

Expanding Housing Choice

Exploring ways to provide a wider variety of housing options



The following is the Planning Commission public hearing draft, to be considered by the Planning Commission at its March 12, 2019, meeting for review and recommendation. The Planning Commission has the option to make a recommendation at that meeting or it can continue consideration of the item for up to 90 days. Changes to this draft may be made subsequent to the public hearing.

Anyone is welcome to attend and speak at the public hearing, but the Commission has a right to limit the amount of time for each speaker. Additional agenda documents will be available online at <https://durhamnc.gov/3679/Expanding-Housing-Choices>.

Comments may be sent to the Planning Commission members at DurhamPlanningCommission@durhamnc.gov.

City Council members may be contacted at council@durhamnc.gov.

Board of Commissioners may be contacted at commissioners@dconc.gov.

A note about the format:

Changes to existing text are shown as ~~striketroughs~~ for deletions and underline for additions. In most instances, only the paragraph that has a change will be shown, thus there may be other paragraphs within a particular section that are not shown.

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Accessory Dwelling Units (ADUs)

Sec. 5.2 Use Categories

5.2.4 Public and Civic Use Categories

A. Community Service

Characteristics: Uses of a public, nonprofit, or charitable nature providing ongoing education, training, or counseling to the general public on a regular basis, without with a limited residential component.

Principal Uses	Accessory Uses	Uses Not Included
Auditorium Club or lodge (nonprofit) Library Museum Neighborhood arts center or similar community facility (public) Philanthropic institution Senior center Union hall	Accessory residential uses Ancillary indoor storage Associated office Food preparation and dining facility Arts and crafts, day care, therapy area Indoor or outdoor recreation and athletic facility Limited retail sales (internal) Meeting area	Athletic, tennis, swim or health club (see Retail Sales and Service) Church, mosque, synagogue, temple (see Places of Worship) Counseling in an office setting (see Office) Membership clubs and lodges (see Indoor Recreation) Park (see Parks and Open Areas) Private community center (see Household Living: Accessory Use) Soup kitchen (see Social Service Institutions) Treatment center, transient lodging or shelter for the homeless (see Social Service Institutions)

H. Place of Worship

Characteristics: Places of assembly that provide meeting areas for religious practice.

Principal Uses	Accessory Uses	Uses Not Included
Church, mosque, synagogue, or temple	Ancillary indoor storage Associated office Columbaria, memorial garden Day care Food services, dining area Meeting room/classroom for meetings or classes not held on a daily basis Staff residence located on-site Accessory residential uses¹	Athletic, tennis, swim or health club (see Retail Sales and Service) Educational facility (see Educational Facilities) Neighborhood arts center or similar community facility, public (see Community Service) Private community center (see Household Living: Accessory Use) Revival or gospel tent (see Sec. 5.5, Temporary Uses) Senior center (see Community Service) Social service facility (see Social Service Institution) Treatment center, transient lodging, shelter for the homeless (see Social Service Institutions)

¹ Reworded for consistency with the existing wording in "Community Service"

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Sec. 5.4 Accessory Uses and Structures

5.4.1 Accessory Structures

B. Accessory structures shall be located as follows:

1. Accessory structures associated with a single-family or duplex structure shall be located to the rear of the rear building line of the primary structure, with the following limitations and exceptions. If the accessory structure will include an accessory dwelling, see paragraph 5.4.2B.8.:

- a. Except in the RU and RC Districts, the structure shall be ~~no closer than~~ setback at least five feet ~~to from~~ the rear and side property lines.
- b. Accessory structures in the RU and RC Districts shall be ~~no closer than~~ setback at least three feet ~~to from~~ the side and rear property lines.²

D. The height of an accessory structure in residential areas shall comply with the following standards. If the accessory structure will include an accessory dwelling, see paragraph 5.4.2B.9, Height.:

1. In RS Districts, the height shall not exceed 15 feet when the structure is within ten feet of the property line.
2. In the RU and RC districts, the height of an accessory structure shall not exceed 25 feet when the structure is within five feet of the property line.

5.4.2 Accessory Dwellings

Accessory dwellings shall be subject to the following additional requirements:

A. ~~Special Flood Hazard Areas and Future Conditions Flood Hazard Areas~~ **General**

Accessory dwellings shall not be permitted in Special Flood Hazard Areas or Future Conditions Flood Hazard Areas.

B. ~~General In Residential Districts and on Properties Devoted to Residential Use~~

1. An accessory dwelling unit shall be allowed as follows:

- a. On a lot developed with one primary residential dwelling unit. However, an accessory dwelling unit shall not be allowed for the following:
 - (1) On a lot utilizing the Small Lot Density Bonus Option B;
 - (2) On a lot developed as a Reduced Pole Width flag lot; and
 - (3) For townhouse and single-family attached developments that would be regulated under Sec. 6.8, Infill Development in Residential Districts.³ ~~Residential properties developed with more than one dwelling unit shall not be permitted to develop accessory dwellings.~~

² Text is reworded for clarity. No change in the standards.

³ This makes it explicit that no ADU would be allowed with the Small House housing type or when a flag lot is created using the reduced pole width option. ADUs have been allowed for townhouses since they are technically one unit per lot, but the limitation is added to prohibit them on development sites that qualify as infill development (development sites of less than 4 acres).

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b. As an “accessory residential unit” for certain civic uses as indicated in Sec. 5.2, Use Categories, and the following shall apply:

- (1) No more than three units shall be allowed.
- (2) The units can be located to the side or rear of the primary structure(s).
- (3) The maximum size of each unit shall be 800 square feet.
- (4) The units shall comply with the minimum required side and rear yards of the zoning district applicable to primary structures.
- (5) No special use permit is required.⁴

c. Density limits shall not apply to accessory dwelling units or other “accessory residential units.”⁵

~~2. The primary dwelling shall be located on a lot which meets the minimum area requirements of the zoning district.~~⁶

32. Only one accessory dwelling shall be allowed.

43. The accessory dwelling can be located within the primary dwelling structure (attached) or separate (detached) from the primary structure. A nonconforming accessory structure that does not meet current location requirements may be renovated or reconstructed, but without expansion, to an accessory dwelling. Expansions may require a special use permit pursuant to Sec. 14.4, Nonconforming Improvements and Structures, or a Variance pursuant to Sec. 3.14, Variance.⁷ ~~shall meet the locational and dimensional requirements for accessory structures.~~

54. The ~~heated~~ floor area of the accessory dwelling shall not exceed ~~30% of the heated or air conditioned floor area of the primary dwelling~~ 800 square feet, except in the RR District, where the ~~heated or air conditioned~~ floor area can be a maximum of 50% of the primary dwelling ~~heated or air conditioned~~ floor area on lots of four acres or larger.⁸ In no instance shall the floor area of an accessory dwelling unit equal or exceed the floor area of the primary structure.

~~Examples of accessory dwelling square footage are:~~

~~A 1,333 square foot primary dwelling is needed for a separate 400 square foot accessory dwelling. (30% of 1,333 = 400 square feet);~~

⁴ This provides the ability for a limited number of ADUs associated with some civic uses such as “Community Service” and “Place of Worship.”

⁵ This makes explicit current and historical practice.

⁶ The requirement that an ADU must be on a lot that meets current dimensional standards is deleted, since many lots of record are currently nonconforming lots and thus preclude the ability to add an ADU.

⁷ This additional text allows for the conversion of an existing accessory structure into an ADU without expansion, and references that a special use permit may be needed if expansion is proposed.

⁸ The proposed 800 square foot allows lots with smaller houses to have more functionally-sized ADUs while still being subordinate to the primary structure. The chosen size is consistent with other communities and also does not require a homeowner to determine the exact size of their house. The exception added is for existing small houses.

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~~A 2,000 square foot primary dwelling is needed for a separate 600 square foot accessory dwelling.~~

Commentary: ~~As with primary dwelling units, accessory~~ Accessory dwelling units are required to meet all applicable building and housing codes.

~~6. If the accessory dwelling is proposed for location on a single family property, the property shall retain a single family appearance from the street.~~

~~75.~~ Use of a travel trailer or recreational vehicle (RV) as an accessory dwelling shall be prohibited within a residential district or on property devoted to residential use, except that use of a travel trailer or RV during temporary visits of two weeks or less shall be allowed.

~~6.~~ No parking is required for an accessory dwelling.⁹

~~7.~~ In addition to the allowed locations for accessory structures, detached accessory dwellings in districts other than RS-20 and RR can be located to the side or rear of the primary structure.

~~a.~~ If to the side, the accessory dwelling shall be located towards the back 1/4 of the primary dwelling.¹⁰

~~b.~~ The minimum side yard of the zoning district shall apply.

~~8.~~ Height¹¹

~~a.~~ The maximum height of an accessory structure with an ADU shall be as follows:

<u>Location</u>	<u>Maximum height (feet)</u>
<u>Within 10 feet of a property line</u>	<u>16 feet</u>
<u>10 feet or more from the property line, but within the base zoning required rear or side yard</u>	<u>25 feet</u>
<u>Where the rear property line abuts a publicly improved and maintained alley and located outside of the minimum base zoning side yard. Motor vehicle access to the accessory structure shall be from the alley.</u>	<u>25 feet</u>
<u>Located outside of base zoning minimum side and rear yards</u>	<u>Base zoning height limit</u>

⁹ There is currently no requirement for a parking space for ADUs (it was removed through text amendment TC1700005). The added text makes this explicit.

¹⁰ The proposed text expands the location allowance for ADUs to the side of a house, but still towards the rear and maintaining side yard minimum requirements. A diagram will be added.

¹¹ The new proposed height allowances require shorter structures as they are located closer to property lines.

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- b. The height limitations shall not be applied to existing nonconforming accessory structures that are renovated or reconstructed, but without expansion, to an accessory dwelling. Expansions may require a special use permit pursuant to Sec. 14.4, Nonconforming Improvements and Structures, or a Variance pursuant to Sec. 3.14, Variance.**¹²

¹² As with a similar allowance regarding location, utilizing an existing structure without expanding it would be allowed regardless of the existing height. Any expansion may either need a special use permit or variance.

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District Intensity- Allowed housing Types

Sec. 6.2 Residential Rural (RR) Development Intensity

6.2.2 Permitted Housing Types

Only Single-Family Detached Houses, as described in paragraph 7.1.2, and manufactured homes shall be permitted. [For conservation subdivisions in the Suburban Tier, single-family, duplex, and townhouse housing types are allowed.](#)¹³

Sec. 6.3 Residential Suburban (RS) Development Intensity

6.3.1 Development Standards

A. Dimensional Standards

- All residential development in the RS districts shall meet the standards in the table below. For illustrations, lot dimensions, and required yards for each housing type, see Sec. 7.1, Housing Types.

Dimensional Standard	RS-20		RS-10		RS-8		RS-M		
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max. without Development Plan	Max. with Development Plan (see paragraph 3.5.6)
Residential Density ³ (units per acre)	—	2.0	—	4.0	—	5.0	—	8.0	18.0
Open Space (% of gross area) ¹									
Conventional Subdivision	—	—	15	—	15	—	18		—
Cluster Subdivision	—	—	15	—	15	—	18	—	—
Site Area (acres)									
Conventional Subdivision	—	—	—	—	—	—	—	—	—
Cluster Subdivision	4	—	4	—	4	—	—	—	—
Site Width (feet)	—	—	—	—	—	—	200	—	—
Lot Area (square feet)									
Conventional Single-Family Detached ¹⁴	20,000	—	10,000	—	8,000	—	5,000	—	—

¹³ Allows for more variety of housing types while not increasing the allowed density.

¹⁴ Deleted due to redundancy with section 7.1.2.

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Dimensional Standard	RS-20		RS-10		RS-8		RS-M		
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max. without Development Plan	Max. with Development Plan (see paragraph 3.5.6)
Additional Area and Width Requirements Lot Area	See Sec. 7.1, Housing Types								
Height (feet) ²	—	35	—	35	—	35	—	35	

¹ Please see Sec. 12.5, Recreation Land, for additional land dedication requirements that may apply.

² Height is further limited when using the Small Lot Density Bonus Option, the Reduced Pole Width flag lot option, Infill standards, a neighborhood protection overlay, or by a local historic district.

³ Density can be increased, as allowed, pursuant to the Small Lot Density Bonus Option

2. The maximum residential density does not apply to actions listed under paragraph 3.6.2, Actions Exempt from Subdivision Requirements ([Exempt Plats](#)). Where this maximum does apply, density can be increased in accordance with paragraph 6.3.3B, RS-M District Major Roadway Density Bonus, or Sec. 6.6, Affordable Housing Bonus. Other than these options, the maximum density shown cannot be exceeded even though the use of an alternative housing type may impose smaller lot size requirements.
3. For cluster subdivisions in the RS-20, RS-10, and RS-8 districts, the lot size reduction would be added to the minimum open space requirement.
4. For both conventional and cluster subdivisions in the RS-M District open space requirements also apply to the development standards for apartments.
5. Minimum lot area for conventional, single-family detached housing types can be reduced in accordance with paragraph 6.3.3C, Lot Averaging.
6. [In the Suburban Tier, Additional-additional](#) height in the RS-20, RS-10, and RS-8 districts is permitted at a rate of one additional foot for every one foot of additional setback provided. In no event shall the structure be more than 45 feet in height.¹⁵
7. For projects in the RS-M District, additional height is permitted at a rate of one additional foot for every one foot of additional setback provided, if shown on a development plan meeting the requirements of paragraph 3.5.6, Development Plan.
8. Minimum lot area may be higher as required by the County Health Department for individual wastewater treatment systems or “Package Plant” style wastewater treatment systems.

¹⁵ The added specification to the Suburban tier is due to the fact that in most instances the infill standards for height and setbacks will apply.

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6.3.2 Permitted Housing Types

Residential uses allowed pursuant to Sec. 5.1, Use Table, shall be limited to the housing types permitted in accordance with the following table. For illustrations, lot dimensions, and required yards for each housing type, see Sec. 7.1, Housing Types.

Housing Type	RS-20	RS-10	RS-8	RS-M
Single-Family Detached	✓	✓	✓	✓
Zero Lot Line House		✓	✓	✓
Patio house		✓	✓	✓
Traditional House ¹⁶	✓	✓	✓	✓
Semi-Attached House ¹⁷	✓ ²	✓ ⁴²	✓ ⁴²	✓
Duplex ¹⁸	✓ ²	✓ ²	✓ ²	✓
Townhouse ¹⁹	✓ ¹	✓ ¹	✓ ¹	✓
Multiplex				✓
Apartment				✓

¹ Cluster subdivision only; see Sec. 6.7, Cluster Subdivision.

² [Only applicable within the Urban Tier, and cluster subdivisions in the Suburban Tier.](#)

D. Application of Density Requirements for Single-Family [and Two-family](#) Development

For single-family [and two-family](#) developments, the density requirements in paragraph 6.3.1A, Dimensional Standards, do not apply if [the project does not require subdivision or site plan approval on an existing lot of record as of February 25, 2019.](#)²⁰

¹⁶ This addition is re-organizing existing allowances and standards. The standards associated with a “traditional house” housing type were always allowed but were categorized under the “Single-Family Detached” housing type.

¹⁷ Semi-Attached House is losing the term “semi” because no current or proposed standard regulates the amount the two units must be attached. The allowance is expanded consistent with the expanded allowance for “Duplexes”.

¹⁸ The expansion of the allowances for duplexes is limited to the Urban tier and within cluster subdivisions.

¹⁹ Townhouses would be limited to cluster subdivisions in all RS districts except RS-M.

²⁰ These changes would make the density limitations applicable to any creation of additional lots. It would maintain the current exemption for development on an existing lot of record.

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Sec. 6.4 Residential Urban (RU) Development Intensity

6.4.1 Development Standards

A. Dimensional Standards

- All residential development in the RU districts shall meet the standards in the table below. For illustrations, lot dimensions, and required yards for each housing type, see Sec. 7.1, Housing Types.

Dimensional Standard	RU-5		RU-5(2)		RU-M		
	Min.	Max.	Min.	Max.	Min.	Max. without a Development Plan	Max. with a Development Plan (see paragraph 3.5.6)
Residential Density ³ (units per acre)							
Project Under Four Acres	—	8.0	—	8.0	—	12.0	20.0
Project Four Acres or Greater ²¹	6.0	8.0	6.0	8.0	8.0	12.0	20.0
Open Space (% of gross area) ¹	5	—	5	—	6	—	
Site Area Site Width Lot Area Additional Area and Width Requirements	See Sec. 7.1, Housing Types						
Height (feet) ²	—	35	—	35	—	55	

¹ Please see Sec. 12.5, Recreation Lands, for additional requirements that may apply.

² Height is further limited when using the Small Lot Density Bonus Option, the Reduced Pole Width flag lot option, Infill standards, a neighborhood protection overlay, or by a local historic district.

³ Density can be increased, as allowed, pursuant to the Small Lot Density Bonus Option

- Maximum density can increase in accordance with paragraph 6.4.3, Residential Density, and/or Sec. 6.6, Affordable Housing Bonus. Other than these options, the maximum density shall not be exceeded even though the use of an alternative housing type may impose smaller lot size requirements.

- ~~Additional height in the RU-5 and the RU-5(2) districts is permitted at a rate of one additional foot for every one foot of additional setback provided. In no event shall the structure be more than 45 feet in height.~~²²

²¹ Corresponds to the proposed reduced lot sizes and expanded permissiveness of duplexes, while keeping to the predominant existing future land use density designation within the Urban Tier (6-12 dwelling units/acre).

²² This provision conflicts with Infill standards.

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- 43.** If the project in the RU-M District is on at least a four acre lot, the maximum height can be increased up to 75 feet through the issuance of a minor special use permit.

6.4.2 Permitted Housing Types

Residential uses allowed pursuant to Sec. 5.1, Use Table, shall be limited to the housing types permitted in accordance with the following table. For illustrations, lot dimensions, and required yards for each housing type, see Sec. 7.1, Housing Types.

Housing Type ²³	RU-5	RU-5(2)	RU-M
Single-Family Detached	✓	✓	✓
Zero Lot Line House	✓	✓	✓
Traditional House	✓	✓	✓
Patio house	✓	✓	✓
Semi-Attached House	✓	✓	✓
Duplex	✓	✓	✓
Townhouse	✓ ^{1,2}	✓	✓
Multiplex ²⁴	✓ ²	✓ ²	✓
Apartment			✓

¹ Cluster subdivision only, see Sec. 6.7.

² ~~See also paragraph 6.4.3D, Townhouse transitional use, where applicable. Only pursuant to paragraph 6.4.3B, Thoroughfare Density Bonus.~~

6.4.3 Residential Density

A. Major Roadway Density Bonus Area

For projects located adjacent to streets with a right-of-way over 50 feet in width, the area for the project may be calculated to include that portion of right-of-way in excess of 50 feet for purposes of determining density.

Sample Calculation: A project includes recombination of three lots measuring 75 by 100 feet, and lies adjacent to a right-of-way measuring 80 feet in width.

75 x 100 = 7,500 SF x 3 existing lots = 17,500 SF (standard calculation)

Frontage of 225 feet x 30 feet (in excess of 50-foot ROW) = 6,750 SF Bonus Area

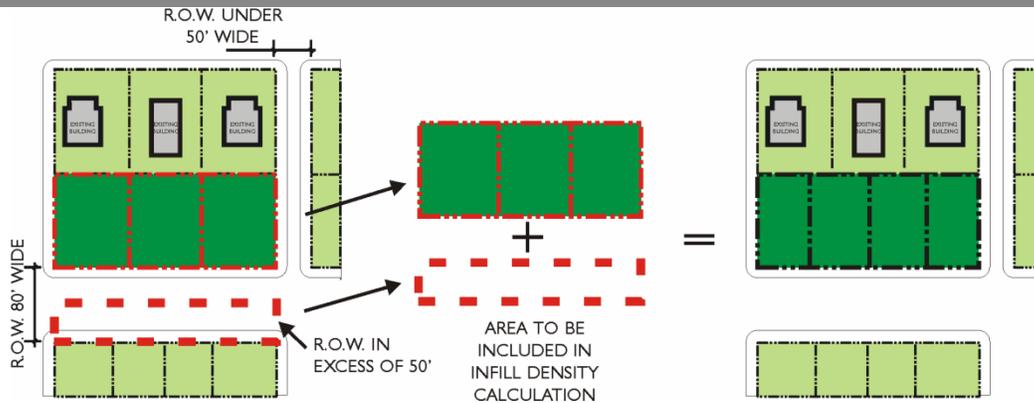
Density Allocation = 24,250 SF (.56 ac.) multiplied by 7.4 units per acre = 4.1 units (4 lots)

²³ Patio houses are proposed for deletion, and duplex allowance is expanded into RU-5.

²⁴ Multiplexes would only be allowed if meeting the requirements of paragraph 6.4.3B.

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B. Thoroughfare Density Bonus

1. Projects located along major or minor thoroughfares, or boulevards, with rights-of-way greater than 50 feet in width can develop as townhouses, using the dimensional provisions of paragraph 7.1.8, Townhouses, so long as the average width of the townhouse lots is at least 20 feet. Projects developed utilizing this option shall meet all of the requirements of Sec. 6.8, Infill Development in Residential Districts, where applicable; ~~except that the requirements regarding minimum lot width established in paragraph 6.8.2, Lot Width, shall not apply.~~²⁵
2. Projects located along major thoroughfares or boulevards, with rights-of-way greater than 50 feet in width can develop as multiplexes, using the dimensional provisions of paragraph 7.1.9, Multiplex. Projects developed utilizing this option shall meet all of the requirements of Sec. 6.8, Infill Development in Residential Districts, where applicable.²⁶

C. Lot Averaging

Lot area averaging, as more specifically set forth in Sec. 7.1, Housing Types, is permitted, provided that:

1. The maximum reduction allowed is 15% of the minimum lot area;
2. The average area of all lots in the subdivision meets or exceeds the minimum lot area; and
3. The overall density of the subdivision does not exceed the maximum permitted residential density.

~~D. Townhouse Transitional Use~~

~~Sites located immediately between and adjacent to nonresidential and single-family residential uses can develop as townhouses, using the dimensional provisions of paragraph 7.1.8, Townhouses, to serve as a transitional use. Projects developed utilizing this option shall meet all of the requirements of Sec. 6.8, Infill Development in Residential Districts,~~

²⁵ Infill lot width requirements are proposed for deletion, thus this standard is no longer necessary.

²⁶ Expands the allowance of 3-4 unit apartment buildings (a multiplex) along major thoroughfares and other higher volume roadways.

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~~where applicable, except that the requirements regarding minimum lot width established in paragraph 6.8.2, Lot Width, shall not apply.~~²⁷

ED. Application of Density Requirements for Single-Family and Two-family Development

For single-family and two-family developments, the density requirements in paragraph 6.4.1A, Dimensional Standards, do not apply if ~~the project does not require subdivision or site plan approval~~ on an existing lot of record as of February 25, 2019.²⁸

Sec. 6.5 Residential Compact (RC) Development Intensity

6.5.2 Permitted Housing Types

Residential uses allowed pursuant to Sec. 5.1, Use Table, shall be limited to the housing types permitted in accordance with the following table. For illustrations, lot dimensions, and required yards for each housing type, see Sec. 7.1, Housing Types.

Housing Type	RC	
	Support Area	Core Area
Single-Family Detached	✓	1
Zero Lot Line House	✓	1
Traditional house	✓	1
Patio House	✓	1
Semi-Attached House	✓	1
Duplex	✓	1
Townhouse	✓	✓
Multiplex	✓	✓
Apartment	✓	✓

¹ May be permitted pursuant to a Neighborhood Protection Overlay or through Sec. 6.8, Infill Development in Residential Districts.

²⁷ This allowance is deleted because it is very hard to interpret and most instances would be covered under 6.4.3B.

²⁸ These changes would make the density limitations applicable to any creation of additional lots. It would maintain the current exemption for development on an existing lot of record.

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Sec. 6.7 Cluster Subdivision

6.7.1 Purpose

To encourage innovation in residential subdivision design, cluster subdivisions shall be permitted providing for more efficient layout of lots, streets, and utilities, for the preservation of open space and recreation areas, and for the protection of unique site features and scenic vistas. ~~Cluster subdivisions shall permit reductions in lot area in exchange for equal amounts of open space on a one to one basis, subject to the following standards.~~²⁹

6.7.4 Housing Types

A variety of housing types shall be permitted in a Cluster Subdivision in accordance Sec. 7.1, Housing Types.

6.7.5 Open Space

A. The subdivision shall include ~~designated the minimum required~~ common open space as referenced below.

District	Open Space
RS Districts	See paragraph 6.3.1A
RU Districts	See paragraph 6.4.1
RC Districts	See paragraph 6.5.1A

B. Additional Open Space

1. Reductions in lot area in exchange for equal amounts of common open space on a one-to-one basis shall be provided in addition to the open space requirements referenced in paragraph A, above.³⁰
2. For duplex lots where the duplex housing type is allowed only in a cluster subdivision, the lot reduction/additional open space calculation referenced in paragraph 1, above, shall be based upon the conventional lot size of a detached single-family lot for the zoning district.
3. For the townhouse housing type, the required open space shall be at least 30% of the gross area of the development.³¹

BC. Open space in a clustered subdivision shall be provided and established in accordance with Sec. 7.2, Open Space.

²⁹ This standard is relocated to section 6.7.5B.

³⁰ New location of existing text.

³¹ Items 2 and 3 are added to address situations where duplexes would only be allowed in a cluster subdivision, and for townhouses since there are no minimum lot sizes for townhouses.

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6.7.6 Perimeter Treatment

Property on the edge of cluster developments shall either:

- A. Be set aside in open space that includes a buffer with an opacity of ~~60~~20%³², as set forth in Article 9, Landscaping and Buffering; or
- B. Be platted as single-family or two-family residential lots as follows:
 1. When adjacent to, or directly across a public right-of-way from, property that is not a cluster subdivision or is a conventional lot within a cluster subdivision, then the lot shall be platted with conventional subdivision dimensional requirements.
 2. When adjacent to, or directly across a public right-of-way from, property that is a cluster subdivision, and the adjacent property is open space or is a lot with reduced dimensional requirements due to clustering provisions of this or previous ordinances, then the lot can be platted with cluster subdivision dimensional requirements.

³² The buffer is not a requirement, only an option, and would allow for more flexible development options.

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Residential Infill Development

Sec. 6.8 Infill Development in Residential Districts

6.8.1 Applicability

A. General

Unless otherwise stated, standard ordinance requirements shall apply unless modified by the standards set forth within this section.

B. Suburban Tier

1. This section shall apply to any multifamily development located on a site of less than four acres that is surrounded on all sides by single-family residential development.
2. This section shall apply to any new project or modification of any existing residential building located on a site of less than four acres in a RU district. A residential building shall also include a building converted to a nonresidential use.
23. Neighborhood-specific modifications to the regulations listed in this section may be developed using the "Neighborhood Protection Overlay (-P)" pursuant to Sec. 4.6, Neighborhood Protection Overlay (-P).

C. Urban Tier

1. This section shall apply to any new project or modification of any existing residential building located on a site of less than four acres in a residential district. A residential building shall also include a building converted to a nonresidential use.
2. Neighborhood-specific modifications to the regulations listed in this section may be developed using the "Neighborhood Protection Overlay (-P)" pursuant to Sec. 4.6, Neighborhood Protection Overlay (-P).

D. Compact Neighborhood Tier

This section can be used to permit the development of single-family detached houses as a transition to adjacent single-family uses in the Core Area of the RC District.

E. Nonresidential Development in Residential Districts

Infill standards shall not apply to the following uses.

1. Outdoor storage areas;
2. Outdoor sales;
3. Loading bays or loading areas.

~~6.8.2 Lot Width~~

~~A. The minimum width of a lot shall be the smaller of:~~

- ~~1. The average width of the adjacent lots fronting on the same block face; or~~
- ~~2. The median of the widths for all other lots fronting on the same block face.~~

~~B. The base zoning requirement for lot width can apply for lots developed for affordable housing dwelling units.~~

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6.8.32 Yards

A. Street Yards

1. Context Area

a. The context area for the required street yard of the subject lot shall be the established street yards (as defined by the distance between the primary structure on each property and the edge of the right-of-way) on residential lots, including structures converted to nonresidential use, with residential zoning along the same block face.

(1) For the purposes of this Section, all lots on both sides along a cul-de-sac or other similar street section shall be considered a block face.

(2) Corner lots shall be included only if the main entrance of the primary structure on the lot faces the subject block face.

b. Vacant lots shall apply if the primary structure was demolished after January 1, 2006. GIS maps, demolition documents, and any available surveys shall be used to determine the street yard of the demolished building. If no documentation is available, then the minimum or maximum street yard of the zoning district, as applicable, shall be used.

c. Flag lots shall not be used for consideration regarding street yards. For flag lot yard requirements, see paragraph 6.12.5, Flag Lots.³³

B. Side Yards

Porte cocheres can extend into the side yard when incorporated into the design and construction of the primary structure, but in no case shall they be permitted to be closer than three feet from the property line.

C. Landscaping

In addition to required street trees, at least one canopy or understory tree shall be planted or preserved on the lot.

1. For tree preservation, the root protection zone shall be maintained per paragraph 8.3.2, Protection of Existing Vegetation. Protection of invasive or other species precluded for planting pursuant to the *Durham Landscape Manual* shall not qualify.

2. For tree planting, The *Durham Landscape Manual* shall be used to determine appropriate species and planting area.³⁴~~Infill development shall continue the pattern of street yard trees that has been established on all lots within 150 feet of the property unless an intervening street exists prior to that distance, in which case the street location shall define the terminating point of the required street tree pattern. When new trees are planted, they shall be a variety that, at maturity will be similar in height, width, and form to existing trees in the context area~~

³³ To clarify how flag lots are reviewed.

³⁴ Adapted from the Old West Durham NPO and clarifies a section that is subjective and difficult to enforce.

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6.8.43 Buildings

~~A. Context Area~~

~~The context area for measurement of standards in this section shall be based on any principal buildings located on lots within 150 feet of the property line of the proposed site. Where an intervening street exists within this 150-foot distance, the street shall be considered the furthest extent of the context area (no measurements are required on neighboring blocks).~~³⁵

A. Maximum Building Coverage

1. For single-family and two-family lots, the maximum building coverage, including primary and accessory structures over 144 square feet, shall be 40%.
2. A larger building coverage can be approved through a minor special use permit pursuant to Sec. 3.9, Special Use Permit.
3. Building coverage requirements shall not apply to property within the Old West Durham NPO.³⁶

B. Building Width

New construction shall not exceed the average building width for existing residential structures in the context area established in paragraph 6.8.3A.1, Context Area, by more than 25%, unless a building articulation of at least six feet in depth at a point that mimics the average building width in the context area is provided.

C. Building Height³⁷

1. The maximum height shall not exceed the height of the lesser of either of the following:
 - 1a. The maximum height permitted by the zoning district; or
 - b. The maximum height of existing residential structures fronting along the same and opposing block face. Additional height, up to the height allowed by the zoning district, can be allowed with approval of a minor special use permit pursuant to Sec. 3.9, Special Use Permit; or if within a local historic district, with approval of a certificate of appropriateness (COA) by the Historic Preservation Commission.
- ~~2. More than 14 feet taller than the height of any adjacent structure, except for those portions of the new or modified structure that lie more than 25 feet from the adjacent structure.~~

³⁵ Staff has determined that one context area for infill standards is sufficient and less complicated, and the one used for street yard standards is appropriate.

³⁶ This is a new provision that can help limit the size of structures and impacts on impervious surface. 40% of a 2,000 square foot lot (the small lot bonus option) would yield a maximum building coverage of 800 square feet. The proposed percent is consistent with historical Durham zoning codes that allowed a range of 35-45% building coverage for the single-family and two-family zoning districts. The OWD NPO utilizes a different methodology to regulate building mass and scale.

³⁷ Revisions to infill building height standards were suggested since the two current options do not typically result in much difference. The proposal utilizes the context area for street yards plus the opposing block face, allows for requests for additional height, and exempts accessory structures and additions solely to the rear of the primary structure.

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2. The height limitations shall not apply to additions to existing primary structures and accessory structures located solely to the rear of the rear building line of the primary structure.

D. Main Entrance [Text remains unchanged]

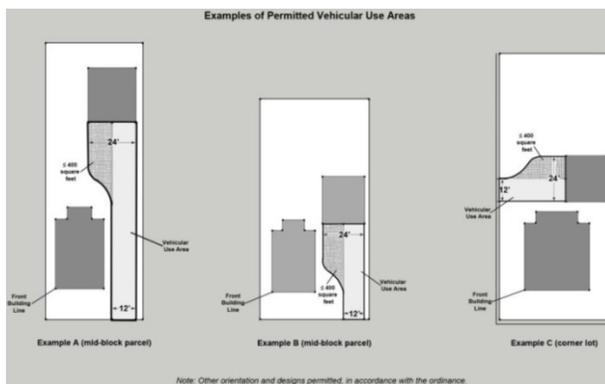
E. Garages, ~~and Access, and Parking~~

1. Where a lot abuts an alley access is provided and developed a publicly improved and maintained alley, all vehicular access shall be taken from the alley.
2. When a garage entrance faces a street other than an alley, a single garage entrance shall be no more than 22 feet in width.
3. The construction material of the garage shall match that of the primary structure. This shall not apply ~~to~~ if the primary structure is a single-family or two-family structure.

6.8.54 Vehicular Use Areas³⁸

A. Residential

- ~~1. Infill residential uses shall locate on-site parking to conform to the predominant location of parking in the context area established in subsection 6.8.4A, Context Area, or to the rear of the structure.~~
- 21.** No on-site parking is required if placement of a single-family or two-family primary structure, based upon the required street yard, conflicts with the minimum dimensional standards for on-site parking. This parking exemption shall apply to lots measuring 40 feet in width or less.
2. A vehicular use area includes all surface area designated or utilized for vehicle parking or vehicle access.
3. The maximum width of the vehicular use area shall be 12 feet; however, the vehicular use area can expand up to 24 feet in width to accommodate garage access or parking. The total additional vehicular use area beyond 12 feet in width shall:
 - a. Be behind the front building line;
 - b. Be at least 20 feet from the front property line; and
 - c. Not exceed 400 square feet.



³⁸ The proposed changes utilize the standards from the Old West Durham NPO.

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Flag Lots

6.12.5 Flag Lots

A. Dimensions

1. Standard Flag Lot

The extension, or “pole,” for flag lots shall be a minimum of 20 feet in width.

2. Reduced Pole Width Option³⁹

In the Urban Tier and lots with RU zoning in the Suburban Tier, the extension, or “pole,” for flag lots can be a minimum of 12 feet in width.

a. Only one flag lot with a pole less than 20 feet shall be subdivided from a parent parcel. A parent parcel shall be the lot of record as of February 25, 2019.

b. No accessory dwelling unit shall be allowed.

c. Only ribbon driveways shall be allowed if vehicular access is not taken from an alley. Standards for such driveways shall be pursuant to those found within paragraph 7.1.2C.1.d(1), Driveways.

d. Structure Size and Height Limit

The primary structure on a flag lot with a pole less than 20 feet shall have a maximum height of 25 feet and maximum size of 1,200 square feet.

(1) A plat shall be recorded to specify the house size limitations.

(2) Primary structures existing prior to February 25, 2019 shall not be limited to these standards and may be improved in accordance to the applicable single-family detached housing type standards and other applicable standards.

(3) A vacant flag lot with a pole of less than 20 feet recorded prior to the effective date of these standards may be developed as a Standard Flag Lot.

B. Setbacks

The front setback on any flag lot shall be the equivalent side yard setback established in Sec. 7.1, Housing Types, for the particular housing type proposed for use on the lot. Flag lots shall not be held to street yard requirements pursuant to Sec. 6.8, Infill Development in Residential Districts.

C. Access

Where a flag lot abuts a publicly improved and maintained alley, motor vehicle access shall only be taken from the alley.⁴⁰

³⁹ The intent of this new option is to provide an additional option for flag lots, particularly for lots that are narrow but deep. As with the Reduced Lot Density Bonus option, housing size is limited and no ADU is permitted.

⁴⁰ Although already included in the infill standards, this is added for instances where infill may not apply and would thus reduce the amount of impervious surface associated with a long access driveway.

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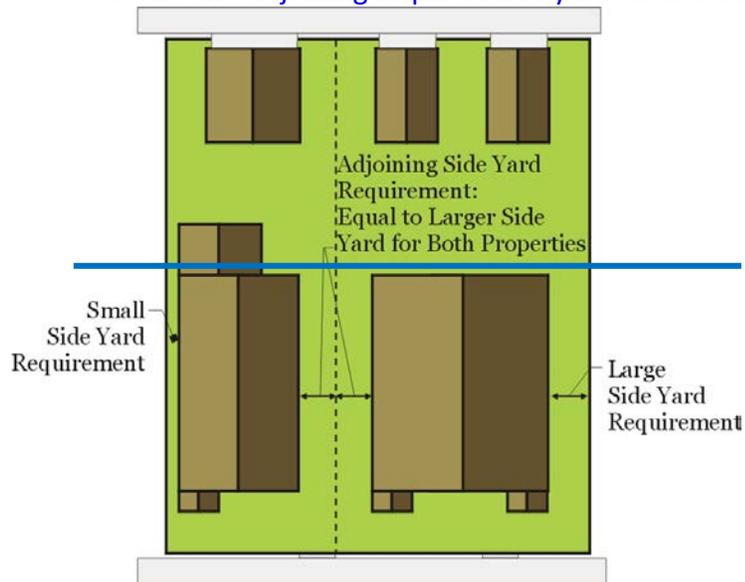
Housing Types

Sec. 7.1 Housing Types

7.1.1 General

~~C. Yard Standards on Blocks with Mixed Housing Types~~⁴¹

~~Where housing types are mixed on the same block face and adjacent to one another, the larger of the two adjoining required side yards shall be required for both units.~~



~~Commentary: This ensures that single-family detached homes abutting other housing types, such as townhouses or zero-lot-line units, are adequately protected.~~

⁴¹ This provision creates unnecessary and often cumbersome side yard requirements. Each housing type already has specific side yard or building separation requirements. There is no need to “protect” a duplex from a single-family house, for instance, with a larger side yard.

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7.1.2 Single-Family Detached House

B. Development Standards⁴²

A single-family detached house shall be permitted in accordance with the table below. A single-family detached house shall also be permitted in the RR District in accordance with the standards of paragraph 6.2.1A, Dimensional Standards.

Single-Family Detached Standards	RS-20	RS-10	RS-8	RS-M	RU-5, RU-5(2)	RU-M	RC
Conventional Subdivision							
Lot Dimensions (min. square feet)							
Lot Area (w/o averaging.)	20,000	10,000	8,000	5,000	5,000	3,500	5,000
Lot Area (with averaging) ¹	17,000	8,500	6,800	4,250	4,250	2,975	4,250
Lot Width (feet)	100	75	60	35	45	35	35
Yards (min. feet) ²							
Street Yard (adjoining collector or greater street)	35	25	25	25	20	15 ³	10 ³
Street Yard (adjoining local street)	35	25	25	20	20	15 ³	10 ³
Street Yard (with rear vehicular or alley access) ⁴³	5	5	5	5	5	5	5
Side Yard (single)	12	10	9	6	6	6	6
Side Yard (total) <u>(no side yard total)</u>	30	24	22	15	15	15	15

⁴² The proposed changes to lot area and width represent a one increment reduction applicable to the Urban Tier and also RU districts in the Suburban tier.

⁴³ These standards are maintained, but relocated under the Traditional House type.

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Single-Family Detached Standards	RS-20	RS-10	RS-8	RS-M	RU-5, RU-5(2)	RU-M	RC
in Urban tier ⁴⁴							
Rear Yard	25	25	25	25	25	25	25
Cluster Subdivision							
Lot Dimensions (min.)							
Lot Area (square feet)	10,000	5,000	4,000	—	3,500	—	—
Lot Width (feet)	75	40	40	—	40	—	—
Yards (min. feet)							
Street Yard	25	20	20	—	15 ³	—	—
Street Yard (with rear vehicular or alley access)	5	5	5	—	5	—	—
Side Yard (single)	9	6	6	—	5	—	—
Side Yard (total) (no side yard total in Urban tier)	22	13	13	—	12	—	—
Rear Yard	25	25	25	—	25	—	—

1 Lot area with averaging may only be used if the requirements of paragraph 6.3.3C, Lot Averaging, paragraph 6.4.3C, Lot Averaging, paragraph 6.5.3B, Lot Averaging, as appropriate are met.

2 Yard modifications may be required pursuant to a neighborhood protection overlay, or through application of infill regulations (Sec. 6.8, Infill Development in Residential Districts).

~~3 Shall be 20 feet with front loaded vehicular access or driveways.~~

⁴⁴ Deleting combined side yard requirements, particularly within the Urban tier and RU districts in general, reduces that create nonconforming structures. The RS-8 Urban tier side yard is reduced by 20%, consistent with the current allowed reduction for lots that have a nonconforming lot width.

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C. Small Lot Density Bonus Options⁴⁵

Modifications to the standards, below, may be required pursuant to a neighborhood protection overlay, or through application of infill regulations (Sec. 6.8, Infill Development in Residential Districts).

1. Lot/Width Reduction Option A

a. Lot Dimensions and Density

Within the following zoning districts, the minimum lot area, minimum lot width, and maximum density, shall be allowed as follows:

(1) In Any Tier

<u>District</u>	<u>Minimum lot area w/o lot averaging (square feet)</u>	<u>Minimum lot Area w/ lot averaging (square feet)</u>	<u>Minimum lot width (feet)</u>	<u>Maximum Density (dwelling units/acre)</u>
<u>RU-5/RU-5(2)</u>	<u>3,500</u>	<u>2,975</u>	<u>35</u>	<u>12</u>
<u>RC</u>	<u>3,500</u>	<u>2,975</u>	<u>No change</u>	<u>12</u>
<u>RU-M</u>	<u>3,000</u>	<u>2,550</u>	<u>No change</u>	<u>No change</u>
<u>"No change" = Required minimum from base development standards of the housing type and zoning district, as applicable.</u>				

(2) In the Urban Tier

<u>District</u>	<u>Minimum lot area w/o lot averaging (square feet)</u>	<u>Minimum lot Area w/ lot averaging (square feet)</u>	<u>Minimum lot width (feet)</u>	<u>Maximum Density (dwelling units/acre)</u>
<u>RS-10</u>	<u>8,000</u>	<u>6,800</u>	<u>60</u>	<u>6</u>
<u>RS-8</u>	<u>5,000</u>	<u>4,250</u>	<u>45</u>	<u>9</u>
<u>RS-M</u>	<u>3,500</u>	<u>2,975</u>	<u>No change</u>	<u>12*/20**</u>
<u>* Without a development plan</u>				
<u>** With a development plan</u>				
<u>"No change" = Required minimum from base development standards of the housing type and zoning district, as applicable.</u>				

b. In the Urban Tier, the minimum side yard for RS-8 shall be seven feet.⁴⁶

⁴⁵ This is a re-structuring of the November proposals that would allow for smaller single-family and duplex lots. The November draft initially revised the primary lot dimensions in the table and then proposed a separate "small house/lot" housing type. Ultimately, in this draft, the current standards would remain, but if lot reductions are utilized through either option A or B, additional standards and trade-offs would apply.

⁴⁶ The RS-8 Urban tier side yard is reduced by 20%, consistent with the current allowed reduction for lots that have a nonconforming lot width.

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- c. If a development is a cluster subdivision pursuant to Sec. 6.7, Cluster Subdivisions, the following minimum lot area and width apply:

<u>District</u>	<u>Minimum lot area (square feet)</u>	<u>Minimum lot width (feet)</u>
<u>RU-5/RU-5(2)</u>	<u>2,450</u>	<u>30</u>
<u>RS-8</u>	<u>3,500</u>	<u>No change</u>
<u>RS-10</u>	<u>4,000</u>	<u>No change</u>
<u>"No change" = Required minimum from base development standards of the housing type and zoning district, as applicable.</u>		

d. Additional Requirements⁴⁷

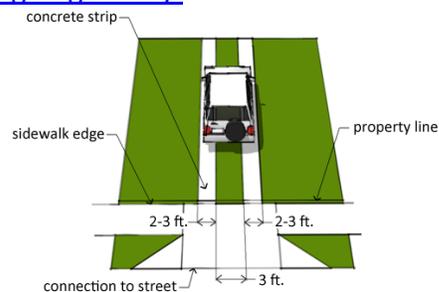
In order to utilize this option, the following are required:

(1) Driveways

Driveways shall be located to the side of the primary structure and shall be designed as a "ribbon" (a.k.a. "strip") driveway as follows.

(a) Each strip shall be two to three feet wide with a three-foot separation.

(b) The strips can terminate at the sidewalk or driveway apron, and to a parking pad at side or rear of the structure, to accommodate side-by-side parking or a garage entry.



(2) Trees

In addition to the required street tree, at least one canopy and one understory tree shall be planted or preserved on the lot.

(a) For tree preservation, the root protection zone shall be maintained per paragraph 8.3.2, Protection of Existing Vegetation. Protection of invasive or other species precluded for planting pursuant to the *Durham Landscape Manual* shall not qualify.

(b) For tree planting, the *Durham Landscape Manual* shall be used to determine appropriate species and planting area.

⁴⁷ The additional requirements improve upon tree canopy, parking locations, and effects of stormwater runoff.

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(3) Downspouts

In the Urban Tier, downspouts shall not be connected to underground piping and shall direct stormwater run-off over pervious area.

2. Lot/Width Reduction Option B

a. Within the following zoning districts, the minimum lot area and lot width can be reduced to a minimum of 2,000 square feet and a minimum 25-foot width if the following standards are met.

(1) In any tier: RC, RS-M, RU-M, RU-5, and RU-5(2) zoning districts

(2) In the Urban Tier: RS-8 and RS-10 zoning districts.

b. Minimum Yard Requirements

The minimum yards shall be as follows:

(1) Street Yard: 10 feet

(2) Individual Side yard: 5 feet

(3) Rear yard: 15 feet

c. Maximum Height

The maximum height shall be 25 feet.

d. Maximum Size of Primary Structure

The maximum size of the primary structure shall be 1,200 square feet, with a maximum building coverage of 40%.

Commentary- The overall size includes any unconditioned and storage spaces.

f. Maximum Density

The maximum density shall be 12 dwelling units/acre or the amount allowed per the zoning district, whichever is greater.

e. Additional Requirements

In order to utilize this option, the following are required in addition to those required in Option A:

(1) Driveway

In additional to the driveway requirements in Option A, driveways shall be shared for any pair of lots utilizing this option.

(2) Alley access⁴⁸

Where a lot abuts an improved and maintained alley, all vehicular access shall be taken from the alley.

(3) Accessory Dwelling Unit

An accessory dwelling unit shall not be allowed.

3. Designation on Plat

Utilization of either option shall be recorded on a plat at the time of approval, specifying the housing type and associated limitations. This shall include a vacant lot recorded

⁴⁸ This is mainly redundant with infill and flag lot requirements, and requirements of certain housing types, but it is proposed nonetheless.

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prior to the effective date February 25, 2019, where the lot could accommodate a lot reduction option, and that would otherwise be considered a nonconforming lot.

4. Existing Single-family Detached and Duplex Residential Structures on Small Lots

An existing single-family detached or duplex structure on a lot of record prior to the effective date of these standards can be improved pursuant to the applicable general standards for the single-family detached or duplex housing type. Such improvements may still be considered improvements or additions to a nonconforming structure pursuant to Sec. 14.4, Nonconforming Improvements and Structures.

7.1.3 Zero Lot Line House

B. Development Standards

A zero lot line house shall be permitted in accordance with the table below. A zero lot line house shall also be permitted in the RR District in a conservation subdivision in accordance with the standards of paragraph 6.2.1A, Dimensional Standards.

Zero Lot Line House Standards	RS-10	RS-8	RS-M	RU-5, RU-5(2)	RU-M	RC
Conventional Subdivision						
Lot Dimensions (min. square feet)						
Lot Area (w/o averaging)	10,000	8,000	5,000	5,000	3,500	5,000
Lot Area (with averaging) ¹	8,500	6,800	4,250	4,250	2,975	4,250
Lot Width (feet)	75	60	35	45	35	35
Yards (min. feet) ²						
Street Yard (adjoining collector or greater street)	25	25	25	20	15 ³	10 ³
Street Yard (adjoining local street)	25	25	20	20	15 ³	10 ³
Street Yard (with rear vehicular or alley access)	5	5	5	5	5	5
Side Yard (single)	0	0	0	0	0	0
Side Yard (total single)	20	18	12	12	12	12
Rear Yard	25	25	25	25	25	25
Cluster Subdivision						
Lot Dimensions (min.)						
Note: "*" denotes (Suburban Tier/Urban Tier)						
Lot Area (square feet)	5,000	4,000	—	3,500	—	—
Lot Width (feet)	40	40	—	40	—	—
Yards (min. feet)						
Street Yard	20	20	—	15 ³	—	—
Street Yard (with rear vehicular or	5	5	—	5	—	—

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Zero Lot Line House Standards	RS-10	RS-8	RS-M	RU-5, RU-5(2)	RU-M	RC
alley access)						
Side Yard (total single)	0	0	—	0	—	—
Side Yard (total single)	12	12	—	10	—	—
Rear Yard	25	25	---	25	---	---

1 Lot area with averaging may only be used if the requirements of paragraph 6.3.3C, Lot Averaging, paragraph 6.4.3C, Lot Averaging, paragraph 6.5.3B, Lot Averaging, as appropriate are met.

2 Yard modifications may be required pursuant to a neighborhood protection overlay, or through application of infill regulations (Sec. 6.8, Infill Development in Residential Districts).

~~3 Shall be 20 feet with front-loaded vehicular access or driveways.~~

C. Access

Where a ~~developed~~ publicly improved and maintained alley is provided, all vehicular access shall be taken from the alley.

D. Designation on Plat

The subdivision shall be designated as a zero lot line subdivision on the plat at the time of approval.

E. Easement

Easement agreements shall be recorded to allow maintenance and access for that side of the dwelling adjacent to the property line.

F. Privacy

~~1.~~ On the property line that the structure is built to, a privacy fence or wall at least six feet high is required between lots, to the rear of the structure.

~~2. If the side wall of the house is located on or within three feet of the property line, windows or other openings that allow for visibility into the side yard of the adjacent lot shall not be allowed. Windows that do not allow visibility into the side yard of the adjacent lot, such as a clerestory window or a translucent window, shall be allowed.~~

G. Small Lot Density Bonus Options⁴⁹

The small lot density bonus option per paragraph 7.1.2C shall apply. The following shall also apply:

1. If a lot in a new zero lot line subdivision is adjacent to the side of an existing, developed residential lot that is not zero lot line, then:

a. The new lot shall not be zero lot line; or

b. The required side yard shall be adjacent to the existing lot.

2. The minimum side yard shall be nine feet if Option B is utilized.

⁴⁹ The additional requirements for zero lot line are added to take into consideration the placement of a zero lot line house next to an existing residence.

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7.1.4 Traditional House⁵⁰

A. Description

A traditional house is a single-family detached house that is set closer to the street than a conventional single family detached house and shall only have vehicular access from the rear. It has yards on each side of the building.

B. Development Standards

A traditional house shall be permitted in accordance with the table below. [A traditional house shall also be permitted in the RR District in a conservation subdivision in accordance with the standards of paragraph 6.2.1A, Dimensional Standards.](#)

Traditional House Standards	RS-20	RS-10	RS-8	RS-M	RU-5, RU-5(2)	RU-M	RC
Conventional Subdivision							
Lot Dimensions (min. square feet)							
Lot Area (w/o averaging)	<u>20,000</u>	<u>10,000</u>	<u>8,000</u>	<u>5,000</u>	5,000	3,500	5,000
Lot Area (with averaging) ¹	<u>17,000</u>	<u>8,500</u>	<u>6,800</u>	<u>4,250</u>	4,250	2,975	4,250
Lot Width (feet)	<u>100</u>	<u>75</u>	<u>60</u>	<u>35</u>	45	35	35
Yards (min. feet)²							
Street Yard	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	5	5	5
Side Yard (single)	<u>12</u>	<u>10</u>	<u>9</u>	<u>6</u>	6	6	6
Side Yard (total) (no side yard total in Urban tier)	<u>30</u>	<u>24</u>	<u>22</u>	<u>15</u>	<u>15---</u>	<u>15---</u>	<u>15---</u>
Rear Yard	<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>	25	25	25
Cluster Subdivision							
Lot Dimensions (min.)							
Lot Area (square feet)	<u>10,000</u>	<u>5,000</u>	<u>4,000</u>	-	3,500	—	—
Lot Width (feet)	<u>75</u>	<u>40</u>	<u>40</u>	-	35	—	—
Yards (min. feet)							
Street Yard	<u>5</u>	<u>5</u>	<u>5</u>	-	5	—	—
Side Yard (single)	<u>9</u>	<u>6</u>	<u>6</u>	-	5	—	—
Side Yard (total) (no side yard total in Urban tier)	<u>22</u>	<u>13</u>	<u>13</u>	-	<u>12---</u>	—	—
Rear Yard	<u>25</u>	<u>25</u>	<u>25</u>	-	25	—	—

C. Access

Where a [developed-publicly improved and maintained](#) alley is provided, all vehicular access shall be taken from the alley.

⁵⁰ The addition of the RS districts is relocating existing standards from the single-family Detached housing type to this housing type.

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D. Small Lot Density Bonus Options

The small lot density bonus option per paragraph 7.1.2C shall apply.

7.1.5—Patio House⁵¹

A. Description

~~—The patio house is a single family detached house similar to a zero lot line house that is placed on a small lot.~~

B. Development Standards

~~—A patio house shall be permitted in accordance with the table below.~~

<u>Patio House Standards</u>	<u>Suburban</u>	<u>Urban and Compact Neighborhood</u>
<u>Site Area</u> (min. square feet)		
Per Group	25,000	25,000
Per Dwelling Unit	3,000	3,000
<u>Lot Dimensions</u> (min.)		
Lot Area (feet)		2,000
Lot Width (feet)	35	35
<u>Yards</u> (min. feet)		
Street Yard	25 ^{1,2}	12 ¹
Street Yard with Front Vehicular Access (from ROW)	25 ^{1,2}	20 ¹
Street Yard with Rear Vehicular Access (from alley)	5	5
Rear Yard	25	25
Building Separation	10	10
<u>Patio</u> (min.)		
Area (square feet)	1,000	1,000
Width (feet)	20	20

~~1 Yard modifications can be required pursuant to a neighborhood protection overlay, or through application of infill regulations (Sec. 6.8, Infill Development in Residential Districts).~~

~~2 Yards can be reduced to as little as 12 feet if the structures are located interior to a project and do not front on a street classified as a collector or greater.~~

~~3 Front vehicular access can be reduced to as little as 20 feet if the structures are located interior to a project and do not front on a street classified as a collector or greater.~~

C. Access

~~—Where a developed alley is provided, all vehicular access shall be taken from the alley.~~

D. Privacy

⁵¹ This housing type is readapted as the Small Lot Density Bonus option without the requirement of a patio.

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- ~~1. On the property line that the structure is built to, a privacy fence or wall at least six feet high shall be required between lots, to the rear of the structure.~~
- ~~2. If the side wall of the house is located on or within three feet of the property line, windows or other openings that allow for visibility into the side yard of the adjacent lot shall not be allowed. Windows that do not allow visibility into the side yard of the adjacent lot, such as a clerestory window or a translucent window, shall be allowed.~~

7.1.65 Semi-Attached House⁵²

A. Description

~~A semi-attached~~An attached house is a single-family house with a shared common wall along one of the lot lines that separates the two lots.

B. Development Standards

~~A semi-attached~~An attached house shall be permitted in accordance with the table below. An attached house shall also be permitted in the RR District in a conservation subdivision in accordance with the standards of paragraph 6.2.1A, Dimensional Standards.

Semi-Attached-House-Standards	Suburban	Urban-and-Compact Neighborhood
Site Area (min. square feet)		
Per Building	7,000	7,000
Per Dwelling Unit	3,000	3,000
Lot Dimensions (min.)		
Lot Width (feet)	35	35
Yards (min. feet)		
Street Yard	25 ^{1,2}	15 ¹
Street Yard with Front Vehicular Access (from ROW)	25 ^{1,3}	20 ¹
Street Yard with Rear Vehicular Access (from alley)	5	5
Side Yard (on unattached side)	8	8
Rear Yard	25	25

⁵² The proposed changes are consistent with the changes proposed for duplexes. The difference between this housing type and a duplex is that each unit is on an individual lot, where the entire duplex (2 units) is on one lot.

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<u>Attached House Standards</u>	<u>RS-20</u>	<u>RS-10</u>	<u>RS-8</u>	<u>RS-M</u>	<u>RU-5, RU-5(2)</u>	<u>RU-M</u>	<u>RC</u>
Conventional Subdivision							
Lot Dimensions (min. square feet)							
Note: "*" denotes (Suburban Tier/Urban Tier)							
"Per Pair" denotes that the minimum number required applies to the pair of units. For example in RU-M, the lot area means the sum of the two lots necessary for the pair of units must be at least 3,000 square feet.							
<u>Lot Area per Pair (w/o averaging.)</u>	<u>---/20,000</u>	<u>---/10,000*</u>	<u>---/8,000*</u>	<u>5,000</u>	<u>5,000</u>	<u>3,500</u>	<u>3500</u>
<u>Lot Area Per Pair (with averaging)¹</u>	<u>---/17,000</u>	<u>---/8,500*</u>	<u>---/6,800*</u>	<u>4,250</u>	<u>4,250</u>	<u>2,975</u>	<u>2,975</u>
<u>Lot Width per pair (feet)</u>	<u>---/100</u>	<u>---/75*</u>	<u>---/60*</u>	<u>35</u>	<u>45</u>	<u>35</u>	<u>35</u>
Yards (min. feet)²							
<u>Street Yard (adjoining collector or greater street)</u>	<u>35</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>20</u>	<u>15</u>	<u>10</u>
<u>Street Yard (adjoining local street)</u>	<u>35</u>	<u>25</u>	<u>25</u>	<u>20</u>	<u>20</u>	<u>15</u>	<u>10</u>
<u>Side Yard (single)</u>	<u>12</u>	<u>10</u>	<u>9</u>	<u>6</u>	<u>6</u>	<u>6</u>	<u>6</u>
<u>Rear Yard</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>
Cluster Subdivision							
Lot Dimensions (min.)							
<u>Lot Area per pair (square feet)</u>	<u>10,000</u>	<u>5,000</u>	<u>4,000</u>	<u>=</u>	<u>3,500</u>	<u>=</u>	<u>=</u>
<u>Lot Width per pair (feet)</u>	<u>75</u>	<u>40</u>	<u>40</u>	<u>=</u>	<u>40</u>	<u>=</u>	<u>=</u>
Yards (min. feet)							
<u>Street Yard</u>	<u>25</u>	<u>20</u>	<u>20</u>	<u>=</u>	<u>15</u>	<u>=</u>	<u>=</u>
<u>Side Yard (single)</u>	<u>9</u>	<u>6</u>	<u>5</u>	<u>=</u>	<u>5</u>	<u>=</u>	<u>=</u>
<u>Side Yard (total) (no</u>	<u>22</u>	<u>13</u>	<u>12</u>	<u>=</u>	<u>---</u>	<u>=</u>	<u>=</u>

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Attached House Standards	RS-20	RS-10	RS-8	RS-M	RU-5, RU-5(2)	RU-M	RC
side yard total in Urban tier)							
Rear Yard	25	25	25	=	25	=	=

1 Lot area with averaging may only be used if the requirements of paragraph 6.3.3C, Lot Averaging, paragraph 6.4.3C, Lot Averaging, paragraph 6.5.3B, Lot Averaging, as appropriate are met.

2 Yard modifications may be required pursuant to a neighborhood protection overlay, or through application of infill regulations (Sec. 6.8, Infill Development in Residential Districts).

C. Access

Where a publicly improved and maintained~~developed~~ alley is provided, all vehicular access shall be taken from the alley.

D. Designation on Plat

The housing type shall be identified on the plat at the time of approval.

7.1.76 Duplex⁵³

A. Description

~~A~~An attached duplex is a two-family dwelling in a single structure on a single lot. Individual units can be located on separate floors or side-by-side on the same level. A detached duplex allows for two dwelling units on one lot, but the dwelling units are not required to be attached.

B. Development Standards

A duplex shall be permitted in accordance with the table below. A duplex shall also be permitted in the RR District in a conservation subdivision in accordance with the standards of paragraph 6.2.1A, Dimensional Standards.

Duplex Standards	Suburban	Urban and Compact Neighborhood
<u>Site Area</u> (min. square feet)		
Per Dwelling Unit	3,750	3,500
<u>Lot Dimensions</u> (min.)		
Lot Width (feet)	60	50
<u>Yards</u> (min. feet)		
Street Yard	25 ⁺²	15 ⁺
Street Yard with Front Vehicular Access (from ROW)	25 ⁺³	20 ⁺
Street Yard with Rear Vehicular Access (from alley)	5	5
Side Yard	8	8
Rear Yard	25	25

⁵³ The proposed changes to duplex standards are made to be consistent with single-family detached lots.

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Duplex Standards	RS-20	RS-10	RS-8	RS-M	RU-5, RU-5(2)	RU-M	RC
Conventional Subdivision							
Lot Dimensions (min. square feet)							
Note: "*" denotes (Suburban Tier/Urban Tier)							
Lot Area (w/o averaging.)	---/20,000	---/10,000*	---/8,000*	5,000	5,000	3,500	3500
Lot Area (with averaging) ¹	---/17,000	---/8,500*	---/6,800*	4,250	4,250	2,975	2,975
Lot Width (feet)	---/100	---/75*	---/60*	35	45	35	35
Yards (min. feet)²							
Street Yard (adjoining collector or greater street)	35	25	25	25	20	15	10
Street Yard (adjoining local street)	35	25	25	20	20	15	10
Side Yard (single)	12	10	7	6	6	6	6
Rear Yard	25	25	25	25	25	25	25
Cluster Subdivision							
Lot Dimensions (min.)							
Lot Area (square feet)	10,000	5,000	4,000	=	3,500	=	=
Lot Width (feet)	75	40	40	=	40	=	=
Yards (min. feet)							
Street Yard	25	20	20	=	15	=	=
Side Yard (single)	9	6	5	=	5	=	=
Side Yard (total) (no side yard total in Urban tier)	22	13	12	=	---	=	=
Rear Yard	25	25	25	=	25	=	=

¹ Lot area with averaging may only be used if the requirements of paragraph 6.3.3C, Lot Averaging, paragraph 6.4.3C, Lot Averaging, paragraph 6.5.3B, Lot Averaging, as appropriate are met.

² Yard modifications may be required pursuant to a neighborhood protection overlay, or through application of infill regulations (Sec. 6.8, Infill Development in Residential Districts).

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C. Access

Where a publicly improved and maintained~~developed~~ alley is provided, all vehicular access shall be taken from the alley.

D. Small Lot Density Bonus Option

Paragraph 7.1.2C, Small Lot Density Bonus Option, shall be applicable to a duplex.

7.1.87 Townhouse⁵⁴

B. Development Standards

1. A townhouse shall be permitted in accordance with the table below.

Townhouse Standards	Suburban	Urban and Compact Neighborhood
Yards (min. feet)		
Street Yard	25 ^{1,2}	12 ¹
Street Yard with Front Vehicular Access (from ROW)	25 ^{1,3}	20 ¹
Street Yard with Rear Vehicular Access (from alley)	5	5
Rear Yard ⁴	20	20
Distance between Building and Shared Parking (minimum feet)	12	12
Building Separation (minimum feet)	10	10

¹Yard modifications can be required pursuant to a neighborhood protection overlay, or through application of infill regulations (Sec. 6.8, Infill Development in Residential Districts).

²Yards can be reduced to as little as 12 feet if the structures are located interior to a project and do not front on a street classified as a collector or greater.

³Front vehicular access can be reduced to as little as 20 feet if the structures are located interior to a project and do not front on a street classified as a collector or greater.

⁴The rear yard shall be measured from the property line forming the boundary of the development site.

3. ~~A maximum of 25% of building configurations for a townhouse development can consist of two-unit configurations. The remaining configurations shall consist of at least three units.~~

Building configurations shall consist of at least three units except as follows:

a. In the Urban Tier, a maximum of 50% of the buildings can consist of two units.

b. In the Suburban Tier, a maximum of 25% of the buildings can consist of two units.

C. Access

Where a ~~developed~~publicly improved and maintained alley is provided, all vehicular access shall be taken from the alley.

Commentary: It is recommended that preliminary site design also considers emergency access and rescue requirements of the building code for townhouses.

⁵⁴ Proposed changes are limited and focused to address differences from the from the Urban and Suburban tiers.

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7.1.98 Multiplex⁵⁵

A. Description

A multiplex is three or four individual units consolidated into a single structure using common walls on a single lot. Individual units can be located on separate floors or side-by-side on the same level. Parking is often shared in a single consolidated area, even when garages and carports are used.

B. Development Standards

A multiplex shall be permitted in accordance with the table below.

Multiplex Standards	Suburban	Urban and Compact Neighborhood
Lot Dimensions (min.)		
Lot Width (feet)	70	<u>70</u> 50
Yards (min. feet)		
Street Yard	25 ^{1,2}	5 ¹
Street Yard with Front Vehicular Access (from ROW)	25 ^{1,3}	5 ¹
Street Yard with Rear Vehicular Access (from alley)	5	5
Rear Yard	10	10
Distance between Building and Parking Lot (min. feet)	12	<u>12</u> 0
Building Separation (min. feet)	10	10

¹Yard modifications can be required pursuant to a neighborhood protection overlay, or through application of infill regulations (Sec. 6.8, Infill Development in Residential Districts).

²Yards can be reduced to as little as 12 feet if the structures are located interior to a project and do not front on a street classified as a collector or greater.

³Front vehicular access can be reduced to as little as 20 feet if the structures are located interior to a project and do not front on a street classified as a collector or greater.

C. Access

Where a publicly improved and maintained~~developed~~ alley is provided, all vehicular access shall be taken from the alley.

⁵⁵ Proposed changes are limited and focused to address differences from the from the Urban and Suburban tiers.

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7.1.109 Apartment⁵⁶

B. Development Standards

Apartments shall be permitted in accordance with the table below.

Apartment Standards	Suburban	Urban and Compact Neighborhood
Lot Dimensions		
Lot Width (min. feet)	75	75
Yards (min. feet)		
Street Yard ¹	25	5
Street Yard with Rear Vehicular Access (from alley)	5	5
Side Yard	8	8
Rear Yard	25	20
Distance between Building and Parking Lot (min. feet)	12	100
Building Separation (min. feet)	10	10

¹Yard modifications may be required pursuant to a neighborhood protection overlay, or through application of infill regulations (Sec. 6.8, Infill Development in Residential Districts).

⁵⁶ Proposed changes are limited and focused to address differences from the from the Urban and Suburban tiers.

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Neighborhood Protection Overlay (NPO)

Sec. 4.6 Neighborhood Protection Overlay (-P)

4.6.5 Tuscaloosa – Lakewood Neighborhood Protection Overlay

C. General Standards

1. Landscaping

- b. ~~For tree coverage requirements A minimum of three percent tree coverage, met through preservation, replacement, or a combination thereof per Sec. 8.3, Tree Protection and Tree Coverage, is required shall be met on a lot-by-lot basis, regardless of the underlying zoning district.~~

~~2. Lot Design~~

~~No flag lots shall be permitted.~~

~~3. Building Height~~

The maximum height of a new building shall be 35 feet, unless a lower height is required by the base zoning district or housing type.

~~D. Driveways Single Family Residential Structures and Duplexes~~

~~1. Site Design~~

~~a. The minimum lot width shall be 50 feet.~~

~~b. Driveways shall have a maximum width of 12 feet within the required street yard and at all points in front of the rear building line of the primary structure.~~

~~2. Housing Types~~

~~Duplexes shall not be permitted within the RU-5(2) zoning district.~~

~~ED. Multiple-Family Residential~~

Commentary: North Carolina Session Law SL2015-86 limits the ability to place design or aesthetic regulations upon single-family and two-family residential structures.

1. Building Design

a. New primary structures shall maintain a single-family detached residential appearance and scale. Residential appearance and scale shall expressly include details from residential uses within the context area as defined in paragraph 6.8.4A, Context Area. Review and approval of elevations and other design details through site plan review pursuant to Sec. 3.7, Site Plan Review, or architectural review pursuant to Sec. 3.23, Architectural Review, as applicable, shall be required prior to the issuance of a building permit or site plan approval as applicable. Such details shall include the following features:

- (1) Roof type, including extent of eaves and eave ornamentation, if any;
- (2) Porches or other similar articulation of the front façade, including typical porch details associated with specific architectural styles found in the context area;
- (3) Façade materials; and
- (4) Size, pattern, style, and location of windows and doors.

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- b. If no more than two primary structures exist within the context area, then the context area for determining the above criteria shall be extended to include the nearest block faces within the neighborhood protection overlay, in all directions, with at least two structures.

2. Housing Types

~~Multi-family structures~~ Multifamily housing types shall be limited to multiplexes and townhouses, as allowed by the base zoning.

3. Driveways

For single-family and two-family lots, driveways shall have a maximum width of 12 feet within the required street yard and at all points in front of the rear building line of the primary structure.

FE. Non-Residential Uses and Structures [Text remains unchanged]

4.6.6 Old West Durham Neighborhood Protection Overlay

C. General Standards

1. Primary and Accessory Structure Bulk (Floor Area Ratio)

- a. The maximum floor area ratio (FAR) shall be 0.325 (32.5%). For purposes of this NPO only, floor area is defined as the heated square footage of the primary structure plus the total square footage (heated or unheated) of any garage, accessory dwelling unit, or any accessory structure that requires a building permit and is enclosed on more than two sides.
- b. To calculate the FAR, the floor area is divided by the lot size.
- c. Regardless of the calculated FAR, each parcel shall be allowed a minimum of 2,200 square feet of floor area and no parcel shall exceed 3,600 square feet of floor area. New lots of record created after February 25, 2019 shall be no more than 1,200 sq. ft. of floor area or the FAR, whichever is greater.
- d. Provided that the structural footprint and height remain unchanged from May 7, 2018, a FAR may be exceeded by converting unheated fully enclosed square footage to heated square footage.
- e. Heated square footage from a floor built below grade shall be exempt from the FAR calculation provided the exposed foundation wall is not more than three feet above grade at any point along any street facing facade.
- f. The total square footage of an accessory structure shall not exceed 50% of the heated floor area of the primary structure and shall not exceed 800 square feet.
- g. For accessory structures with sloped ceilings, only floor area with a ceiling height of five feet or more shall be included within the FAR.
- h. A building permit application or plot/site plan, as applicable, shall detail the existing and proposed FAR.
- f. The total square footage of an accessory structure shall not exceed 50% of the heated floor area of the primary structure and shall not exceed 800 square feet.

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2. Primary and Accessory Structure Height

- a. The height of the primary structure, as calculated in paragraph 6.12.1, Height, shall not exceed 26 feet and its apex height shall not exceed 31 feet. The apex height is defined as the structure's highest point, excluding chimneys and other appurtenances listed in paragraph 6.12.1B.
- b. The height of an accessory structure, as calculated in paragraph 6.12.1, Height, shall not exceed 20 feet and its apex height shall not exceed 24 feet.
- c. If the apex height of an accessory structure exceeds 16 feet, then the structure must be set back at minimum of 10 feet from any property line, except where that property line abuts a dedicated right-of-way, undeveloped land, or a nonresidential land use.

3. Lot Dimensions

- ~~a. The maximum lot area shall be 12,000 square feet.~~
- ~~b. The minimum lot width shall be 50 feet.~~
- ~~c. Flag lots shall be prohibited.~~

4. Trees

- a. The area between the rear wall of the primary structure and the rear property line shall contain, at minimum, one canopy tree of at least two inches in caliper, in accordance with the Landscape Manual for Durham, North Carolina.
- b. All trees required by the Unified Development Ordinance must be depicted on building permit applications or plot/site plans, as applicable, including the location, caliper, and species.

5. Vehicular Use Area and Off-Street Parking Requirements

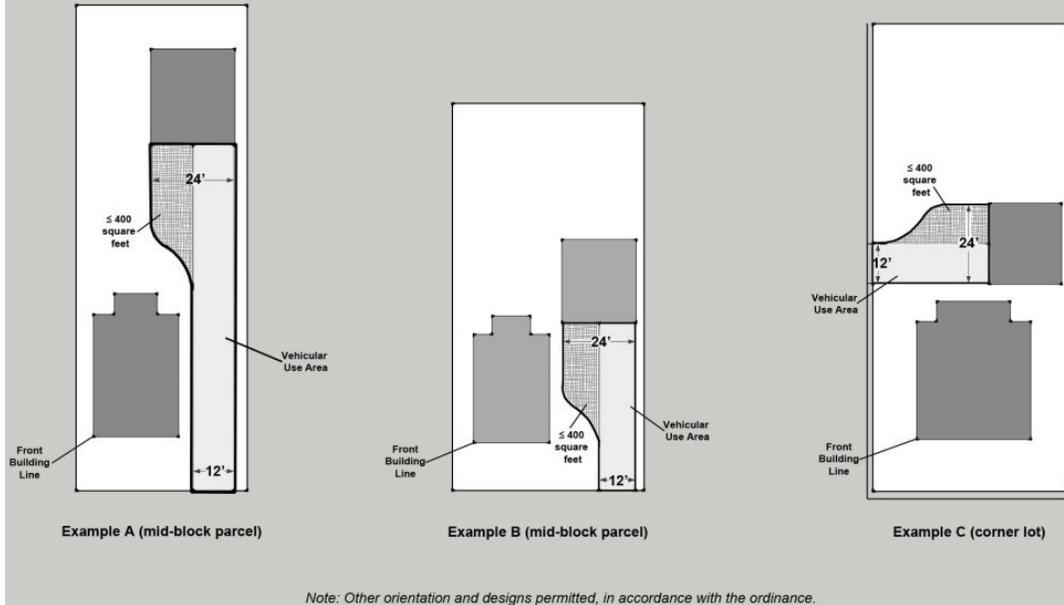
- a. For purposes of this NPO only, a vehicular use area includes all surface area designated or utilized for vehicle parking or vehicle access.
- b. The minimum off-street parking requirement is one space per dwelling unit. Accessory dwelling units are not required to provide off-street parking.
- c. The maximum width of the vehicular use area shall be 12 feet; however, the vehicular use area may expand up to 24 feet in width to accommodate garage access and parking. The total additional vehicular use area beyond 12 feet in width shall:
 - (1) Be behind the front building line;
 - (2) Be not less than 20 feet from the front property line; and
 - (3) Not exceed 400 square feet.

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Examples of Permitted Vehicular Use Areas



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Additional Miscellaneous Provisions

Sec. 6.10 Nonresidential District and Group Living Development Intensity

6.10.2 Residential Development in Nonresidential Districts

A. Permitted Housing Types and Other Residential Development

1. The following residential development shall be allowed as indicated with a “✓”.

Zoning District	Residential Development Allowed				
	Single-Family Detached House/ <u>Duplex</u> (paragraphs 7.1.2 and 7.1.6)	Townhouse (paragraph 7.1.87)	Multiplex (paragraph 7.1.98)	Apartment (paragraph 7.1.109)	Upper Story Residential
CI, CG, OI	—	✓	✓	✓	✓
CN	✓	✓	✓	✓	✓
(County Only) SRP-C	—	✓	✓	✓	✓

2. For a Single-Family Detached House and Duplex, the following zoning district development standards pursuant to paragraph 6.2.1, Development Standards, or paragraphs 7.1.2B or 7.1.6B, Development Standards, as applicable, shall apply:

Tier of the Development Site	Applicable Zoning District Development Standard
Rural	RR (watershed and non-watershed, as applicable)
Suburban	RS-M
Urban	RU-M
Compact Neighborhood	RC

4. Height for Housing Types

a. The maximum height for the housing type shall be as follows:

Tier of the Development Site	Maximum Height, in feet	
	Single-Family Detached House/ <u>Duplex</u>	All other Allowed Housing Types
Rural and Suburban	35	Height as allowed for the RS-M District per paragraph 6.3.1A, Dimensional Standards
Urban	35	Height as allowed for the RU-M District per paragraph 6.4.1A, Dimensional Standards
Compact Neighborhood	35	Height as allowed for the RC District per paragraph 6.5.1A, Dimensional Standards

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Sec. 6.12 Measurement and Computation

6.12.4 Density

A. Calculation of Density

Density calculations may result in a fraction. If the fraction is less than 0.5, the fraction shall be deleted. If the fraction is 0.5 or greater, the number shall be rounded up to the next whole number.

B. Right-of-Way

Other than calculating the density bonus area pursuant to paragraph 6.4.3A, Major Roadway Density Bonus Area, all existing right-of-way shall be excluded from the calculation of the area of a project for density purposes. Right-of-way shall mean the ultimate right-of-way of a roadway as established by NCDOT or the City of Durham, as appropriate.

Sec. 13.5 Lot Standards

13.5.3 Double Frontage

- A. For a Residential-residential lots that have-has frontage on two non-intersecting local or collector streets, the following shall apply:
1. For a lot with a single-family structure, the lot shall be accessed from one street only with treatment such as a berm, walls, or landscaping fronting on the second street to preclude access. This shall not apply for access to an accessory dwelling unit.
 2. For a lot with a two-family or multifamily structure, the lot can be accessed from both streets as long as access points are off-set to inhibit cut-through traffic.⁵⁷
- B. Residential lots adjacent to a boulevard or major/minor thoroughfare shall have vehicular access from the local street only.
- C. Nonresidential lots with double frontage shall have off-set access points to inhibit cut-through traffic.

Sec. 14.3 Nonconforming Lots

14.3.2 Single-Family and Two-Family Residential Lots

- A. Any legally established lot of record not located within a Special Flood Hazard Area that has a minimum width of 35-30 feet created prior to the effective date of this Ordinance that is located on a street that is accepted and maintained by NCDOT or the City (or such other form of access as is permitted pursuant to paragraph 12.2.2, Other Forms of Access) may be developed with a single-family or two-family residence subject to all other applicable Ordinance requirements; and the availability of water and wastewater treatment systems, so long as such use is a permitted use in the district in which the property is located.

⁵⁷ This allows for more flexible design and dispersion of traffic.

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- C. Side yard requirements for single-family or two-family residential development on nonconforming lots that do not meet lot width requirements shall be reduced as follows:
1. In the Rural Tier, the sum of the width of the two side yards of a nonconforming lot of record shall be at least 25% of the lot width. The minimum single side yard of a nonconforming lot of record shall be 12% of the lot width. In addition to these requirements, the following minimums apply: if the nonconforming lot of record exceeds a width of 55 feet, then each side yard shall be a minimum of eight feet wide. If the nonconforming lot of record is 55 feet wide or less, each side yard shall be a minimum of six feet wide.
 2. In all other Tiers, as applicable, no total side yard is required and each individual side yard shall be at least 80% of the required side yard for the district in which the lot is located.

14.3.3 Lots Other Than Single-Family or Two-Family Lots

Where otherwise allowed by this Ordinance, a structure other than a single-family or two-family structure may be constructed on a legal nonconforming lot only upon the issuance of a minor special use permit by the Board of Adjustment in accordance with Sec. 3.9, Special Use Permit.

Sec. 17.3 Defined Terms

Accessory Dwelling Unit: A dwelling that exists as part of a principal dwelling or on the same lot as the principal dwelling and is subordinate in size to the principal dwelling.

Building Separation: The required separation between buildings, any two buildings located on the same lot or parcel of land.

Multifamily: A residential use consisting of at least three dwelling units. As described in Sec. 7.1, Housing Types, includes: townhouse; multiplex; or apartment.

Ribbon Driveway: Also called “strip driveway”, a driveway that consists of two parallel strips of concrete, pavers, or similar all-weather material with groundcover in between.



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Single-Family: A residential use consisting of one dwelling unit per lot of record. As described in Sec. 7.1, Housing Types, includes: single-family detached house; zero lot line house; traditional house; ~~patio house~~; or ~~semi~~-attached house. Not to include manufactured housing.

Subordinate: Secondary in appearance so as not to diminish or visually overpower another element or structure. This shall be taken as a whole and shall not require every dimensional aspect to be subordinate, unless specifically required by another provision of this Ordinance.

Townhouse: A building made up of three or more attached dwellings units (except when otherwise allowed) ~~when where~~ each unit is on an individual lot and the units are lined up in a row and share side walls.

Two-Family: A residential use consisting of two individual dwelling units on a single lot of record. This definition does not include a single-family dwelling with an accessory dwelling unit.