

General overall comments from Richard Angino with Third Wave Housing and Folks For Good Housing – Winston Salem.

Cottage Courtyard were present in the 1920's in Winston Salem but were outlawed as part of the racial segregation rules so that folks could keep out working folks and people of color. Adding back Cottage Courtyards to the options for new housing in Winston Salem would be a smart decision for the community. Please keep in mind that to limit the rules which would allow them to be relatively affordable in today's market.

With this in mind, building to the base building codes would create safe, decent housing, but in no way will be cheap given current buildings and approval costs to build new housing. Making cottage courtyards so special that only the higher earning households can affordable them would not help Winston Salem with it housing shortfall issues. Please keep in mind that these could work in the well-to-do neighborhoods, as well as, some of the challenged neighborhoods.

One good example is that many of the mill villages were affordable housing many years, but recently they are now becoming new cool compact places for higher income folks to own which is displacing affordable folks from this type of housing across the state. When you come up with the rules, please keep in your sights what is need in both the well-to-do and the working folks neighborhoods.

Having built pocket neighborhood product before, the challenge is so much of the zoning codes are for brand new suburban green field product. These are larger than normal cottage courtyard units, but they were built for an affordable housing need in the city of Rocky Mount. We have learned a lot with this first try and the main thing is you need to allow for flexibility when doing infill.



#### **A. PURPOSE**

1. Cottage Court developments are comprised of several small attached or detached housing units around a central courtyard with no intervening street.
2. The purpose of the Cottage Court provision is to encourage the development of diverse housing types and quality residential infill.
3. The smaller size of cottage homes allows for more options for populations diverse in age, income, and household size.
4. In return for development flexibility, additional site plan information may be required of the developer to assist in evaluating the suitability of proposed Cottage Courts.

#### **B. SKETCH PLAN REVIEW**

1. Prior to the formal submission of a proposed Cottage Court, the petitioner or representative shall attend a Sketch Plan Review coordinated by Planning Staff concerning the proposed development of the site.
2. The petitioner shall be required to produce a scaled sketch site plan showing the existing and proposed features of the site for review by Planning and other interdepartmental review staff.
3. The official plan of development shall be submitted to the Planning Board only after the completion of the Sketch Plan Review.

**C. PERMITTED PRINCIPAL USES TABLE 5.1.1:** PRINCIPAL USE TABLE Z = Permit from Zoning Officer; P = Planning Board Review; A = Special Use Permit from BOA; E = Elected Body Special Use Permit (Lo) =



form of limit. Footprint is best since that would give the market the chance to decide more smaller cottages or less larger cottages.

b. Additional density may be allowed by utilizing Section 4.1.6, Density Bonus for Affordable Housing.

## 6. REQUIRED PARKING

a. OFF-STREET PARKING i. Off-street parking shall be provided in compliance with Section 6.1, Off-Street Parking and Loading, except that the parking requirements may be met through group parking located on commonly owned land. ii. In no instances shall off-street parking spaces extend into public rights-of-way or private access easements. "In no instances" is strong language which makes it sound like this never can happen even if someone has a reasonable option. "No off-street.." is better since there are some great traffic calming technics which place some parking in the right of ways. We did this in Rocky Mount and it worked great. The street is still 24 feet wide, but we put parking and tree islands in the right of way which slows down traffic.



b. ON-STREET PARKING Some on-street parking may be permitted to satisfy off-street parking requirements in accordance with Section 6.1.5M, On-Street Parking Supplements for Pedestrian Oriented Developments. UDO-CC8 Ordinance (Condensed) 6 January 2021

c. SPECIAL VEHICLE ACCOMMODATIONS i. Special accommodations for recreational vehicles, including boats, may be provided in group parking areas. ii. Such special parking areas shall be designated and screened from adjacent residential uses per the Bufferyard Standards in 5.2.26.1.8a. Why is this called out in CC rules? General zoning should just apply.

## 7. LOT DIMENSIONAL REQUIREMENTS AND SPACING OF STRUCTURES

a. The lot and setback dimensional requirements of the zoning district for individual lots within a Cottage Court are waived except for a minimum ten (10) foot building setback from adjacent property lines, public rights-of-way and private access easements.

b. Minimum distances between Cottage Court structures shall adhere to minimum building code and minimum fire code.

c. In Cottage Court developments in GMA 2, no building shall be located closer to the street than the average setback of the street-facing façades of structures on lots to either side of the development. If no structures exist on the adjacent lots, the setbacks outlined in Section 5.2.26.1.E.7.a shall be used. **Not really sure what GMA 2 is, but this would not work in suburban options where single family houses are on large lots where they are setback way past the minimum setbacks. Historically these neighborhoods we designed to use large lots to support expensive homes as a way to keep out other options of housing like CC's.**

## 8. BUFFERYARD AND SCREENING STANDARDS

a. Rear and side parking areas shall be buffered by a type II bufferyard, as defined in Section 6.3, Bufferyard Standards, if adjacent to residentially zoned property.

b. The use of dumpsters shall be prohibited in association with Cottage Court development.

## 9. COURTYARD OPEN SPACE

a. AREA Courtyard Open Space for Cottage Courts shall meet the following standards:

i. A minimum of fifteen (15) percent of the total lot area is required to be Courtyard Open Space.

ii. Courtyard Open Space shall consist of a central space or a series of interconnected spaces **Should add "which shall include amenity areas, sidewalks, landscaped areas, pavilions, mail kiosks and storage units." We found today's standard sidewalks take up a huge footprint on the sites.**

iii. Parking areas and driveways do not count toward Courtyard Open Space calculations.

iv. Wetlands, steep slopes, and bufferyards do not count toward Courtyard Open Space calculations.

### b. CHARACTER

i. Courtyard Open Space shall include walkways to each individual building within the Cottage Court and to the common parking area.

ii. If sidewalks along the street are available or required, walkway connections to these sidewalks are required as part of the Courtyard Open Space.

iii. Courtyard Open Space areas shall be attractively landscaped utilizing trees complimented by shrubs or groundcover. **Why rule for CC? Let normal zoning rules for area apply.**

iv. Courtyard Open Space may include common amenities such as gazebos or benches. **See comment above.**

v. Enclosures for trash and recycling carts are prohibited in the Courtyard Open Space. UDO-CC8 Ordinance (Condensed) 7 January 2021 Figure 5.2.26.1.E: Cottage Court Development Standards

## F. ALTERNATIVE COMPLIANCE

1. A Cottage Court development which does not meet the requirements of Section 5.2.26.1.E, Development Standards, shall be proposed through a special use district rezoning.
2. Additional site plan review items demonstrating the character of the proposed development, including building elevations and cross sections, may be required by Planning staff, the Planning Board, or Elected Body.

**G. OWNERSHIP AND RESPONSIBILITY FOR COURTYARD OPEN SPACE AND COMMON PARKING** Why a city rule. Shouldn't this just be an ownership decision?

1. Courtyard open space and common parking areas must be owned and maintained by the homeowners association of the development. Why does the city care? Seems like an extra rule for CC. The owner needs to take care of the site just like any other parcel in WS. Some options would be for one cottage to own the courtyard. This could be the sponsor owner. An example would be for me to want to build a cottage for myself where I own my cottage and the common space. I then build and sell other cottages which have use right for the common area. The positive as the sponsor owner, I can maintain and control the common space to make sure it stays at a certain quality. Homeowner associations are expensive and effect the affordability. Easements or use permits are more cost effective.
2. Such covenants shall be recorded in the office of the Register of Deeds and such contractual rights and obligations shall be established prior to the issuance of a building permit.
3. For Cottage Courts where all dwelling units and common areas are under single ownership, a homeowners association may not be required.

**H. PLATTING REQUIREMENTS**

1. All Cottage Court developments shall meet the requirements of the subdivision regulations.
2. In addition, prior to a permit being issued for the construction of any building, there shall have been recorded in the office of the Register of Deeds, a plat of the property or section thereof, showing: easement and right-of-way widths, street widths, the actual or approximate location of single family lots, commonly owned tracts, and lots and buildings to be occupied by other uses.
3. Residential lots shown on plats or subdivision plans for Cottage Court developments may UDO-CC8 Ordinance (Condensed) 8 January 2021 be as small as the footprint of the residential structure itself and shall not be subject to the minimum lot size requirement of the underlying zoning district.

**I. MULTIPLE DWELLING UNITS PER ZONING LOT**

1. Multiple single family dwelling units on a zoning lot are permitted for Cottage Courts.
2. Multiple single family dwelling units on a zoning lot shall be clearly indicated on the preliminary subdivision plan presented to the Planning Board for approval and clearly indicated on the face of any plat recorded for the Cottage Court.
3. If at any point in the future the owner intends to transfer individual lots into separate ownership, a plat meeting all requirements of the UDO shall be submitted to Planning staff for review and approval.