



## Legislation Details (With Text)

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**Title:** DISCUSSION REGARDING ALLOWING THE USE OF SMALLER SIDE SETBACKS ON SINGLE-FAMILY LOTS FOR THE PROVISION OF WORKFORCE HOUSING BY OTHER AGENCIES  
**Sponsors:** Development Services Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Agenda Cover Report

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** May 17, 2022

DISCUSSION REGARDING ALLOWING THE USE OF SMALLER SIDE SETBACKS ON SINGLE-FAMILY LOTS FOR THE PROVISION OF WORKFORCE HOUSING BY OTHER AGENCIES

**Recommended Action:**  
Provide Direction.

**Background:**

The City's Land Development Regulations (LDR) provide various incentives for the provision of workforce housing. Some incentives, like increases in density or height, provide for a direct financial incentive to encourage the inclusion of workforce units as part of new development. In exchange, the community recognizes that more units or a larger building will result in exchange for helping to meet this community need.

The LDR provides other incentives that are less impactful, like utilizing lots that are less than 50 feet wide, which would otherwise be considered unbuildable by the Code. The result is a single-family home constructed on the lot, which is not a significant departure from surrounding development. In recent years, this provision has been the subject of several waiver requests where the applicant has been permitted to construct a market-rate home, rather than an income-restricted house, on smaller lots.

Another allowance in the LDR is the use of smaller side setbacks (5 feet instead of 7 ½ feet) for workforce housing projects to encourage the implementation of certain designs on small lots:

LDR Section 4.1.4(D) "*Within the R-1-A, RL and RM zoning districts, lots of record having at least 40*

*feet of frontage may be used for Workforce Housing, as long as the workforce housing unit meets the typical designs represented by the sketches set forth in Section 4.7.12(a), the lot is a minimum of 4,000 square feet and conforms to setbacks; provided, however, the minimum side setback may be reduced to a minimum five feet if necessary to accommodate the designs set forth in Section 4.7.12 (a) and meets other development standards in the zoning district. The Workforce Housing unit on a lot with frontage as herein described must include rear access via an alley, if available. The unit must also contain design features such as, but not limited to, front porches, eyebrows, outriggers, gables, dormers, arbors, trellises, shutters, balconies, decorative vents, siding, textured stucco finishes, undulating facades and other such appropriate architectural features."*

The *only* way the City is participating is by allowing smaller side setbacks. The City is not providing land, dollars, additional units or additional height. If the proposed units had 7 ½ feet in side setbacks, the houses would not be subject to *any* City requirements but would be 5 feet narrower.

The direction requested is as follows:

1. If the lots are at least 50 feet wide, and therefore not limited to workforce housing by the City's Code, can smaller setbacks be used to forward *other* organizations' efforts to build workforce housing?
2. If so, are the same architectural standards/ building types also required?
3. With the use of smaller side setbacks, must the restrictive covenant follow the City's terms or can the County's suffice?

Staff requires direction to process several building permit applications.

**City Attorney Review:**

N/A

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

A home has been submitted for building permit review under the County's program.