

Memo

To: Board of Mayor and Commissioners
From: City Staff
Date: 6-28-22
RE: Corner Lots Street Side Setback Recommendations

The newly adopted zoning code established a front yard and streetside setback of 40 feet in R-12 (the historic District) and R-24 as reflected in Sec. 21.2.1.3 of the zoning code. These dimensions generally impact property owners with corner lots looking to tear down and build new construction.

At the request of the BOMC, the staff evaluated the impact of these dimensions on the development of corner lots with the help of Lord Aeck and Sargent (LAS). The study considered existing conditions on corner lots in both zoning districts, the typical widths of lots, and the buildability of lots with different streetside setbacks. The team also examined the appropriate setbacks to mitigate against tall and massive houses. Based on the outcome of this evaluation, the staff is recommending changes highlighted in yellow to the Dimensional Standards chart.

Dimensional Standards.

RESIDENTIAL REGULATIONS	R-12	R-24
Street Front Yard	40	40
Street-side Side Yard (corner lot)		
• Front yard width 90 feet or less & 28' high or less.	10	20
• Front Yard width greater than 90 feet & 28' high or less	15	20
• Height greater than 28' for any portion of the structure regardless of front yard width	25	25
Interior Side	10	20
Rear	35	40

Highlights of the study observations that led to the recommendations are as follows:

There are 51 corner lots in the historic district. The lots are long and narrow and existing street-side setbacks are generally between 10-20 feet. The width of the front yard influences the appropriate street-side setback. Shorter street-side setbacks are warranted on properties with front yards that are 90 feet or less.

The code limits max height in R-12 (historic district) to 28' or less (depending on surroundings), which keeps the house at 2-stories. Some have expressed support for the large 40-foot street side setback to mitigate the impact of extra tall homes often referred to as "McMansions". This large street-side setback is not necessary because of height limitations established through the Preservation Ordinance for R-12. The Historic District is explicit about height being the lowest visible portion of the front façade to the highest point. While it is possible to build 3-stories by digging down in the rear of the property, this discussion is about the mass and scale as viewed from the street, and the current regulations on height should guard against overbearing homes in the historic district without the need for extra-large street-side setbacks. However, as an additional projection for the district, if a house is allowed to exceed the height limitation by the Guidelines, then a greater setback is required.

The corner setback condition outside of the historic district is very different. In R-24, there are approximately 50 corner lots, and the existing setbacks tend to be much larger. The allowable height in R-24 is 35'. As a result of the existing condition and allowable heights in R-24, larger street-side setbacks are warranted. For homes 28' high or less, the proposed 20' street-side setback is appropriate. For taller homes, a 25' setback is recommended.

Other observations of the study are:

- The setback is measured from the property line, not the back of the curb (which often adds another 10' or so feet)
- There will be parcels where the 20' or 25' setback may make the lot too small to build and that should be considered on a case-by-case basis. This is especially true for parcels that were part of the original 1920s plan or followed it but are not in the historic district.
- Some have also expressed concern that homes will be built with limited fenestration in the street-side yard making the home that much more imposing on the street. Fenestration or the impenetrability along the side yards is an unlikely problem in a single-family residential zone, especially in this climate.