From: Adam Hertz
To: Grp. City Council and City Web Site
Subject: Setbacks
Date: Saturday, May 14, 2022 10:47:11 AM

Council Members,

As you embark on a long, necessary journey to update the city's zoning code, I would encourage you to consider some very easy, but relatively meaningful, changes to the zoning code more immediately. One piece of "low hanging fruit" would be to reduce front and rear yard setbacks in the higher density residential districts that allow multifamily and townhomes - RM1-35, RM1-45, RT2.7 and RM2.7. A brief history of setbacks is available at the link below.

Why is this change meaningful? Your growth policy, which I voted for in in late 2015 but has yet to truly be adopted other than through piecemeal rezoning requests that pit neighbor against neighbor or developer against neighbor or the unhoused against the housed, etc, is a focus-inward growth policy. As I retired from council in 2015, I expected we'd see a mass rezoning in short order to reflect the values the community expressed, consultants vetted and council unanimously adopted. That never happened. You're about to embark on that journey, but the housing crisis is here and now…not three years from now.

How do we encourage more infill? By making it physically possible. It's incredibly challenging to infill existing parcels in the city due to front and rear yard setbacks, both of which are simply deterrents to new housing, not safety related. All of your residential setbacks are 20' in the front and rear yard. Most are 5-10' in the side yards. In your commercial and industrial districts, typically there are no setbacks in any direction (unless abutted by a residential district, in which case they're usually 5'). So what is the result? Most of the new multifamily construction we're seeing is in very large green fields (which really aren't focus inward) or in commercial/industrial zoned lots. Why? Large green fields are relatively easy to develop in terms of laying out multifamily buildings and allow for scale. But when it comes to infill, the density necessary to make multifamily projects feasible requires the zero setbacks offered in the commercial/industrial zoning districts. I'd be happy to sit down with any of you to show you a 9 unit, relatively affordable condominium project I've just received a building permit for. It's a great project in a residential area that just happens to have industrial zoning because it's near the railroad. However, if this project was a block west, deeper into the multifamily zoned Franklin to the Fort area, it wouldn't be feasible due to the front yard setback of 20'. A setback that serves exactly no safety purpose, but does inhibit the development of new housing, which comes with a long, sordid history of racism and classism.

So what am I asking of you? It's really simple. At a minimum, eliminate the front and rear yard setbacks in the RM1-35 and RM1-45 districts at a minimum and consider the same for RM2.7 and RT2.7. You could complete this change in a matter of a couple months and provide real, meaningful code reform that absolutely WILL result in more focus-inward housing development.

https://www.strongtowns.org/journal/2018/3/6/a-brief-history-of-setbacks

Feel free to give me a call if you'd like more information and would consider carrying this proposed zoning change.

Thank you,

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