



Expanding Housing Choices Comment Summary and Potential Revisions February 1, 2019

Planning

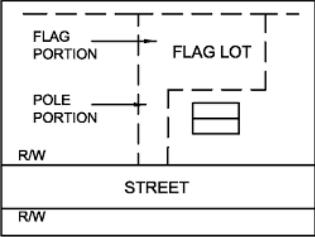
Below is a summary of proposed items from the Expanding Housing Choices initiative that received detailed comments, specifically in regards of context-sensitivity. These do not necessary reflect the level of support for the topics, just what staff is considering for revisions **at this time**. Staff does not commit to making all of the revisions proposed (some conflict with each other), and additional changes may be proposed.

Also, this is not an all-inclusive list of changes. Details through individual informational posters are available at <https://durhamnc.gov/3679/Expanding-Housing-Choices>.

Topic	Existing Standard	Original Staff Proposed Change(s)	Summary of Comments and Potential Revisions Under Consideration
Infill height standards	Height is lesser of either: 1) base zoning maximum, or 2) no more than 14 feet of height of adjacent structure, except portions that are more than 25 feet from adjacent structure	Maintained same standard except: 1) Deleted the 25-foot exception 2) Clarified which adjacent structures to use	Summary: The primary comment received was that the current infill height standards are too generous and the standard requires a minimal difference. Potential Revisions: 1) Use the same blockface context area used for street yard requirement 2) Allow height of tallest building along blockface 3) Set specific, lower height allowance for narrow lots 4) Measure to apex, not midpoint 5) Allow additional height up to the amount allowed by the base zoning with a special use permit
Building coverage/size; Impervious surfaces	Setbacks and height establish current building envelop, along with additional criteria within a local historic district or NPO	1) Proposed limited adjustments to side yard requirements (removing combined side yard) 2) No changes proposed to current street and rear yard setbacks 3) New for Infill standards: a. Additional limits on driveway width b. New tree planting requirement	Summary: That the proposed changes would allow/encourage much of the lot to be impervious surface. Potential Revisions: 1) For Infill development, consider a maximum floor/area ratio (FAR); or 2) Consider an impervious surface maximum (inclusive of buildings and driveway)



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<p>Parking and garages/driveways</p>	<p>Generally, 2 spaces per DU. Less on-site is required in the following instances</p> <ol style="list-style-type: none"> 1) No minimum if an affordable housing dwelling unit, as defined. 2) No minimum if lot less than 40 feet wide and infill street yard requirement would conflict with parking placement. 3) One space per dwelling unit can be accommodated on-street (23 feet of frontage per space) 	<p>No changes were proposed</p>	<p>Summary: Comments ranged from eliminating minimum parking requirements to the visual impact of garages fronting a street for the small house/lot housing type. Concern regarding more cars was also raised.</p> <p>Potential Revisions:</p> <ol style="list-style-type: none"> 1) Eliminate or further reduce minimum parking requirements for dwelling units 2) For the “Small house/lot” housing type: Consider limits on driveways by <ol style="list-style-type: none"> a. prohibiting or b. specify shared driveway or c. another option
<p>“Small House on a Small Lot” Housing Type option- NEW <i>This is a new proposed housing type that allows for a smaller lot size and width than base zoning minimum requirements in return for a limit to the building size.</i></p>	<p>Current allowances for smaller lot sizes than base zoning requirements:</p> <ol style="list-style-type: none"> 1) <i>Cluster subdivisions</i> that allow for a limited amount of lot reduction in trade for additional open space; 2) <i>Lot averaging</i> where a subdivision can provide smaller lots (15% reduction limit) as long as the average size of all the lots meets minimum lot size requirements of the zoning district; 3) <i>Conservation subdivision</i> that allows for smaller lots while setting aside at least 50% of the site area for conservation purposes (environmental and/or cultural) 	<ol style="list-style-type: none"> 1) Max. building size- 1,200 gross square feet; 800 square foot max. footprint 2) Max. height- 25 ft. 3) Min. lot size- 2,000 square feet; Min. lot width- 25 ft. 4) Min yards: street: 8 feet or infill standard; side: 5 feet; rear: 15 feet 5) Allow in ALL residential districts in urban tier, and RU in Sub. Tier. 6) No density cap. 7) Allow as duplex 8) Allow an ADU 9) Would allow for flag lots 10) Needs to be on noted on a plat 	<p>Summary: In addition to the concern about garages and driveways, above, adjustments to the allowed size, height, and allowances for ADUs and duplexes were suggested.</p> <p>Potential Revisions:</p> <ol style="list-style-type: none"> 1) Do not allow ADUs, or limit size of the ADU 2) Limit driveways (see above) 3) Limit garages 4) Reduce the allowed size 5) Do not allow duplexes 6) Limit flag lot opportunities 7) Apply FAR or Impervious limits

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<p>Reduced Flag Lot “Poles” (formerly “Small Flag Lots”)</p>  <p>The diagram shows a rectangular lot divided into a 'FLAG PORTION' on the left and a 'FLAG LOT' on the right. A narrow 'POLE PORTION' connects them. Below the lot is a 'STREET' with 'RW' (Right-of-Way) lines on both sides.</p>	<p>Flag lots are allowed by-right with a minimum “pole” width of 20 feet. Minimum lot area requirements still must be met.</p>	<p>Allow a narrower pole (minimum 12 feet):</p> <ol style="list-style-type: none"> 1) Max building size- 1,000 square feet 2) Limit one per parent parcel (additional standard flag lots would be allowed if lot area requirements could be met) 3) No proposed setback changes from current standards; 4) Minimum lot area requirements still must be met 5) As currently allowed, would allow for same uses as a standard lot or flag lot. 	<p>Summary: Comments received were primarily directed towards the “small house” housing type, above. Staff has also reviewed other current limits on flag lots to allow more opportunity or viability.</p> <p>Potential Revisions:</p> <ol style="list-style-type: none"> 1) Reduce rear setback to 15 feet 2) Make building maximum consistent with “small house” housing type 3) Apply FAR or impervious surface limits 4) Reduce pole width to 10 feet
<p>Duplexes</p>	<p>Generally, allowed in RU-5(2), RC, RS-M, and RU-M zoning districts (allowed in other specialized zoning districts too such as PDR, MU ,and design districts to a certain extent)</p>	<ol style="list-style-type: none"> 1) Allow in all residential zoning district in the Urban Tier and RU districts in the Suburban tier 2) Match lot dimension and setback requirements with those of single-family detached requirements 3) Allow as attached or detached 4) Allow an ADU 	<p>Summary: The main concern was allowing them throughout the Urban Tier and that parking would not be adequate.</p> <p>Potential Revisions:</p> <ol style="list-style-type: none"> 1) Require a special use permit in the RS-8, RS-10, and RS-20 districts 2) Limit driveways/garage openings 3) Do not allow an ADU 4) Do not allow as a “small house” type

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Accessory Dwelling Units (ADUs)	1) Allowed by right on lots with one primary dwelling. 2) Setbacks associated with any accessory structure apply 3) Can be attached or detached 4) Size limited to 30% of the primary structure 5) Must be on a lot that meets current dimensional standards 6) Must be located to the rear of the primary building 7) Minimum setbacks, depending upon the zoning district, range from 3-5 feet.	1) Size limit change to 800 square feet no matter the size of the primary structure 2) Allow to the side of the primary structure, but towards the back ¼ of the structure and comply with side setback requirements 3) Allow existing nonconforming accessory structures to be converted to an ADU (no expansion of the structure)	<p>Summary: There maintains strong support for ADUs and allowing for more opportunities for them. Comments were provided suggesting limits.</p> <p>Potential Revisions:</p> <ol style="list-style-type: none"> 1) Allowing a larger maximum size 2) Adding a percent maximum 3) Limit height 4) Apply to, or exempt from, impervious surface or FAR limits 5) Do not allow them/limit them more 6) Allow them on place of worship sites and other possible civic uses
Townhouses	Currently allowed in RU-5(2), RC, RS-M, RU-M, and through a thoroughfare density bonus if property abuts a thoroughfare or boulevard. Infill standards apply.	No change has been proposed	<p>Summary: Comments focused on size, buffer, and permissiveness.</p> <p>Potential Revisions:</p> <ol style="list-style-type: none"> 1) Reduce buffers, if zoning requires them, when adjacent to other housing types 2) Require minimum lot width 3) Require a special use permit in RU-5(2) 4) Limit building footprint 5) Limit garages