

Manager's Update

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City Offices Closed in Observance of Good Friday

City offices will be **closed** on **Friday, April 2** in observance of the **Good Friday** holiday.

Final Budget Work Session Monday, April 5

Reminder that Council will meet via remote electronic format in the final scheduled budget work session **Monday at 4:00 P.M.** The agenda for the work session was published earlier today. This is the third and final budget session scheduled in advance of the City Manager's Proposed Budget which will be presented in May.

You will be receiving information on joining the WebEx Events session on Monday; staff will be available to assist with log ins and joining the virtual City Council meeting.

Regular Council Meeting Tuesday, April 6 - Afternoon and Evening Sessions

Reminder that Council will meet next **Tuesday** in regularly scheduled sessions at **1:00 P.M.** and **7:00 P.M.** The agenda for the meeting was published earlier today:

<https://go.boarddocs.com/nc/raleigh/Board.nsf>

Please note there will be a **Closed Session** immediately following the afternoon session of the Council meeting.

Reminder: If there is an item you would like to have pulled from the consent agenda for discussion, please send an e-mail mayorstaff@raleighnc.gov by 11 A.M. on the day of the meeting.

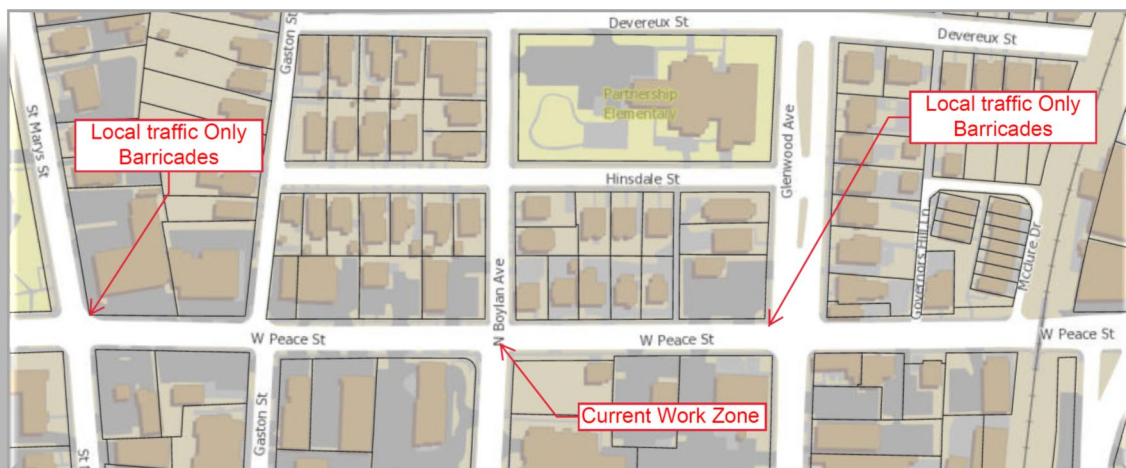
You will be receiving information on joining the WebEx Events session on Monday; staff will be available to assist with log ins and joining the virtual City Council meeting.

INFORMATION:

Peace Street Utility Construction

Staff Contact: Eileen Navarrete, Raleigh Water, 996-3480, eileen.navarrete@raleighnc.gov

Raleigh Water has begun construction of an important project along W Peace Street to replace portions of aging and deteriorated infrastructure. The goal of this project is to complete various point repairs, service replacements and connectivity improvements along W Peace Street ahead of the full street resurfacing scheduled for later this summer. Originally designed to be completed at night, the work is now being completed during the day to address concerns related to construction noise in the overnight hours.



Much of the construction requires portions of W Peace Street to be closed Monday through Friday, 7 A.M. through 7 P.m. The work is occurring in phases to prevent the closure of all of W Peace Street at one time. The first phase of work is occurring at the intersection of W Peace Street and Boylan Avenue. This work requires a closure of the intersection during normal working hours.

As work got underway this week, it became clear there were issues with the type and amount of signage alerting motorists that all local businesses are open and accessible. There have also been concerns regarding the placement of the barricades to allow local traffic to pass through and access businesses.

Staff is coordinating with the contractor to enhance the signage and adjust barricade placement to balance local traffic access with work site safety. Those changes are expected to be implemented when the contractor resumes work on Monday April 5.

Staff has established an email distribution list for residents in the neighborhood immediately adjacent to the closure to provide them with more detailed information and is doing the same with the businesses along W Peace Street. Staff has been in touch with several businesses on an individual basis this week to answer questions and address concerns. This outreach will continue for the duration of the project.

The timing of this project was coordinated with multiple private construction efforts already underway in the area. This coordination will ultimately minimize the duration of the disruption and to avoid additional utility work after W Peace Street is resurfaced later this summer.

Staff expects the W Peace Street and Boylan Avenue intersection to be closed intermittently for roughly three more weeks, at which time the contractor will move to the next location for additional replacement work. Communication regarding the next phase of the work is scheduled to begin as soon as sequencing details have been finalized. The entire project is scheduled to take approximately four months.

(No attachment)

Missing Middle Text Change Update

Staff Resource: Charles Dillard, Planning and Development, 996-4631, charles.dillard@raleighnc.gov

Staff in Planning and Development is working on multiple efforts in response to the City Council requests to update the Unified Development Ordinance to implement “missing middle” housing regulations. Over the course of multiple meetings, staff has presented information on the topic. Some of this information has been specifically focused on development types, like cottage courts and tiny homes, while other information has been more broad in nature.

Included with the Update materials is a staff memorandum which provides additional detail on these efforts, including current status and next steps.

(Attachment)

Airbnb Partnership for Short-Term Rental Owners

Staff Resource: Katie Dombrowski, Planning and Development, 996-2683, katie.dombrowski@raleighnc.gov

Airbnb operates an online marketplace for lodging, primarily homestays for vacation rentals and tourism activities. Recently, Airbnb launched a [Responsible Hosting Page](#) for use by short-term rental owners located in Raleigh. The page was created in partnership with the City to provide helpful guidance regarding new regulations. An email will be going out to all Raleigh Airbnb hosts by the end of this week with registration information, as well as a link to the Responsible Hosting Page. It will also be linked in the Airbnb online help center as well as the [City of Raleigh short-term rental webpage](#).

(No attachment)

Weekly Digest of Special Events

Staff Resource: Derrick Remer, Special Events Office, 996-2200, derrick.remer@raleighnc.gov

Included with the *Update* materials is the special events digest for the upcoming week.

(Attachment)

Council Member Follow Up Items

General Follow Up Item

Affordable Housing and Comprehensive Plan Consistency – Objections to Staff Report for Z-27-20

Staff Resource: Ken Bowers, Planning and Development, 996-2633, kenneth.bowers@raleighnc.gov

Earlier this week staff received an email from Council Member Cox following his review of the staff report for Rezoning Case Z-27-20. In response to the email, which references the decision not to reference a policy in a revised staff report with respect to inclusionary zoning, Planning and Development staff - in consultation with the City Attorney's office - are recommending that standard language be used in staff reports going forward, whenever there is specific policy guidance regarding affordable housing in the context of a rezoning.

The language would note the policy inconsistency while explaining the legal limitations on its applicability. Additional details and example of this language may be found in the staff memorandum that is included with the *Update* materials.

(Attachment)

To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Charles Dillard, Planner Travis R. Crane, Assistant Planning Director
Department	Planning and Development
Date	March 31, 2021
Subject	Staff Efforts Related to Missing Middle Housing and Tiny Homes

Staff in Planning and Development has delivered information to the City Council in response to various requests to alter the Unified Development Ordinance. The information has been framed as regulatory reforms to implement regulations to achieve more “missing middle” housing, which can be described as gentle increased residential density in residential zoning districts. This memorandum provides an update on the various efforts as information, realizing that staff is working on multiple, inter-related efforts.

There are four ongoing text change requests that are in various state of processing. The text change process generally begins with a request for authorization. Once staff has received authorization, ordinance language is drafted and placed on the public text change portal. Public comment is gathered on the portal. Staff reviews and responds to the comments and produces a report, which is included with the staff report. The ordinance is delivered to the Planning Commission, which reviews the request and provides a recommendation to the City Council. The City Council ultimately conducts a public hearing and can choose to adopt the ordinance.

The various text changes listed below would modify the UDO in several ways. For instance, one text change proposes changes to specific development regulations, such building setbacks. Another text change altered the regulations related to residential density and Accessory Dwelling Units. Staff intends to present additional information to City Council on April 6 related to Tiny Homes, with a request to authorize a text change. Below is a list of all ongoing efforts, with status and next steps for each effort.

Missing Middle Housing

1. TC-5-20 Missing Middle Reforms

This text change proposes amendments that are intended to increase housing options throughout the City. It expands the range of housing types that are allowed in residential zoning districts, adjusts minimum lot and setback requirements, and changes how the maximum number of dwelling units on any given lot or site is calculated.

Status: Text Change Engagement Portal, comments collected through April 11, 2021.

Next Step: Planning Commission, intended delivery on April 13, 2021.

2. TC-17-20 Transit Overlay Districts

This text change would amend the existing Transit Overlay District (TOD) regulations and create a new overlay called Transit Overlay District-Residential (TOD-R). The proposed TOD-R would permit missing middle housing at slightly greater densities than proposed under TC-5-20. The text change also goes beyond TC-5-20 in permitting small apartment buildings in R-6 districts and duplexes, or attached houses, in R-4 districts. ADUs would also remove a restriction on accessory dwelling units (ADUs) on townhouse lots.

Status: Text Change Engagement Portal, comments collected through April 23, 2021.

Next Step: Planning Commission, expected delivery on April 27, 2021.

3. TC-6-18 Cottage Courts

This adopted text change reduced some minimum lot standards and increased permitted density within cottage court developments. The general effect of the text change is the elimination or reduction of barriers to the development of cottage courts.

Status: Adopted, November 19, 2019, Effective January 18, 2020

Accessory Dwelling Units

4. TC-16-19 Accessory Dwelling Units

This adopted text change removed the ADU Overlay District requirement and permitted ADUs in the following zoning districts: R-1, R-2, R-4, R-6, R-10, RX, OX, NX, DX, and CX. The text change also redefined ADUs.

Status: Adopted July 7, 2020, Effective July 22, 2020.

Tiny Homes

5. Tiny Homes

At the February 6 City Council meeting, members of the public spoke in support of tiny homes and movable tiny homes. In response to a request from the Council, staff provided information on tiny homes and potential options for amendments to the UDO. At the March 16 City Council meeting, Mayor Baldwin requested that the city move forward with the recommended amendments.

Status: Staff will present information at the April 6 City Council meeting.

Next Step: If authorized, staff would draft an ordinance.

Small Homes/Small Lots

6. Small Homes/Small Lots

At the March 16 City Council meeting, Council requested information on UDO incentives for a subset of the housing supply that includes ADUs, Tiny Homes, Manufactured Homes, Cottage Courts and other small residences.

Status: Study in progress.

Next Step: Staff intends to report back to City Council in June.

Areas of Overlap

These housing option initiatives overlap in the following ways:

- Missing Middle Consistency - Staff has reconciled TC-5-20 (Missing Middle) and TC-17-20 (Transit Overlay Districts) to ensure consistency in the way the UDO regulates density and lot standards.
- Tiny Homes in Cottage Courts - Staff proposes allowing tiny home cottage courts at a density higher than the standard for conventional cottage courts. Staff also proposes in a future text change related to Tiny Homes to permit moveable Tiny Homes, where feasible, in cottage courts.
- ADUs and Missing Middle Housing - TC-5-20 (Missing Middle) would permit ADUs on townhouse lots, whereas currently ADUs are only permitted on lots containing a detached or attached principle dwelling.
- Parking - The following proposed or approved text changes eliminate parking requirements:
 - TC-17-20: No parking is required in TOD-R and ETOD overlays
 - TC-16-19: No parking is required with development of ADU
 - The future Tiny Home text change would propose a reduction or elimination of parking for tiny houses

Weekly Events Digest

Friday, April 2 – Thursday, April 8

City of Raleigh Office of Emergency Management and Special Events
specialevents@raleighnc.gov | (919) 996-2200 | raleighnc.gov/special-events-office

**All permitted special events are subject to mass gathering limitations and Statewide requirements for face coverings and social distancing. For questions regarding the safe return of special events, please contact the Office of Emergency Management and Special events at 919-996-2200 or specialevents@raleighnc.gov.*

Permitted Special Events

Greenway 20K

Neuse River Trail & Crabtree Creek Trail

Saturday, April 3

Event Time: 7:30am - 12:30pm

Associated Road Closures: No roads will be closed for the event. The Neuse River Trail and Crabtree Creek Trail between Brown Field Road and N. Raleigh Boulevard will be used from 6:30am until 1:00pm.

[View route here](#) for more details.

Dine Out Downtown Fayetteville Street

Fayetteville Street District

Saturday, April 3

Event Time: 5:00pm - 9:00pm

Associated Road Closures: Fayetteville Street between Hargett Street and Martin Street, and Hargett Street and Martin Street between Salisbury Street and Wilmington Street will be closed from 3:00pm until 11:00pm. The 100 and 300 blocks of Fayetteville Street will remain accessible for local traffic.

West Raleigh Presbyterian Outdoor Easter Church Service

Horne Street

Sunday, April 4

Event Times: 8:00am - 9:00am, 10:00am - 11:00am, and 12:00pm - 1:00pm

Associated Road Closures: Horne Street between Vanderbilt Avenue and College Crest Alley will be closed from 7:00am until 1:30pm.

Raleigh Union Station Community Yoga Programs

Raleigh Union Station Plaza

Sunday, April 4 through Thursday, April 8

Event Times: 5:00pm – 8:00pm on Mondays, Wednesdays, and Thursdays; 6:00pm - 8:00pm on Tuesdays; and 9:30am – 11:00am on Sundays

Associated Road Closures: No roads will be closed for the events. Raleigh Union Station Plaza will be used from 5:00pm until 8:00pm on Mondays, Wednesdays, and Thursdays; 6:00pm until 8:00pm on Tuesdays; and 9:30am until 11:00am on Sundays from 3-22-21 until 11-24-21.

Other Events This Weekend

First Friday DRA/AIA Downtown Architecture Tours

Friday, April 2

Moore Square

Public Resources

[Event Feedback Form](#): Tell us what you think about Raleigh events! We welcome citizen and participant feedback and encourage you to provide comments or concerns about any events regulated by the Office of Emergency Management and Special Events. We will use this helpful information in future planning.

[Road Closure and Road Race Map](#): A resource providing current information on street closures in Raleigh.

[Online Events Calendar](#): View all currently scheduled events that are regulated by the Office of Emergency Management and Special Events.

Council Member Follow Up

To	Marchell Adams-David, City Manager
Thru	Patrick O. Young, AICP, Director
From	Ken Bowers, AICP, Deputy Director
Department	Planning and Development
Date	March 30, 2021
Subject	Affordable Housing and Comprehensive Plan Consistency

With the adoption of the Walkable Midtown plan, Midtown-specific policies and actions were added to the Area Specific Guidance section of the Comprehensive Plan, including the following policy:

Policy AP-MT 13 Affordability

Rezoning proposals that request seven or more stories of height and include a residential component should include affordable units. At least 10 percent of additional units beyond the current entitlement should be affordable at 80 percent of area median income for at least 10 years.

Rezoning case Z-27-20 has just passed out of Planning Commission with a unanimous recommendation for approval. The case includes a residential component and a request for more than 7 stories of height. There are no conditions specifying any affordable units in the future development. The case is therefore inconsistent with this policy; however, in acting the Commission found the case to be consistent with the Comprehensive Plan overall.

The staff report originally noted the inconsistency of the case with Policy AP-MT 13. Plan consistency, alongside the overall reasonableness of the case and its impact on the public interest, is a key determining factor in decisions to approve or deny a rezoning petition. In response to an inquiry from the applicant's attorney, the City Attorney has indicated that because local governments in North Carolina lack the authority to mandate inclusionary zoning, the failure to provide affordable units cannot be the basis for denial of a rezoning petition. Based on this input, the staff report was revised with the following language:

A policy from the Walkable Midtown plan related to affordable housing may lead to conflicts with state law if applied to a rezoning request. That policy has been removed from this report. The request is evaluated as consistent with the 2030 Comprehensive Plan.

Council Member Cox objected to this language and in a March29 email contacted Planning and Development to express disagreement with the decision not to reference the policy in the revised staff report. Following this contact, Planning and Development staff conferred internally and again with the City Attorney's Office. Based on those discussions, we are recommending

that standard language be used in staff reports going forward, whenever there is specific policy guidance regarding affordable housing in the context of a rezoning. The language would note the policy inconsistency while explaining the legal limitations on its applicability. Below is an example of what this language would look like when applied to the specifics of Z-27-20:

The rezoning request contains no conditions pertaining to affordable housing and is therefore inconsistent with Policy AP-MT 13. This policy seeks to encourage applicants to offer affordable housing commitments when requesting the right to build tall buildings. However, given limitations on local government authority, the policy is aspirational and cannot be the basis for denial of a rezoning petitions.