

**Proposed Amendment No. 6**

**Option 1 Description:**

Would make side and rear setbacks the same for all property in Village Commercial (VC), Higher Density Residential (HDR), and Lower Density Residential (LDR) Districts – 20 feet except 10 feet for accessory buildings no larger than 150 sq.ft., thereby removing the additional distance currently required for properties in VC and HDR that abut LDR.

Specifically, Amendment No. 6 would remove the language from Section IV.B)1)e)(ii) HDR Setbacks that is shown struck-out:

No structure shall be located within 20 feet of any side or rear lot line. Exceptions: 1. ~~In cases where HDR property abuts property in the LDR District, there shall be no structure on HDR property within 35 feet of the LDR District.~~ 2. The side and rear setback for fences, walls, retaining walls and similar types of improvement shall be 10 feet. 2. One unoccupied free-standing accessory building no larger than 150 sq. ft., no more than one story in height with a single gable roof, may be no closer to side and rear lot lines than 10 feet, ~~unless abutting the LDR District in which case the setback shall be 35 feet.~~

Would also remove the language shown as struck-out from Section IV)C)1)f)(ii) VC Setbacks:

No structure shall be located within 20 feet of any side or rear lot line. Exceptions: 1. ~~In cases where VC property abuts LDR property, there shall be no structure on VC property within 35 feet of the LDR District.~~ 2. The side and rear setback for fences, walls, retaining walls and similar types of improvement shall be 10 feet. ~~3.~~ 2. One unoccupied free-standing accessory building no larger than 150 sq. ft., no more than one story in height with a single gable roof, may be no closer to side and rear lot lines than 10 feet, ~~unless abutting the LDR District in which case the setback shall be 35 feet.~~

**Option 4 Description:**

Would make side and rear setbacks the same for all residential property in Village Commercial (VC), Higher Density Residential (HDR), and Lower Density Residential (LDR) Districts – 20 feet except 10 feet for accessory buildings no larger than 150 sq.ft., retaining the additional distance currently required for properties in VC and HDR that abut LDR for nonresidential structures only.

Specifically, Amendment No. 6 would remove the language from Section IV.B)1)e)(ii) HDR Setbacks that is shown struck-out and add the word “nonresidential” as shown:

No structure shall be located within 20 feet of any side or rear lot line. Exceptions: 1. In cases where HDR property abuts property in the LDR District, there shall be no nonresidential structure on HDR property within 35 feet of the LDR District. 2. The side and rear setback for fences, walls, retaining walls and similar types of improvement shall be 10 feet. 3. One unoccupied free-standing accessory building no larger than 150 sq. ft., no more than one story in height with a single gable roof, may be no closer to side and rear lot lines than 10 feet, ~~unless abutting the LDR District in which case the setback shall be 35 feet.~~

Would also remove the language shown as struck-out from Section IV.C)1)f)(ii) VC Setbacks and add the word “nonresidential” as shown:

No structure shall be located within 20 feet of any side or rear lot line. Exceptions: 1. In cases where VC property abuts LDR property, there shall be no nonresidential structure on VC property within 35 feet of the LDR District. 2. The side and rear setback for fences, walls, retaining walls and similar types of improvement shall be 10 feet. 3. One unoccupied free-standing accessory building no larger than 150 sq. ft., no more than one story in height with a single gable roof, may be no closer to side and rear lot lines than 10 feet, ~~unless abutting the LDR District in which case the setback shall be 35 feet.~~

OPTIONS	DISCUSSION
1. Leave as is for voters to decide in March.	What else could be done to ensure voters are well informed?
2. Drop from March 2024 amendments.	Would there be a possibility of working with landowners to see if a compromise can be found for next year? For example, could a landscaped buffer requirement have the same effect as the extra 15 feet of setback? Would it alleviate enough concerns if the height limit within the 20 – 35 foot band was 35 feet like it is in LDR instead of 45 feet like it is in HDR and VC?
3. Separate HDR and VC into two different amendments.	Would they be viewed as the same, or might one be easier to pass than the other?
4. Make the setback be 35 feet only when the principal land use abutting LDR is nonresidential.	This option would maintain the housing goal while eliminating some of the concerns we heard. Having a public hearing on it would be an opportunity to hear if it addresses enough of the concerns.
5. Make the setback be 35 feet only when the principal land use abutting LDR is not single or two family.	Would eliminate the inequity of allowing the single family home on the LDR lot to be closer to the lot line than the single family home on the HDR or VC lot next door. No benefit for multifamily dwellings.
6. Keep the 35 feet for only the principal structure but apply the same 10-foot setback for unoccupied accessory buildings no larger than 150 sq ft. everywhere.	Not much benefit for housing.