

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

DOCKET: UDO-CC8
STAFF: Tiffany White

REQUEST

This text amendment is proposed by Planning and Development Services staff to revise Sections 4, 5, 6 and 11 of the *Unified Development Ordinances* to revise standards for the Mixed Use--Special Use (MU-S) district and add a provision for Cottage Courts.

BACKGROUND

The *Legacy* Comprehensive Plan makes multiple references to increasing housing variety and residential choice. Specifically, it calls for encouraging “a mixture of residential densities and housing types through land use recommendations.” *Legacy* also proposes efficient use of land and resources within future developments. When considering future residential needs for the county, *Legacy* endorses both increased diversity in housing type and more efficient development patterns.

Similarly, the 2018 *Winston-Salem/Forsyth County Housing Study and Needs Assessment* (HSNA) identified many underlying drivers of future residential need. These include a mismatch of existing housing stock with household size, a lack of “missing middle” style, smaller-sized units, and a need for almost 15,000 new housing units by 2027 to meet demand. The report promoted a strategy to “fill housing stock with ‘*missing middle housing structures*’ and smaller-size units to meet current and future housing needs.”

As part of its 2020-2021 work program, the City-County Planning Board requested that staff move forward with recommendations presented in the *Innovative and Land-Efficient Residential Development Regulations* report (February 2020, attached). Specifically, staff was asked to evaluate Cottage Court and Planned Unit Development (PUD) provisions for possible inclusion in the *Unified Development Ordinances* (UDO). Support for PUD provisions was also expressed in the 2018 UDO code assessment report prepared by CodeWright Planners, which specifically recommended such a provision be added to our UDO to provide an opportunity for unique, comprehensively planned development.

Planned Unit Development

A Planned Unit Development (PUD) is characterized by a mix of residential and nonresidential uses and flexible development standards within a comprehensively planned project. The purpose of a PUD is to allow for innovative design and flexibility in the layout of a proposed development. Between 1973 and 1994, Winston-Salem had a PUD provision, but it was replaced in the UDO by Planned Residential Development (PRD) standards for residential

development, and the MU-S district for mixed-use developments. Neither of these provisions has successfully been able to promote true PUD development, however.

Cottage Courts

Cottage Courts consist of a group of small, attached or detached residences arranged around a central open space or courtyard. This neighborhood-oriented residential style was popular in the early 20th century, especially on the west coast, and has seen a resurgence recently as demand for smaller, walkable housing choices has increased over the past several years. The National Association of Homebuilders (NAHB) in its report *Diversifying Housing Options with Smaller Lots and Smaller Homes*, prepared by Opticos Design, Inc., states that “Over 100 years have passed since the invention of the cottage court, but the need is still the same or even broader” (p.52).

ANALYSIS

After researching PUD standards in other communities, staff felt that the best path for incorporating these provisions in the UDO would be revising the existing MU-S district to function as a more traditional PUD. As mentioned previously, the MU-S district has existed in the UDO since 1994. It was intended to work as a mixed-use district with development standards attached, and was, in effect, the local version of a PUD. In 2006, revisions were made to the district provisions to provide more specific regulation, including tiered standards based on Growth Management Area (GMA), and an open space requirement, among others. The revision also tied the MU-S district to Traditional Neighborhood Development (TND) and Transit Oriented Design (TOD) standards.

After researching PUD standards in other communities, staff determined that simplifying the MU-S standards would put our provision more in line with the traditional PUDs in peer cities. To that end, recommended changes to the MU-S district standards include removal of the tiered standards, removal of the TND and TOD references, and removing portions of the ordinance represented elsewhere in the UDO. In addition, the mix of uses required was reduced from three (3) to two (2) to allow for more flexibility and to be more in line with other PUD provisions around the country.

By modifying the existing MU-S ordinance, staff believes that the provision will allow more flexibility, be more user-friendly, and more accurately reflect the essential purpose of a PUD.

As noted, Cottage Courts are an effective way to increase housing choice and variety while maintaining residential character and scale. While Cottage Court ordinances vary by community, there are some commonalities which most ordinances reviewed by staff share. These include:

- A pedestrian-oriented, neighborhood character.
- Minimum and maximum number of residential units.
- Maximum building height or size.
- Building orientation.
- Minimum size or square footage area of courtyard space.

- Location and amount of parking.
- Limits on what zoning districts allow this development type.
- An increase in density over what underlying zoning allows.

Even with these commonalities, Cottage Court provisions are often tailored to fit community preferences. Staff researched multiple Cottage Court ordinances across the country to look for best practices utilizing this housing type. Considering the factors above, staff compiled Cottage Court standards that would be reasonable for Winston-Salem. Key standards include:

- Cottage Courts only being allowed in GMAs 1, 2, and 3.
- Cottage Courts only being allowed in RS7, RS9, RS12, RSQ, RM5, RM8, RM12, RM18, RMU, NB, PB, E, and MU-S zoning districts.
- A minimum of four (4) units and a maximum of fourteen (14) units per Cottage Court development.
- A maximum building height of 30 feet (to promote small-scale residential character).
- A minimum parking requirement of one (1) space per dwelling unit (less than the requirement for standard residential development).
- A density bonus of 25 percent above the underlying density of the zoning district.

Including a Cottage Court provision in the UDO will allow for new residential development that maintains a neighborhood character while increasing housing choice. The smaller size and potential for infill in walkable, pedestrian-oriented neighborhoods also makes Cottage Courts a good option for those wishing for missing-middle housing options in our community. Smaller, neighborhood-oriented residences, such as those in Cottage Courts, can help fill a need for the smaller households of those just entering the market, or those who want to downsize and age in place.

Staff believes revisions to the MU-S standards and the addition of Cottage Court provisions will expand housing choice in Winston-Salem and Forsyth County and allow for quality development and infill. These provisions will further the recommendations of *Legacy*, expand the availability of housing in the County, and ensure that future residential development reflects community desires.

RECOMMENDATION: APPROVAL