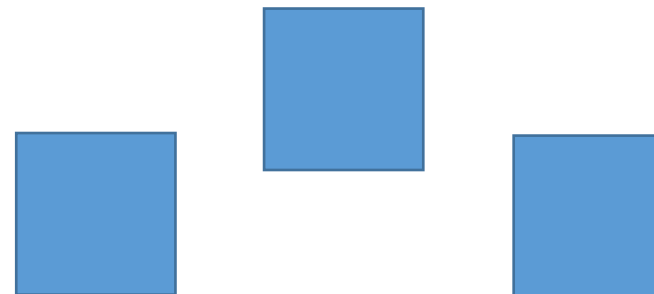
- **Currently fall under Multifamily, 3-7 units**
- **Calling out Three-family as its own use**
- **Creating opportunities for attached or detached units**
- **No change to the zoning districts that allow this type of development**
- **Administrative approval**
- **Tree canopy coverage increase**



3-units attached by shared walls



3-units attached by floor/ceiling



3-units detached

	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	A	A	A

# 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    Follows Multi-family parking requirements of LUMO 5.9.7

Occupancy    No more than 4 unrelated/unit

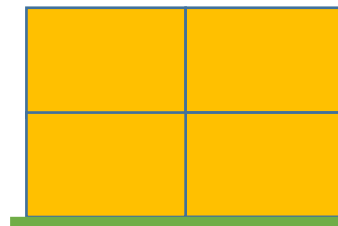
Tree Canopy Coverage    40%

### Key changes:

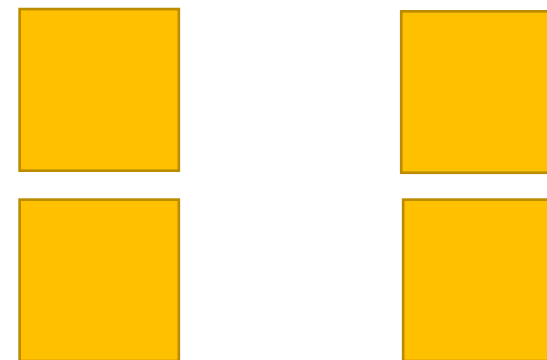
- **Currently fall under Multifamily, 3-7 units**
- **Calling out Four-family as its own use**
- **Creating opportunities for attached or detached units**
- **No change to the zoning districts that allow this type of development**
- **Administrative Approval**
- **Tree canopy coverage increase**



4-units attached by shared walls



4-units attached by walls and floor/ceiling



4-units detached

	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	A	A	A

# Other Considerations



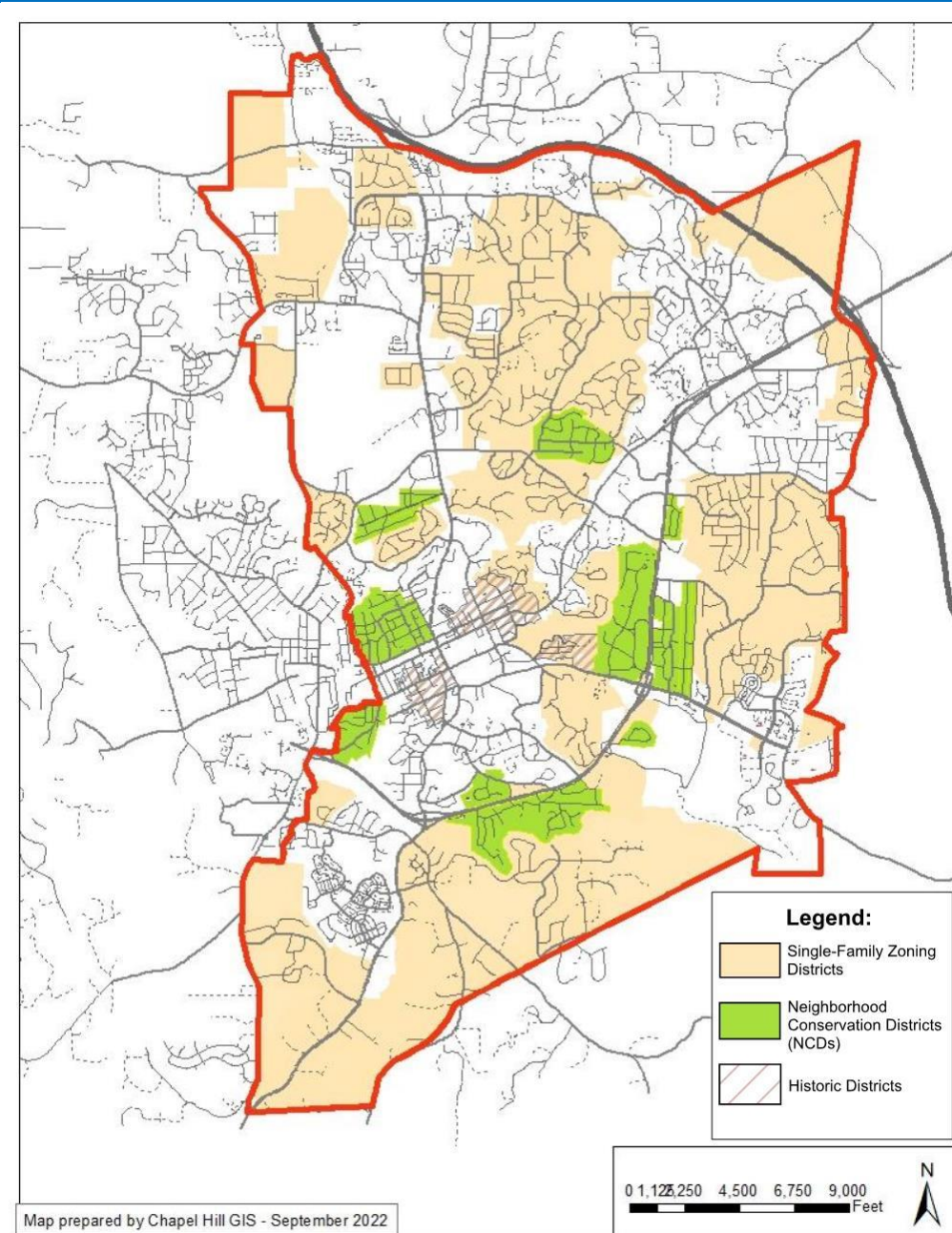
- No proposed changes to stormwater requirements for multi-family (3+ units)
- Subdivisions standards remain
- Fire code may be more restrictive than LUMO, such as access requirements

# Other Considerations

## Zoning alone will not fix the housing shortage

### *Considerations:*

- Zoning map amendments required to allow more density
- Development bonuses for affordable housing
- Transit-oriented development (underway)
- Expedited review for pre-approved housing designs



# Community Input

## **Ways the Public & Commissioners can share their feedback:**

1. Attend the Town Council meeting on May 24, 2023
2. Email the Mayor and Council at [mayorandcouncil@townofchapelhill.org](mailto:mayorandcouncil@townofchapelhill.org)
3. Share your feedback as part of the public survey: <https://publicinput.com/v3540>



# Item Overview

1. Staff provides informational presentation
2. Commission clarifying questions
3. Public input
4. Commission discussion