



ATTACHMENT H:

DUPLEXES: BACKGROUND INFORMATION AND SUMMARY OF PROPOSALS

What are duplexes?

In Durham's Unified Development Ordinance (UDO), a duplex is a two-family dwelling in a single structure on a single lot.

Durham Examples

Side-by-Side Duplex: 904 N Gregson



Stacked Duplex: 2508 Englewood



Double Frontage Duplex: 620 W Markham



Detached Duplex: 442-444 W Markham



Existing Inventory of Duplexes

- There are 1,890 duplex buildings throughout the City and County, amounting to roughly three percent of Durham's total housing.
- Duplexes already exist in neighborhoods where current zoning would not permit new duplexes to be built. Such duplexes are now considered non-conforming uses.
 - 191 duplexes exist in the RU-5 district
 - 25 duplexes already exist in the RS-8 and RS-10 districts in the Urban Tier

Recent Trends

- Since 2008, a net increase of six duplexes has been generated: 48 duplexes were created via new build or conversion of an existing structure, and 42 were demolished or converted from being a duplex.
- Before 2010, construction of duplexes was more common in East Durham; since then, it has been more common in West Durham.
- Duplexes typically have not been built by regional or national builders.

Zoning Background

- 1926-1940s Zoning Ordinance: Regulated the lot width and area of single-family and two-family lots equally. There were only four residential zoning districts- "A" (single-family), "B" (two-family), and "C" and "D" (multifamily).
- Subsequent zoning ordinances: Implemented different lot width and area requirements for single-family and two-family lots, requiring wider lots and more lot area for two-family lots except for existing lots of record. The RG zoning district was the primary district replacing Zone "B", and also allowed for triplexes and quads with additional lot area and width requirements.
- 1994 Merged Zoning Ordinance- Transitioned the "RG" District to the R-3 zoning district and eliminated the ability for quads, while retaining the allowance for duplexes and triplexes, and maintaining additional lot area and width requirements.
- 2006 UDO- Transitioned the R-3 district to RU-5(2) and eliminated the allowance for triplexes and increased the lot requirements for duplexes from 6,000 square feet to 7,000 square feet.

Summary of Existing Zoning Regulations

- Duplexes are limited to the RU-5(2), RU-M, RC, and RS-M zoning districts with by-right approvals, amounting to 6,179 acres, or three percent of the County.
- Each residential unit is required to have two parking spaces, although if there is sufficient linear street frontage, one parking spot per unit may be accommodated on-street.
- Lots developed as duplexes are not allowed an accessory dwelling unit.
- Within the Urban Tier it is likely that standards for Infill Development will supersede the base zoning dimensional standards.
- If the property is in a Local Historic District, the Historic Properties Local Review Criteria require additional consideration of form, bulk, massing and architectural detail.
- If the property is in a Neighborhood Protection Overlay, additional standards may apply or supersede base zoning.

Summary of Survey Results

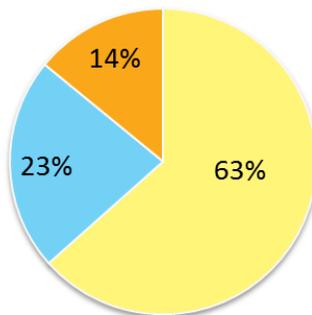
Summer 2018

Question: Would you be comfortable with duplexes in your neighborhood? (1,087 responses)

This question was asked to measure respondent's comfort level with having duplexes in their neighborhoods. Sixty-three percent (63%) of respondents indicated they would be comfortable, 14% indicated 'Maybe', while 23% said they would not be.

For details refer to Attachment C.

■ Yes ■ No ■ Maybe



November 2018-January 2019

This survey asked respondents to comment on specific proposals regarding duplexes via "Right direction", "Wrong direction", or "Don't Know/Uncertain". Questions included expanding allowance in all RU districts, expanding allowance in all RS districts in the Urban Tier, adjusting lot dimensional standards to be the same as single-family standards, allow on non-conforming lots of at least 30 feet wide, allow as separate structures, and allow within conservation and cluster subdivisions.

In all instances, responses were over 60% for "Right direction", with all responses but one rating 70% or more.

For more details, see Attachment E.

Additional Considerations

- Duplexes can add density to neighborhoods and mimic the form and rhythm of single family houses.
- Allowing duplexes by-right in more areas, especially in the Urban Tier and parts of the Suburban Tier, takes advantage of areas generally well-served by existing city and county services, including transit service. This reverses a historic trend of reducing zoning allowances for duplexes.
- There are justifiable concerns about encouraging teardowns, particularly in neighborhoods with relatively small homes. However, market forces are already incentivizing this trend. In many neighborhoods where smaller homes are replaced with

larger ones, there is no alternative but to rebuild a large house that accommodates just one family. This modification would allow a similar size structure, but accommodate two families instead of one.

- From 2008-2018, only 6 net duplexes were built: 48 duplexes were created via new build or conversion of an existing structure, and 42 were demolished or converted from being a duplex.
- Single-family residences and duplexes are regulated the same under the Residential Building code and, unless in a historic district, cannot have design and aesthetic regulations other than through mass, scale, and other typical zoning parameters.
- Current duplex lot dimensional standards require more lot area for a structure with two units than a single-family structure (i.e. 7,000 square feet is required for a duplex in the same zoning district that would allow a single-family residence on a 5,000 square foot or 3,500 square foot lot). Aligning the dimensional standards for single-family and duplexes may generate more duplex units, either new builds or conversions.

Summary of Proposed Revisions to Existing Regulations

- Expand allowance for duplexes into any RS or RU district in the Urban Tier, and RU-5 in the Suburban Tier.
- Align dimensional standards with those of a single-family detached house. In the RU zoning districts, this would decrease the minimum required lot area, and in the RS districts it would either maintain it or increase it. Infill standards, if applicable, shall still apply.
- Allow duplexes as a housing type in cluster subdivisions and conservation subdivisions without increasing density limits. These types of subdivisions are most common in the Suburban Tier.
- Allow detached or attached units while maintaining minimum yard requirements.
- Allow with the new proposed Small Lot Density Bonus options.
- Do not allow accessory dwelling units (current requirement).

Differences from the November Proposed Revisions

The following changes have been incorporated into the revised draft as a result of feedback from the community.

- Accessory dwelling units will not be allowed on a duplex lot.

Allowing an accessory dwelling on the same lot as a duplex was proposed within the November documents, but is not included within this draft. Not allowing accessory dwelling units addresses a primary concern raised by residents regarding the ultimate number of units that could be built on a lot.