

Expanding Housing Choice

Exploring ways to provide a wider variety of housing options



Zoning Ordinance Research

In developing specific provisions of Expanding Housing Choices, Planning staff has drawn inspiration from cities both big and small all over the country. Every city and every zoning code is different, so it can be challenging to draw direct comparisons. In terms of process and project scope, Olympia, WA is the place that has adopted the most similar suite of UDO changes: <http://olympiawa.gov/city-government/codes-plans-and-standards/missing-middle.aspx>.

Many of these initiatives are either ongoing or recently adopted, so it is difficult to determine their impact. Compounding the challenge is that a myriad of factors other than zoning, such as labor, land prices, other land development regulations (stormwater, for example), financial institutions and other market conditions play a role in what is built, and what is not.

The cities highlighted below have recently engaged in initiatives similar to Expanding Housing Choices, but many places across the country already have provisions in their ordinances that would allow for flexible small-scale housing and infill. Several cities researched include Fayetteville, AR, Indianapolis, IN, Los Angeles, CA, Richmond, VA, Raleigh, NC, and Seattle, WA.

Asheville, NC: Modified zoning ordinance for small-scale residential infill in 2017. Amendments are best summarized here: https://www.youtube.com/watch?time_continue=18&v=t4SCQKfaWnw

- Reduces minimum lot width by 20 percent
- Incentives duplexes by allowing them on parcels meeting minimum single family standards located in the RM zoning districts
- Incentivizes multifamily housing. Allows one additional unit for every 1,000 square feet of parcel area in the RM zoning districts
- Neighborhood scale design standards for multifamily projects (3 units and above)
- Allows ADUs to be up to 70 percent of the size of the primary dwelling, but not larger than 800 square feet (if detached) or 1000 square feet if attached. Height limit of 25 feet.

Atlanta, GA: Adopted zoning modifications to reduce on-site parking requirements and encourages ADUs and Missing Middle housing types: <https://www.atlantaga.gov/home/showdocument?id=38902>

- Reductions in off-street parking requirements; no parking is required if building was built prior to 1965
- Legalized Accessory Dwelling Units in 50 percent of the city (by right in the R-5, R-4 and R4-A zoning districts)

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Austin, TX: Updated the Special Use Infill Options and Design Tools booklet in 2017. These guidelines address small lot amnesty, cottage housing, and secondary apartments, among other things. A link to the guidebook can be found through this website:

<http://www.austintexas.gov/departments/neighborhood-planning-resources>

Grand Rapids, MI: Housing Now! Is a multi-departmental initiative to address affordable and livable housing. Zoning amendments have been approved that incentivize small scale development, including reducing the minimum dwelling width, allowing duplexes in more zones, removing minimum lot area for multi-family development, and more. Additional details can be found here:

<https://www.grandrapidsmi.gov/Government/Programs-and-Initiatives/Housing-NOW>

Minneapolis, MN: The Minneapolis 2040 Comprehensive Plan lays the policy ground work to end single-family zoning citywide and allow triplexes. It also encourages denser development along transit routes.

<https://minneapolis2040.com/>

Montgomery County, MD: In the process of researching case studies and creating zoning recommendations to allow a diversity of housing types. http://montgomeryplanning.org/wp-content/uploads/2018/09/MissingMiddleHousingStudy_9-2018.pdf

Olympia, WA: Comprehensive suite of text amendments addressing ADUs, cottage housing, courtyard apartments, duplexes, manufactured homes, SROs, tiny Houses, townhouses and triplexes and fourplexes. Summary of adopted changes:

<file:///C:/Users/hannahja/Downloads/FINAL%20Recommendations%20Summary%20%20OCC%201112018.pdf>

Portland, OR: Portland's Residential Infill Project is a suite of proposed changes to allow more housing units to be built in residential neighborhoods, but only if they follow new limits on size and scale. Allows more types of housing in more places, but limits the overall size of buildings using FAR. Revises how height is measured, modifies parking rules, adds more flexibility for ADUs. Summary of changes:

<https://www.portlandoregon.gov/bps/article/711667>

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Durham's 1940 Zoning Code. The table for height and bulk is from Durham's 1940 zoning ordinance. An example of an "A" neighborhood would be Watts-Hillandale, Forest Hills, Duke Park, and parts of Trinity Park. "B" neighborhoods were generally the Walltown and Old West Durham areas; an example of a "C" neighborhood is the southern part of Trinity Park. In some of our urban neighborhoods, density dropped from allowing 18-27 families per acre in 1940 to 8 families per acre (if families = units) in 2018.

Additional aspects of this code were useful in informing staff proposals, such as the equal treatment of single-family and two-family lots, and the use of maximum building coverage requirements.

SCHEDULE LIMITING HEIGHT AND BULK OF BUILDINGS												
ZONES	MAXIMUM HEIGHT		FAMILIES PER ACRE	MAXIMUM BUILDING AREA	MANDATORY OPEN SPACES	FRONT YARDS		SIDE YARDS	REAR YARDS	INNER COURTS		OUTER COURTS
	STORIES	FEET				MINIMUM DEPTH	MAXIMUM DEPTH			MINIMUM WIDTH	MINIMUM AREA	
A RESIDENCE	2½	35	9	35%	FRONT YARD, 2 SIDE YARDS AND REAR YARD	AVERAGE SETBACK LINE OBSERVED BY BUILDINGS ON SAME SIDE OF STREET BETWEEN 2 INTERSECTING STREETS ON DATE OF PASSAGE OF ORDINANCE	25 FT	MINIMUM WIDTH OF EACH SIDE YARD MUST EQUAL 6 FEET AGGREGATE WIDTH OF TWO SIDE YARDS MUST EQUAL 20% OF LOT WIDTH	MINIMUM DEPTH 25% OF LOT DEPTH BUT NEED NOT EXCEED 25 FEET	6 FEET BUT NOT LESS THAN 4 INCHES FOR EACH FOOT OF BUILDING HEIGHT	TWO SQUARE OF REQUIRED LEAST DIMENSION	MINIMUM WIDTH OF 6 FEET BUT NOT LESS THAN 4 INCHES FOR EACH FOOT OF BUILDING HEIGHT
B RESIDENCE	2½	35	18	45%	FRONT YARD 1 SIDE YARD AND REAR YARD		15 FT	MINIMUM WIDTH OF EACH SIDE YARD MUST EQUAL 6 FEET AGGREGATE WIDTH OF SIDE YARD OR SIDE YARDS PROVIDED MUST EQUAL 14% OF LOT WIDTH	MINIMUM DEPTH 20% OF LOT DEPTH BUT NEED NOT EXCEED 20 FEET	6 FEET BUT NOT LESS THAN 4 INCHES FOR EACH FOOT OF BUILDING HEIGHT		MINIMUM WIDTH OF 6 FEET BUT NOT LESS THAN 2 INCHES FOR EACH FOOT OF BUILDING HEIGHT
C RESIDENCE	2½	35	27	55%	FRONT YARD 1 SIDE YARD AND REAR YARD			NO SIDE YARD REQUIRED, BUT MINIMUM WIDTH OF EACH SIDE YARD PROVIDED MUST EQUAL 3½ FT	MINIMUM DEPTH 10% OF LOT DEPTH BUT NEED NOT EXCEED 15 FEET	6 FEET BUT NOT LESS THAN 2 INCHES FOR EACH FOOT OF BUILDING HEIGHT		
D RESIDENCE	4	50	70	60%	FRONT YARD AND REAR YARD							
BUSINESS NO 1	4	50	70	90% IN CASE OF INTERIOR LOT BEGINNING AT 2ND STORY SILL LEVEL OR 20 FEET ABOVE CURB LEVEL *	REAR YARD IN CASE OF INTERIOR LOT *	OPTIONAL	OPTIONAL	NONE REQUIRED BUT IF PROVIDED MUST BE 3½ FEET AND NOT LESS THAN 1 INCH FOR EACH FOOT OF BUILDING HEIGHT *	MINIMUM DEPTH 10% OF LOT DEPTH BUT NEED NOT EXCEED 10 FEET ON INTERIOR LOTS NONE REQUIRED ON CORNER LOTS *	4 FEET, BUT NOT LESS THAN 1½ INCHES FOR EACH FOOT OF BUILDING HEIGHT *		MINIMUM WIDTH OF 3½ FEET BUT NOT LESS THAN 1½ INCHES FOR EACH FOOT OF BUILDING HEIGHT *
BUSINESS NO 2	12	150	110									
LIGHT & HEAVY INDUSTRIAL	8 *	100	27									
* THESE PROVISIONS APPLY ONLY TO NON-RESIDENTIAL BUILDINGS FOR BUILDINGS USED AS DWELLINGS OR TENEMENTS IN BUSINESS ZONES NO 1, THE BUILDING AREA, REAR YARDS, AND COURTS SHALL BE THE SAME AS IN D RESIDENCE ZONES. FOR BUILDINGS USED AS DWELLINGS OR TENEMENTS IN BUSINESS ZONES NO 2, REAR YARDS AND COURTS SHALL BE THE SAME AS IN D RESIDENCE ZONES. FOR BUILDINGS USED AS DWELLINGS OR TENEMENTS IN INDUSTRIAL ZONES THE HEIGHT BUILDING AREA AND REAR YARDS AND COURTS SHALL BE THE SAME AS IN D RESIDENCE ZONES.												