

Expanding Housing Choice

Exploring ways to provide a wider variety of housing options



- It is so wonderful to have our planners start thinking in terms of creative infill opportunities. This is a major turning point as Durham becomes a better and better place to live.
- Taking into account environmental impact and population density in regards to transit this seems like a step in the right direction
- They are not high enough for the more advanced forms of Missing Middle. Some cities are density maximums in RU-M, RC, which would effectively then be regulated by parking, setbacks and height.
- This chart is deceptive since property owners in RU5 will be allowed by right to subdivide a typical 7500 sq ft (50ft x 100ft) lot into 2 lots. Since approx six 7500 sq ft lots = 1 acre. That subdivision alone goes from 6 DU per acre to 12 DU per acre if each new parcel only has 1 SFH on it. If by right each new parcel can convert a SFH to a duplex then we now have a maximum of 24 DU per acre. Now add in the 800 sq ft. ADU that to each of these parcels and we have a maximum of 36 DU per acre. So if six contiguous property owners each maxed out the number of DU's on their 7500 sq ft lot from 1 DU to 6 DU, then we have 36 DU per acres which is triple the proposed 12 DU per acre for RU 5 in this chart. This will strain the infrastructure for storm water, water, sewer, and street parking, reduce green space in yards and decrease quality of life with too much extreme density. The new Expanding House Choice rules by right for property owners and reducing lot sizes do not match the maximums in this chart. This discrepancy needs to be addressed and real density numbers and implications considered. It would be nice to see engineering design plans to support the infrastructure needs going from 6 DU per acre to 36 DU per acre to see if the systems can handle it. Additional fire, police, and garbage collection will also be needed. What are the plans to provide these extra services? At what cost? Is it even feasible?
- This is appropriate. The urban tier has the most infrastructure and walkability to support this change.
- YES! Glad to see this come around. If we truly want a walkable city, this is critical!
- You don't need to change lot sizes to increase density. All this does is carve up lots and creates a lot of small structures that people aren't interested in living in for more than a year or 2.

What additional comments do you have regarding lot dimensions and density?

- I don't think there's any reason to change the lot dimensions. You can increase density by allowing duplexes and larger ADUs on current lot sizes.
- Putting in a small tiny house is ok. A duplex adds to more cars and people in duplexes argue too much re hearing noise inside. Leading to arguments. Police calls.
- Adding density to the urban tier while providing some setbacks and protections between properties both preserves property owner rights while allowing property owners options to provide more infill units and fight rising housing costs for the benefit of the entire community
- Density = Diversity! Additionally, we are facing a climate crisis and we need more Durhamites to give up their cars and live in multi-family buildings if we are going to meet our Paris Climate Agreement goals which the mayor wants to honor! Density is green!
- Growth can't happen in a vacuum, more business more residents moving from metropolitan areas will want and expect more relevant modern options like these

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- I don't mind the idea of having more housing density, but we also need to protect natural areas for wildlife and recreation. Maybe at the same time as increasing density possibilities, we could also make it illegal for HOAs to require a standard lawn so that more outdoor space can be used for native plants and wildlife or for gardening.
- I think there is a flaw in the logic that says increasing density will lead to more affordable housing. Higher densities may lead to some minor reduction in housing costs due to increased supply, but if lots of the people moving to Durham like in-town living and have lots of money to spend, then developers will just build more high-end homes at these higher densities. Rather than an across the board increase in densities, a better approach would be to allow higher densities only if a significant (i.e., 20-30%) number of units are affordable housing. For example, current R-8 zoning allows 5 units. I would propose that a developer could be approved to build 9 units only if 2 or 3 of those units were some form of affordable housing (what qualifies as affordable could be any number of things from rental units that accept Section 8 vouchers to more modest homes relative to the neighborhood, to lots sold to Habitat for Humanity to build on.)
- I worry about three things resulting from increased density.
 - 1) Destroying the visual character of neighborhoods
 - 2) Reducing the tree canopy to accommodate more houses on an existing lot.
 - 3) Parking will become a nightmare on the street because there won't be off-street parking or garages.
- I'm wondering why RS-20 zoned neighborhoods are not having any change to the density rules, when all other RS/RU zoning districts will have changes made to allow for increased density. RS-20 districts should become denser. Forest Hills is an RS-20 district extremely close to downtown that should absolutely allow smaller lot sizes, duplexes and more increased density. I know there is a lot of resistance to zoning change and increased density from this neighborhood and other exclusionary wealthy neighborhoods in the name of "neighborhood character". We need new housing and denser development to be equitably distributed throughout Durham's neighborhoods, and that must include (and arguably should prioritize) denser development in the wealthiest neighborhoods of Durham.
- Increased density has more benefits than costs. If we don't allow higher density in our urban core, we will encourage more sprawl which has so many negatives.
- It would be nice if these adjustments enabled filling the space between two existing houses with a third house that goes from building to building. Example: <https://www.lloydkahn.com/2011/01/tiny-house-in-toronto>. This would require flexibility with the lot line but with cooperation between both neighbors, this could make for some creative small houses!
- Look for a small district to experiment with pink zones: As a pilot, see what effect no minimum dimensional standards or density maximums has on affordability.
- Lot dimensions should not change if we are allowing new duplexes in areas previously not allowed and we are allowing 800 sq ft. ADUs as well. These changes alone will triple density. We do not need to further increase density by sub-dividing lots to allow 6-fold more density in urban residential neighborhoods. All the new apartment buildings that will be allowed in the new design districts will also increase density and affordable housing choices that are right next to traditional mill house neighborhoods in Durham. Allowing duplexes and ADUs on current lot sizes is sufficient density. Reducing lot sizes is not necessary in addition to these changes.
- My biggest concern is huge, tall structures, whether single family or duplex. I live at 1409 Alabama. To reduce our fossil fuel imprint, we have installed solar hot water panels and solar photovoltaic panels on the roof of our single

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story house. These face south, which is toward our neighbor's house at 1407. Two doors down from us, a developer recently tore down a very small single story house and built a huge, tall McMansion. Single family. Had this been built next door to us, it would have blocked sunlight access to the expensive solar equipment (including a storage battery) at our house. If you are adjusting these regulations, you must include protection for access to sunlight. Humanity's future depends on this type of protection as we move more aggressively into fossil fuel alternatives. Don't address housing supply and ignore and probably make worse the solar alternatives we need. Maybe use grandfathering to solve this, as is the case with nonconforming lot sizes in our neighborhood.

- Taking into account environmental impact and population density in regards to transit. Efficiency comes with density but if people don't have the means to travel in these denser areas then solving one problem will only cause more. And effective and accessible public transit will need to come along with development efforts
- We should increase density, and also look at where we are going to retain greenspaces. These green spaces reduce flooding, clean our air, provide wildlife benefits, and lower temperatures. Balancing density within neighborhoods with additional park space, low impervious surface ratios, or ensuring landscapes compensate for more impervious (through testing water infiltration into the landscape, requiring plants survive two years, etc.) will help Durham continue to be livable.

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Small House/Small Lot

Create a new Small House housing type, allowable on a small (minimum 2,000 square foot lot) that would be limited in size to 1,200 square feet (with a building footprint of 800 feet), and 25 feet tall.

- Brilliant. Habitat has started the small home revolution in Durham. Support them. Allow more. Yes.
- Excellent plan for "infill."
- I like the idea for infill development. However, I would not like to see existing residential lots subdivided into multiple "small lots", but if an existing lot can be subdivided to create a "small lot" while the remainder of the lot still meets current zoning, that would be fine. I have mixed feelings about entirely new neighborhoods of small house/small lot units.
- I like the idea of small houses on small lots for infill development. I am less enthusiastic about new subdivision where everything is subdivided into smaller lots.
- I think it makes sense to allow more housing on small lots but I'm not sure why the house then needs to be limited in size. i.e. why limit size to 1,200sqft?
- Small homes and lots (alongside larger ones) were a regular part of development in many Durham neighborhoods. It is good for regulations to provide that flexibility and lot and house size mixing again.
- Unless we have data and information on how this has successfully been done in existing residential neighborhoods, I don't think they're a great way to begin.
- Using land efficiently is one of the best ways Durham can meet its climate and equity goals.
- What about parking?
- Yes! Love this!
- Yes, but don't require them to be in the middle of the lot.

Allow the Small House/Small Lot housing type in all residential zoning districts in the Urban Tier (with the exception of the RS-20 district) and in the RU zoning districts in the Suburban Tier.

- Again, why is RS-20 exempt?
- Allow it everywhere!
- Not just the urban tier, all tiers.
- Small houses on small lots would make sense for all areas in the urban tier.
- The urban tier can best accommodate such mixing of lot and home sizes. This is a return to how many urban Durham neighborhoods were built.
- Yes!

Allow a "Small House" to be built on a flag lot with a minimum flag pole width of 12 feet.

- Efficient use of land is necessary for Durham to meet both equity and climate goals.
- Flag lots (along with narrow lots) are a wonderful way to create charming and affordable infill.
- Is there a reason the pole couldn't be 10'?
- Parts of Durham have large unused backyards. This allows a more functional yet compatible way of making use of our valuable land resource.

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- These flag lots will allow too much density in RU5 since a 7500 sq ft lot with 1 DU can become 2 lots each of which has 3 DU in form of duplex and ADU for total of 6 DU. This maximum by right then becomes 36 DU per acre instead of 6-12 DU per acres which already exists with current RU5 and RU5-2 zoning. In addition with the 12 foot driveway flag to get to the rear lot, the occupants of front lot have to park in the street since they cannot block the driveway to the rear lot. This will add a lot of pressure for on street parking which is already crowded - even more so if the front lot is Duplex with ADU. Allowing these flag lots is too much density. Instead, just allow the SFH to be converted to a duplex and allow an ADU in the back, which does not require the flag driveway. This is sufficient density for now and will not detract from quality and character of neighborhoods.
- These look like a parking nightmare. The house in the back is essentially trapped. There is no place for a storage building. On the other hand, if a lot is deep enough, it would be an option.

What additional comments do you have regarding the proposed new Small House/Small Lot option?

- In general, I don't feel we have enough information about how these small houses fit into the current mix. I would prefer to try other options first. If something like a flat lot were tried, given a large enough initial lot, there would have to be regulations re: parking and the small house should not be a duplex.
- Making it easier to build small houses is a great direction for Durham to go!
- This is fantastic and needed!
- This is great! This is the direction other cities in the Triangle need to follow. Good work Durham!
- This is not a good idea. If you changed specs to only allow a tiny house of 440 sq ft maximum on a small lot of 2000 sq ft then that might be OK since room for a yard and tree then. There are plenty of 1200 sq ft and under mill houses in Durham neighborhoods now and these require more than 2000 sq ft lot size to have adequate green space and tree.
- Very glad to see this additional flexibility!
- Very good ideas and flexibility are proposed, that Durham needs!
- What happens to the tree canopy?
- Parking problems
- Whatever we can do to make more homes for more neighbors!

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Infill Standards

Require at least one tree must be planted or preserved to the rear of the primary structure, in addition to required street trees.

- Trees are vital. As the biggest plants on the planet, they give us oxygen, store carbon, stabilize the soil and give life to the world's wildlife. They also provide us with the materials for tools and shelter.
- A rear tree is nice, but smaller trees should be allowed such as crepe myrtle or dogwood and not the larger oaks and similar species required in the OWD NPO. It is nice to have a small tree and also a sunny spot for a garden. The taller canopy trees in back create all shade and no opportunities to garden. Any tree regardless of species should be allowed.
- Common sense, to provide added trees to offset the increasing infill densities being proposed.
- How about adding bushes as an alternative? Not everyone wants trees.
- I like having trees around, but I don't know if it ought to be required. I would like to see planting of native, non-weedy trees encouraged, but tall trees can also make home solar power generation more difficult. I would like to see street tree requirements, as well as any rear tree requirements, stop requiring particular non-native species. A street lined with a variety of native species is much more attractive and better for supporting wildlife!
- I think 1 tree is a small, inexpensive ask.
- I'm all for trees and for incentives to plant them, but they should not be required or we'll just get the cheapest or fastest growing specimens. Remember the thousands of Bradford Pears that were planted in Durham and proceeded to disintegrate quickly, or the Leland Cypress that grows fast then dies fast. Also, the last time I checked it was difficult to plant street trees where they belong--in the planting strip between the sidewalk and the curb. We had to get a text amendment to allow it in Trinity Heights, but it still could only be done in a historic district.
- My neighborhood is fairly new and the builder planted almost no trees. Having backyard trees in every yard would add a lot of character and increase privacy!
- There's a slippery slope here to regulating things that the city has neither the knowledge nor capacity to regulate. Adding the requirement to new homes, but forgoing existing homes will have unpredictable effects. If tree canopy is the goal, then make a tree canopy plan. Expecting a tree canopy goal to be realized via small scale infill housing, which is scattered size by nature, seems rather hopeful. We often do sidewalks and stormwater in the same fashion, and it's not exactly efficient or successful. Create a neighborhood or regional plan, then execute it.
- This should be a minimum.
- Trees are good and efforts to limit impervious surfaces are important, however this seems like it will add to building costs and is not the most parsimonious way to achieve the stated goal.
- Very important!
- We need strong tree planting/preservation rules for all types of development.
- Why only require one? Require more if they exist on the lot!
- Will this reduce the number of housing units built?

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Limit driveways (Vehicle Use Areas) to 12 feet wide, but allow expansion up to 24' wide to accommodate garage access or parking under the following conditions: Limit driveways (Vehicle Use Areas) to 12 feet wide, but allow expansion up to 24' wide to accommodate garage access or parking under the following conditions:

- It is behind the front building line;
- it is further than 20 feet from the front property line, and;
- the parking area does not exceed 400 square feet.
 - All parking minimums should be eliminated.
 - If we're going to make it harder for people to park cars at their homes, we really need truly robust public transportation so there are alternatives to driving.
 - Just eliminate off street parking minimums all together, as other progressive cities are doing.
 - Removing the parking minimums would also help in limiting the visual and environmental impacts of driveways and parking areas.
 - Some limited context-appropriate ways to add parking areas off street seems to make sense.
 - The one caveat is how many people in the urban tier have shared driveways-- how will these be accommodated. They are usually 14-15 feet wide.
 - This looks reasonable for people who want a detached garage. Most houses in mill house neighborhoods only have a gravel driveway and not a garage. These driveways should only be allowed to be gravel and not concrete so that they do not contribute to runoff and further burden on storm water system that is already at capacity and floods regularly during heavy rain. Gravel allows the water to drain into the ground whereas concrete runs down the street and could flood out the house at the bottom of a steep hill. These considerations should be taken into account for planning rules.
 - This sounds a bit prescriptive. What about credit for shared drives. I'm not sure that we should worry a whole lot about how much parking area people have in their back yards. A half-court basketball court is around 2,100 SF and a nice hoops play area doubling as parking would be well over 400 SF.
 - Why not look into the type of residential parking/driveways that utilize a "lattice-work" style of concrete, allowing grass to grow and mitigates water runoff while maintaining a more solid surface on which to park?

Maintain current height limitations but remove the 25-foot distance exemption.

- Confusing. As lots get smaller, houses get taller. At what point is 35' not tall enough?
- I guess I don't understand why there is a need for Infill regulation. So the less the better?
- I really don't understand why we regulate height on SF homes. Doesn't make any sense.
- I'd like to see raising height limitations for buildings that would be multi-family units
- I've yet to hear a convincing rationale for height restrictions. Look at the towers of Bologna, Italy, or Seaside, Florida, or Cheshire in Black Mountain, NC or even Dorothea Street in Boylan Heights Raleigh. Tower elements or even tower houses can be amazingly cool. What are we worried about?
- More flexibility on location and size of infill development makes sense, particularly in less visible backyards.
- My biggest concern is huge, tall structures, whether single family or duplex. I live at 1409 Alabama. To reduce our fossil fuel imprint, we have installed solar hot water panels and solar photovoltaic panels on the roof of our single story house. These face south, which is toward our neighbor's house at 1407. Two doors down from us, a developer

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recently tore down a very small single story house and built a huge, tall mcmansion. Single family. Had this been built next door to us, it would have blocked sunlight access to the expensive solar equipment (including a storage battery) at our house. If you are adjusting these regulations, you must include protection for access to sunlight. Humanity's future depends on this type of protection as we move more aggressively into fossil fuel alternatives. Don't address housing supply and ignore and probably make worse the solar alternatives we need. Maybe use grandfathering to solve this, as is the case with nonconforming lot sizes in our neighborhood.

- Need diagrams to be able to follow this
- There needs to be 25 feet separation.
- This explanation is confusing. I think it is saying that the max height is 35 feet or 14 feet taller than its neighbor whichever is shorter. I think allowing neighboring structures to have too much influence makes development more complicated, and should be avoided.
- This sounds reasonable.
- Watch out for shadowing nearby dwellings, though.

Remove minimum lot width standards from the Infill section. Default back to base zoning district standards for minimum lot width.

- I'm less concerned with "inadvertent suppression of development". You don't need to alter minimum lot width standards. If there is truly an irregular pattern that would not allow something to be built then a case-by-case consideration should be needed.
- Mimicking the pattern would make more sense if we had more patterns worth mimicking.
- Need diagrams to be able to follow this
- This is confusing. Concrete examples needed to illustrate better. In general, keep the current lot dimensions in place and do not reduce minimum width and total lot size as proposed in this document. Current lot sizes with allowing SFH to become a duplex and add an 800 ft. ADU is enough density -- triples what we have now.
- Will encourage a mix of housing and lot types and make neighborhoods more diverse. Infill standards will still be helping to preserve compatibility. It is also a return to how many urban neighborhoods in Durham were developed.

Apply the Infill Standards to property zoned RU in the Suburban Tier.

- Depends on what areas this would include...
- Don't quite understand this one.
- I would want to look at actual examples of problems this is trying to address.
- Need diagrams to be able to follow this.
- Need to provide concrete examples for this.
- Upzone the Suburbs! We have a climate and equity crisis, let's do it!
- What? Huh?

What additional comments do you have regarding Residential Infill standards?

- All of these are going in the right direction!

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- Corner lot standards are punitive, and have hurt affordable home builders in the past. Allow for more flexibility on street frontages when they prevent housing, as they have done recently.
- Do not allow typical 7500 sq ft (50 x 100) lot to be subdivided into 2 lots each of which can then have a duplex and ADU so that density increases 6-fold from 6 DU per acre to 36 DU per acre. Infill by converting a SFH to a duplex and adding 800 sq ft ADU for 3 DU on typical 7500 sq ft lot which adds up to 18 DU per acre is sufficient density and is already over the stated maximum of 12 DU per acre in chart provided earlier in this document.
- I think encouraging infill is a great way for Durham to increase housing stock without expanding the city's footprint. Any changes that make development in these areas easier, cheaper and faster should be encouraged.
- I think these are all great changes, but would encourage the city to consider removing parking minimums or at least reduce it to parking for one vehicle.
- I'll be honest some of this is still confusing to me, but I have a grasp of what you're saying and trust that what we need are more options in larger areas for more income levels
- Thank you to our city council for eliminating parking minimums, an arcane relic of 20th century planning! (thanks in advance, that is)
- Would be interested in allowing fourplexes to be built by-right or with limited permitting. I believe if we can simplify the process for small building construction, we could provide more robust housing options for low and middle income Durhamites.
- Wouldn't this make "sub-urban" more "urbanized," which, I assume is the reason one might move into suburbia?

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Additional Comments

How do you feel about these proposed changes (please feel free to add any commentary on specific items)?

- 6.4.1B I'm not a big believer in density bonuses because there is a built in implication that the default preference is low density. Maybe we should reverse the whole equation and make higher density the default and charge impact fees for low density. 6.4.1D, I would need to see examples that describe the problem this rule is trying to solve. 6.7 Seems reasonable. 6.12 OK, but methods of calculating density already vary greatly. Do you only measure within lot lines, or for raw land include future public rights of way. Would that encourage elimination of sidewalks, trails, and parks? What about flood plains and conservation areas. People who have experienced wonderful walkable places such as Georgetown, Nantucket, or Seaside understand the wonder of density when combined with great design.
- Allowing increased freedom and flexibility in the use of land/arrangement of housing is necessary and fair. Maintaining the character and patterns of Durham's neighborhoods is important; the rate of change is also important. People get disoriented if their home area changes too fast. Maybe a mechanism to limit the number of permitted changes in a given block per year? That may not be possible under current law.
- Do not allow town homes and apartment buildings in RU neighborhoods. These multiplex structures should be reserved for the design districts that allow really tall apartment buildings downtown and then step down to smaller apartment buildings in the design districts adjacent to RU neighborhoods. We should not allow townhomes, triplexes, quads, and apartment buildings into neighborhood boundaries and restrict only to design districts.
- Durham needs more homes. We will displace all of our working class residents if we do not densify and add to the housing supply. Permitting and design review should also be looked at, especially for ADU and Duplex construction. Also four/sixplexes city-wide would be great!
- I particularly like the added infill flexibility for double fronting lots, non-conforming lots and along major thoroughfares and boulevards. They all respect the context of these situations to encourage appropriate infill.
- I think each proposed building plan must be looked at and adjudicated on its own merits. Minimize the rules and increase flexibility.
- I would suggest that the proposed changes occur in incremental fashion to see how they affect both the increase of housing options and the effect on a neighborhood, on green space, on parking, etc.
 - Drop the option of small houses for the initial phase
 - Limit duplexes to 1/lot, regardless of lot size, unless frontage exceeds 90 feet, in which case dividing it into 2 lots, with 45 ft frontage would approximate current small lots. We have no data on whether people who might be interested in a duplex would want to live in one on 2500-3500 sq feet.
 - Set a time limit to allow re-evaluation in 3-5 years to determine if in fact the goal of more affordable housing has been attained and what the changes have done to the neighborhoods.
 - Add a green space requirement and spell out what this needs to include
 - Provide options re: parking-- do duplexes, for ex., have to be built such that there are is at least a parking pad on each side of the lot?
 - My overall sense is that some changes are needed. However, the proposals seem to me to be too many all recommended at the same time.
- Just like other zoning rules, these will have unintended consequences. They will be exploited by people who build housing professionally for profit. Just because these zoning changes might allow people to build affordable or

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workforce housing units in Trinity Park or Forest Hills doesn't mean that's what they will build there. They will find the one affordable house or duplex on a block, put it in a dumpster, and pack the lot with as many high end units as they legally are able. I'm for the added density where it's appropriate, but my concern is that some of these could actually hurt the population that they are intended to help, and could hasten the homogenization of older urban neighborhoods.

- These are consistent with what other progressive communities are doing. Those who need housing, or want to provide housing for others, will love it. Those who hate housing, or hate the idea of people joining our community, will hate it. Thank you for such a professional presentation and all your leadership!
- These housing choices should be viewed in relationship to open space preservation. Allowing for denser neighborhoods puts a premium on public space. Is the city taking any initiatives to provide more parks and access routes? I am all in favor of density if it preserves the livability of a neighborhood. I am proponent of building up rather than increasing footprints to preserve green space in residential neighborhoods so people can have garden and private outdoor space.
- We need a bit more information about how these changes will impact impervious surface and access to green space