

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, AMENDING CHAPTER 62, LAND AND SITE DEVELOPMENT, SPECIFICALLY TO REDUCE THE SIDE AND REAR BUILDING SETBACKS FROM 7.5 FEET TO 5 FEET IN EVERY ZONING DISTRICT WITH THE EXCEPTION OF AGRICULTURAL – OPEN DISTRICT (A-O), RESIDENTIAL - NEIGHBORHOOD CONSERVATION DISTRICT (R-NC), AND THE DOWNTOWN DISTRICTS AS WELL AS REVISE THE DEFINITION OF “SETBACK” TO APPLY TO ANY STRUCTURE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CODIFICATION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bryan has adopted Chapter 62, Land and Site Development, of the City of Bryan Code of Ordinances, as amended, which provides standards for physical development; and

**WHEREAS**, the City Council recognizes the need from time to time to amend these regulations to clarify and/or update requirements and better reflect the values of the community; and

**WHEREAS**, the Bryan Planning and Zoning Commission, during its meeting on November 4, 2021, recommended approval of an amendment to Chapter 62, Land and Site Development, specifically to reduce the side and rear building setbacks from 7.5 feet to 5 feet in every zoning district with the exception of Agricultural – Open District (A-O), Residential Neighborhood Conservation District (R-NC), and the Downtown Districts as well as revise the definition of “setback” to apply to any structure.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:**

1.

That the City Council finds and determines the foregoing recitals to be true and correct and hereby makes them part of this ordinance.

2.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Section 62-1. General definitions, is hereby amended, by revising the definition of “setback”, “front setback”, “rear setback”, and “side setback”, as follows:

**Sec. 62-1. - General definitions.**

*Setback* shall mean the distance between the outside wall of ~~the main building~~ any structure and any lot line. ~~The setback may exclude uncovered walks, chimneys, bay windows, and roof overhangs up to 18 inches in width.~~ Roof overhangs meeting fire-resistance rating requirements may extend up to 18 inches into the minimum setback area.

*Front setback* shall mean the line extending across a lot between the side yard lines and being the minimum horizontal distance between the front property line and the outside wall of ~~the main building~~ any structure.

*Rear setback* shall mean the line extending across the rear of a lot measured between the lot lines and being the minimum horizontal distance between the rear lot line and the rear of the outside wall of ~~the main building~~ any structure. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

*Side setback* shall mean the line between the building and side line of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the outside wall of the side of ~~the main building~~ any structure.

3.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Section 62-161. Standards, is hereby amended, by revising the standards table, as follows:

**Sec. 62-161. - Standards.**

The following standards apply:

| Zoning Districts   | A-O                | <u>R-NC</u>               | RD-7               | RD-5               | MF                 | C-1                | C-2                | DT-N,<br>DT-S,<br>DT-C | C-3                | I              | MU-2               |
|--|--------------------|---------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|------------------------|--------------------|----------------|--------------------|
| Front setback <sup>(3), (6), (7)</sup>   | 50'                | <u>25'</u>                | 25'                | 25'                | 25'                | 25'                | 25'                | (8)                    | 25'                | 25'            | 25'                |
| Side setback adjacent to abutting property <sup>(3), (5), (6)</sup>                        | 20'                | <u>7.5'</u>               | <u>7.5' 5'</u>     | <u>7.5' 5'</u>     | <u>7.5' 5'</u>     | <u>7.5' 5'</u>     | <u>7.5' 5'</u>     | (8)                    | <u>7.5' 5'</u>     | <u>7.5' 5'</u> | <u>7.5' 5'</u>     |
| Side setback adjacent to an arterial street <sup>(3), (6)</sup>                            | 25'                | <u>25'</u>                | 25'                | 25'                | 25'                | 25'                | 25'                | (8)                    | 25'                | 25'            | 25'                |
| Side setback adjacent to a collector or local street <sup>(3), (6)</sup>                   | 25'                | <u>15'</u>                | 15'                | 15'                | 15'                | 15'                | 15'                | (8)                    | 15'                | 15'            | 15'                |
| Rear setback adjacent to an alley or abutting property <sup>(3), (4), (5), (6), (10)</sup> | 25'                | <u>7.5'</u>               | <u>7.5' 5'</u>     | <u>7.5' 5'</u>     | <u>7.5' 5'</u>     | <u>7.5' 5'</u>     | <u>7.5' 5'</u>     | (8)                    | <u>7.5' 5'</u>     | <u>7.5' 5'</u> | <u>7.5' 5'</u>     |
| Maximum lot coverage <sup>(6)</sup>  | 75% <sup>(1)</sup> | <u>75% <sup>(1)</sup></u> | 75% <sup>(1)</sup> | 75% <sup>(1)</sup> | 75% <sup>(1)</sup> | 75% <sup>(1)</sup> | 75% <sup>(1)</sup> | n/a                    | 75% <sup>(1)</sup> | n/a            | 75% <sup>(1)</sup> |
| Minimum lot size <sup>(3), (6)</sup>   | 1 ac               | <u>5,000 sf</u>           | 7,000 sf           | 5,000 sf           | 5,000 sf           | 10,500 sf          | 20,000 sf          | n/a                    | 20,000 sf          | n/a            | 7,000 sf           |
| Minimum lot width <sup>(3), (6), (9)</sup>   | 150'               | <u>50'</u>                | 70'                | 50'                | 50'                | 70'                | 100'               | n/a                    | 100'               | 100'           | 50'                |

|                                       |      |             |      |      |                    |                    |                    |      |                    |                    |                    |
|---------------------------------------|------|-------------|------|------|--------------------|--------------------|--------------------|------|--------------------|--------------------|--------------------|
| Minimum lot depth <sup>(3), (6)</sup> | 300' | <u>100'</u> | 100' | 100' | 100'               | 150'               | 200'               | n/a  | 200'               | 200'               | 100'               |
| Maximum height <sup>(6)</sup>         | 50'  | <u>35'</u>  | 35'  | 35'  | 35' <sup>(2)</sup> | 35' <sup>(2)</sup> | 35' <sup>(2)</sup> | None | 35' <sup>(2)</sup> | 35' <sup>(2)</sup> | 35' <sup>(2)</sup> |

4.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Section 62-172. Twin home requirements, is hereby amended, by revising the listed minimum side building setback, as follows:

**Sec. 62-172. - Twin home requirements.**

a) Building setbacks.

2. Side yard. Twin homes must be constructed at least ~~seven and one-half~~ five feet from one side lot line. The minimum side yard setback shall be ten feet on lots siding on alleys.

a. The minimum side yard setback on corner lots shall be 15 feet on minor streets, 20 feet on secondary and collector streets, and 25 feet on arterial streets.

5.

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

6.

That the Code of the City of Bryan, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

7.

That if any section, paragraph, sentence, clause, phrase or word of this ordinance is declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby and to this end the provisions of this ordinance are declared to be severable.

8.

That it is hereby found and determined that the meeting at which this ordinance was passed was open to the public, as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

9.

It is the intention of the City Council that this ordinance shall become a part of the Bryan City Code and it may be renumbered and codified therein accordingly

10.

That this ordinance shall take effect immediately upon its first and only reading and passage.

**PASSED, ADOPTED and APPROVED** the 14<sup>th</sup> day of December 2021, at a regular meeting of the City Council of the City of Bryan, Texas, by a vote of \_\_\_ yeses and \_\_\_ noes.

**ATTEST:**

**CITY OF BRYAN:**

\_\_\_\_\_  
Mary Lynne Stratta, City Secretary

\_\_\_\_\_  
Andrew Nelson, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Thomas A. Leeper, Interim City Attorney

**EXCERPT FROM PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES  
OF NOVEMBER 4, 2021:**

**5. PROPOSED AMENDMENTS TO THE TEXT OF BRYAN’S CODE OF ORDINANCES – A  
PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission makes recommendation;  
City Council has final approval).**

**a. Bryan Code of Ordinances, Chapter 62 – Land and Site Development**

*Public hearing, presentation, and consideration of an ordinance to amend the text of the Bryan Code of Ordinances, Chapter 62, Land and Site Development, regarding minimum side and rear building setbacks from 7.5 feet to 5 feet for certain zoning districts. (A. Kay)*

Ms. Kay presented the staff report (on file in the Development Services Department). Staff recommends approval of the request.

The public hearing was opened.

Steve Arden, 311 Cecilia Loop, College Station; Stephen Grove, Stylecraft Builders; Max Turner, WBW Development; Jeff Robertson, McClure & Browne Engineering/Surveying; in favor of the text amendment, came forward during the public hearing and stated:

- Developers are able to provide quality development with 5-ft setbacks.
- Buyers and developers are demanding 5-ft setbacks within developments already.
- 5-ft setbacks are common through central Texas.
- This amendment would decrease the amount of significant delays in the development process.
- The sheer request of planned developments demonstrates the demand and need for 5-ft setbacks.

The public hearing was closed.

**Commissioner Torres moved to recommend approval of the proposed text amendments to the Bryan Code of Ordinances Chapter 62, Land and Site Development, as presented, to the Bryan City Council. Commissioner Rayford seconded the motion.**

Commissioners stated that amendments allowing 5-foot setbacks would optimize and streamline the permitting process.

**The motion passed unanimously.**

# Memorandum

To: Planning and Zoning Commission  
 From: Allison Kay, Project Planner  
 Date: November 4, 2021  
 Re: proposed amendment to Bryan Code of Ordinances Chapter 62, Land and Site Development, regarding minimum side and rear building setback requirements.

## BACKGROUND:

Minimum building setbacks, like all development regulations, are intended to help promote public health, safety, and orderly development. By limiting the location of buildings on a lot, setbacks help preserve open space for light and air circulation, provide area for landscaping and recreation, promote privacy, mitigate noise and odor pollution, reduce fire danger, and create uniform development. Setbacks also provide room for emergency access between structures and space for utility access and building maintenance.

In Bryan, minimum side and rear building setbacks were designated as 5-feet as early as 1967, when the Subdivision Control Ordinance was enacted. This setback was measured as the distance between the property line and any portion of a building. Several plats recorded prior to 1967 also note 5-foot side and rear building setbacks. In March 1998, the Bryan City Council voted to increase side and rear building setbacks from 5 feet to 7.5 feet in an effort to align with development requirements in College Station and help spur residential development in Bryan. This 7.5-foot minimum side and rear building setback remains in effect today for most standard zoning districts, and is measured as the distance from the property line to the outside wall of a structure. Roof overhangs may extend up to 18 inches into the setback.

The International Residential Code (IRC) requires specific fire-resistance ratings for exterior walls and projections depending on their distance from an adjacent property line, or fire separation distance, as shown in the table on the right. In 2000, shortly after

| Exterior Wall Element |   | Minimum Fire-Resistance Rating  | Minimum Fire Separation Distance |
|-----------------------|---|---|----------------------------------|
| Walls                 | (Fire-resistance rated)                   | 1-hour tested in accordance with ASTM E 119 or UL 263 with exposure from both sides | < 5 feet                         |
|                       | (Not fire-resistance rated)               | 0 hours   | ≥ 5 feet                         |
| Projections           | (Fire-resistance rated)                   | 1 hour on the underside <sup>a, b</sup>   | ≥ 2 feet to 5 feet               |
|                       | (Not fire-resistance rated)               | 0 hours   | 5 feet                           |
| Openings in Walls     | Not allowed                               | N/A   | < 3 feet                         |
|                       | 25% maximum of wall area <u>per story</u> | 0 hours   | 3 feet                           |
|                       | Unlimited                                 | 0 hours   | 5 feet                           |
| Penetrations          | All                                       | Comply with Section R302.4  | < 5 feet                         |
|                       |   | None required   | 5 feet                           |

For IS: 1 foot = 304.8 mm. N/A = Not Applicable

a. Roof eave fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave if fire blocking is provided from the wall top plate to the underside of the roof sheathing.  
 b. Roof eave fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave provided no gable vent openings are installed.

2015 International Residential Code - Table R302.1(1)

the adoption of 7.5-foot setbacks, Bryan adopted a local amendment to its building code that removed this table, thereby eliminating the requirement for portions of a structure located within 5 feet of an adjacent property line to be fire-resistance rated. With 7.5-foot minimum building setbacks in place, in theory this amendment should not lead to major concerns, as buildings or roof overhangs would not be allowed within 5-feet of an adjacent property line.

However, since the adoption of 7.5-foot setbacks, the City has received numerous requests for development with 5-foot setbacks measured to the slab or outside wall of a building. Nearly all of these requests have been approved, either through Planned Development District (PD) zoning or with individual planning variances. In these situations, the amendment to the building code adopted in 2000 created fire safety concerns, as the City was no longer able to require proper fire rating for development with reduced setbacks.

In June 2013, after approval of the Edgewater PD District, which included 5-foot setbacks, the Planning and Zoning Commission formed a subcommittee to consider reducing minimum setback requirements from 7.5 feet to 5 feet citywide. The subcommittee made the following findings and recommendations, which were adopted as a resolution of the Planning and Zoning Commission on March 6, 2014:

#### **Subcommittee Findings:**

- The amendment to the building code adopted in 2000 renders Bryan's current building code unable to mandate the proper design and construction techniques that would help prevent undesirable or unsafe conditions when development is allowed with reduced side setbacks.
- More information should be required when considering the reduction of side setbacks. For example, applicants should be required to submit specific information showing how physical conditions could be mitigated to avoid compromise to public safety as the result of the revised standard.
- It is unlikely that failure to accept reduced building setback standards will decrease the availability of adequate housing or place the development community in a position of competitive disadvantage.

#### **Subcommittee Recommendations:**

- No changes be made to the 7.5-foot side building setback standard.
- The exception made in 2000 to the building code granting relief from providing proper fire rated design and materials be removed.
- Future requests for reduction of side building setbacks clearly address the issue of fire safety and employ specific measures to mitigate against the resulting lack of open space and increased fire danger.

Since this time, the recommendations made by the subcommittee have each been addressed. In August 2017, Bryan adopted the 2015 International Building Code (IBC) and 2015 International Residential Code (IRC). The local amendment, which previously eliminated fire-resistance rating requirements for exterior walls and projections, was removed. Fire rating is now required for any portions of a structure located within five feet of an adjacent property line. In addition, requests for PD District zoning to allow development with 5-foot setbacks since this time have included specific construction and use standards offered in response to the subcommittee findings, in order to ensure fire safety concerns are mitigated.

#### **ANALYSIS:**

Staff is proposing to revert minimum side and rear building setback requirements (adjacent to abutting property or an alley) from 7.5 feet back to 5 feet. This change would apply to all standard zoning districts in Bryan except for Agricultural – Open District (A-O), Residential - Neighborhood Conservation District (R-NC), and the downtown zoning districts. Setbacks would be measured from the property line to the outside wall of any structure, with roof overhangs allowed to extend up to 18-inches into the setback, given that required fire-resistance rating is provided.

Reduced setbacks, as described above, have been approved by the Planning and Zoning Commission nearly every time they have been requested. As summarized below, from the time that 7.5-foot setbacks were adopted, the P&Z has approved 5-foot setbacks for approximately **3,413 residential lots** in PD Districts. This total includes lots that have already been platted as well as estimates for future phases of development.

**Planned Development Districts Approved with 5-Foot Setbacks**

|   | <b>Year Approved</b> | <b>Subdivision</b>       | <b>Total Lots</b> |
|---|----------------------|--------------------------|-------------------|
| Prior to 2014<br>Subcommittee<br>Findings | 2002                 | Cottage Grove            | 116               |
|   | 2005                 | Briar Meadows            | 58                |
|   | 2006                 | Autumn Lake              | 125               |
|   | 2009                 | Siena                    | 270               |
|   | 2013                 | Edgewater Ph 1-4         | 610               |
| After 2014<br>Subcommittee<br>Findings    | 2016                 | Greenbrier Ph 4, 6A & 6B | 70                |
|   | 2016                 | Howdy Court              | 19                |
|   | 2017                 | Yaupon Trails            | 540               |
|   | 2018                 | Rudder Pointe            | 400               |
|   | 2018                 | Pleasant Hill Ph 1       | 556               |
|   | 2019                 | Edgewater Ph 5           | 180               |
|   | 2019                 | Hope Crossing            | 52                |
|   | 2019                 | Northcrest Cottages      | 43                |
|   | 2019                 | Pleasant Hill Ph 2       | 256               |
|   | 2020                 | Bonham Trace             | 110               |
|   | 2020                 | Howdy Court Ph 2         | 8                 |
| <b>Total Lots:</b>                        |                      |                          | <b>3,413</b>      |

For the majority of these lots (2,234 out of 3,413), the PD District zoning that allows 5-foot setbacks was approved within the last five years. Between 2016 and 2019, 5-foot setbacks were approved on an average of 529 lots per year. For reference, in this same time span, an average of 469 new homes were constructed per year in the City of Bryan as a whole.

PD Districts are typically reserved for new or innovative concepts in land utilization, and staff contends that this zoning tool is misused when requested specifically to allow 5-foot setbacks. Staff believes that 5-foot setbacks are appropriate on a wide scale and should not be limited to PD Districts, and approval of numerous PD Districts that differ only slightly from standard zoning contributes to an unstable regulatory environment.



The Planning and Zoning Commission has also considered 57 requests for side and rear setback variances to allow setbacks less than 7.5 feet, and in many cases less than 5 feet, for individual properties in the last 15 years. Often these requests are for properties that were built with 5-foot setbacks, prior to March 1998, but under current 7.5-foot setback requirements, must receive a variance in order to construct a carport, accessory structure, or building addition that lines up with the existing home. Of the 57 requests considered, the Commission has approved 48 and denied 9. Those denied were all for setbacks less than 5 feet.

The Planning and Zoning Commission has discussed this proposal at several past meetings. During discussion, the Commission has expressed significant concern for the protection of older, established, residential neighborhoods, and those that were platted after March 1998, and therefore created with 7.5-foot setbacks. At the request of the Commission, staff compiled a list of residential subdivisions that were platted after March 1998, and found that in total, they contained 6,725 lots. Of these, 2,400 lots were located in PD Districts with 5-foot setbacks (36%). In the last five years, 3,320 total lots have been platted, with 1,695 lots allowing 5-foot setbacks (51%).

During previous discussion, the Commission also requested information regarding whether 5-foot setbacks could be allowed by right in new subdivisions, with existing subdivisions retaining the 7.5-foot requirement. Staff has analyzed this possibility, and unfortunately has not found a feasible solution to accomplish this. Setback requirements are determined by zoning, and new zoning districts would need to be created in order to distinguish between properties that qualify for “new” 5-foot setbacks, and those that would retain the 7.5-foot requirements. Staff contends that creating multiple new zoning districts for this purpose would further contribute to an unstable regulatory environment.

In summary, staff supports a reduction in minimum side and rear building setbacks from 7.5 feet to 5 feet for all zoning districts except A-O District, Residential - Neighborhood Conservation District (R-NC), and Downtown districts, for the following reasons:

- The major concern cited by the P&Z Subcommittee in 2014 was the local building code amendment, adopted in 2000, which prevented the City from requiring proper fire rating techniques. New building codes have been adopted, and that amendment was removed. Reduced setbacks can now be implemented safely, and the Fire Marshal and Chief Building Official are supportive of the proposed change to 5-foot setbacks.
- Almost every request for development with 5-foot setbacks, whether in PD Districts or through individual variances, has been approved. 5-foot setbacks have been successfully implemented in several major subdivisions in Bryan. Feedback from the development community consistently indicates that 5-foot setbacks are crucial to providing homes that meets current market demands.
- PD District zoning is misused when it is requested specifically to allow 5-ft setbacks.
- The recently passed Midtown – Corridor District (MT-C) zoning minimum side and rear building setback, when adjacent to other properties, is 5-feet.
- This proposal creates flexibility for new development as well as for existing homeowners. 5-foot setbacks were standard in Bryan until March 1998, and any housing built prior to this could have been placed within 5 feet of the adjoining side or rear property line. Though many homes were built

with larger setbacks, the minimum standard was 5 feet. When setbacks were changed to 7.5-feet, it reduced buildable area on all lots platted prior to March 1998. Today, property owners in older neighborhoods are required to obtain a variance in order to construct a building addition or accessory structure that lines up with an existing home built with 5-foot setbacks.

- Lot density is determined by minimum dimension standards, not setback requirements. No change is proposed to minimum lot width, depth, or area requirements.
- The proposed 5-foot setbacks would represent a minimum standard. Developers can choose to impose larger setbacks, and neighborhoods may enact deed restrictions that specify larger setbacks.
- The visual impact of 5-foot setbacks versus 7.5-foot setbacks is negligible, and the proposed change would not be damaging to neighborhood integrity. Many existing subdivisions, such as Austin's Colony or Tiffany Park, include phases that were built before 7.5-foot setbacks were adopted and others built after.
- Five-foot setbacks are considered standard by international building code, and are permitted in numerous other Texas cities, including Amarillo, Dallas, Temple, Waco, El Paso, Killeen, Huntsville, Conroe, and Corpus Christi, among others.

#### **RECOMMENDATION:**

Staff recommends **approving** the following proposed changes to the text of Bryan's Land and Site Development Ordinance:

#### **Sec. 62-1. - General definitions.**

*Setback* shall mean the distance between the outside wall of ~~the main building~~ any structure and any lot line. ~~The setback may exclude uncovered walks, chimneys, bay windows, and roof overhangs up to 18 inches in width. Roof overhangs meeting fire-resistance rating requirements may extend up to 18 inches into the minimum setback area.~~

*Front setback* shall mean the line extending across a lot between the side yard lines and being the minimum horizontal distance between the front property line and the outside wall of ~~the main building~~ any structure.

*Rear setback* shall mean the line extending across the rear of a lot measured between the lot lines and being the minimum horizontal distance between the rear lot line and the rear of the outside wall of ~~the main building~~ any structure. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

*Side setback* shall mean the line between the building and side line of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the outside wall of the side of ~~the main building~~ any structure.

#### **Sec. 62-161. - Standards.**

The following standards apply:

| Zoning Districts  | A-O        | <u>R-NC</u>        | RD-7           | RD-5           | MF                 | C-1                | C-2                | DT-N,<br>DT-S,<br>DT-C | C-3                | I                     | MU-2               |
|---|------------|--------------------|----------------|----------------|--------------------|--------------------|--------------------|------------------------|--------------------|-----------------------|--------------------|
| Front setback <sup>(3)</sup> ,<br>(6), (7)  | 50'        | <u>25'</u>         | 25'            | 25'            | 25'                | 25'                | 25'                | (8)                    | 25'                | 25'                   | 25'                |
| Side setback<br>adjacent to<br>abutting property<br>(3), (5), (6)                                       | 20'        | <u>7.5'</u>        | <u>7.5' 5'</u> | <u>7.5' 5'</u> | <u>7.5' 5'</u>     | <u>7.5' 5'</u>     | <u>7.5' 5'</u>     | (8)                    | <u>7.5' 5'</u>     | <u>7.5' 5'</u>        | <u>7.5' 5'</u>     |
| Side setback<br>adjacent to an<br>arterial street <sup>(3)</sup> ,<br>(6)                               | 25'        | <u>25'</u>         | 25'            | 25'            | 25'                | 25'                | 25'                | (8)                    | 25'                | 25'                   | 25'                |
| Side setback<br>adjacent to a<br>collector or local<br>street <sup>(3)</sup> , (6)                      | 25'        | <u>15'</u>         | 15'            | 15'            | 15'                | 15'                | 15'                | (8)                    | 15'                | 15'                   | 15'                |
| Rear setback<br>adjacent to an<br>alley or abutting<br>property <sup>(3)</sup> , (4), (5),<br>(6), (10) | 25'        | <u>7.5'</u>        | <u>7.5' 5'</u> | <u>7.5' 5'</u> | <u>7.5' 5'</u>     | <u>7.5' 5'</u>     | <u>7.5' 5'</u>     | (8)                    | <u>7.5' 5'</u>     | <u>7.5' 5'</u>        | <u>7.5' 5'</u>     |
| Maximum lot<br>coverage <sup>(6)</sup>  | 75%<br>(1) | <u>75%</u><br>(1)  | 75%<br>(1)     | 75%<br>(1)     | 75% (1)            | 75% (1)            | 75% (1)            | n/a                    | 75% (1)            | n/a                   | 75% (1)            |
| Minimum lot<br>size <sup>(3)</sup> , (6)  | 1 ac       | <u>5,000</u><br>sf | 7,000<br>sf    | 5,000<br>sf    | 5,000<br>sf        | 10,500<br>sf       | 20,000<br>sf       | n/a                    | 20,000<br>sf       | n/a                   | 7,000<br>sf        |
| Minimum lot<br>width <sup>(3)</sup> , (6), (9)  | 150'       | <u>50'</u>         | 70'            | 50'            | 50'                | 70'                | 100'               | n/a                    | 100'               | 100'                  | 50'                |
| Minimum lot<br>depth <sup>(3)</sup> , (6)   | 300'       | <u>100'</u>        | 100'           | 100'           | 100'               | 150'               | 200'               | n/a                    | 200'               | 200'                  | 100'               |
| Maximum height<br><sup>(6)</sup>  | 50'        | <u>35'</u>         | 35'            | 35'            | 35' <sup>(2)</sup> | 35' <sup>(2)</sup> | 35' <sup>(2)</sup> | None                   | 35' <sup>(2)</sup> | 35'<br><sup>(2)</sup> | 35' <sup>(2)</sup> |

**Sec. 62-172. - Twin home requirements.**

b) Building setbacks.

2. Side yard. Twin homes must be constructed at least ~~seven and one-half~~ five feet from one side lot line. The minimum side yard setback shall be ten feet on lots siding on alleys.
  - a. The minimum side yard setback on corner lots shall be 15 feet on minor streets, 20 feet on secondary and collector streets, and 25 feet on arterial streets.