

CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** February 9, 2026
SUBJECT: TR25-07, Ordinance No. 3948 Public hearing and consideration regarding possible updates to Chapter 118 related to implementing maximum lot coverage requirements in lieu of rear-yard open space requirements
PRESENTER: Cori Reaume, Director of Planning

SUMMARY:

In an effort to continue refining the City's Code of Ordinances in the spirit of clarity and efficiency, an ordinance update to rear-yard open space requirements is being proposed by staff for City Council's consideration.

GENERAL DESCRIPTION:

The definition for rear yard open space from the city's zoning ordinance is listed below:

Rear yard open space means an area reserved as an open space in the rear portion of a yard which extends from one side property line to another side property line and abutting the rear property line. The rear yard open space shall not protrude beyond the two most extreme corners of the main structure and no part of a residential dwelling unit may be constructed so as to occupy any portion of the rear yard open space.

As the City continues to build out remaining residential lots and the existing neighborhoods continue to mature/redevelop, there are some challenges that arise from operating within the existing definition and requirement (typically a 20% rear-yard open space requirement for typical single-family districts).

The original consideration for a proposed revision to this code stemmed from primarily existing residences looking to build additions and/or to attach previously-detached accessory structures to the primary structure.

After beginning review and discussion of possible changes, additional concerns were heard from the residential builder/developer side that they occasionally have some difficulty ensuring the lot's open space is positioned in a way that meets the 20% rear-yard open space requirement.

Based on this additional feedback, the alternatives below were presented for discussion and consideration by the Planning and Zoning Commission in December:

- Replacement of rear yard open space with maximum lot coverage
- Application of rear yard open space requirement only to new homes
- Replacement of rear yard open space with broader "usable open space"



- Hybrid approach – modification of rear yard requirement to allow for other “excess” open space in the front or side yard to credit a portion of the rear-yard open space.

Following discussion with the commission and home builders, staff recommended the aforementioned “hybrid approach” above at the public hearing on January 15. While this approach generally leaves the current regulations in place, it provides a minor change, as outlined below:

To encourage flexibility in site design, “Usable Excess Yard Area” – defined as any open space within the front or side yards beyond the minimum required setbacks – may be credited against the required Rear Yard Open Space on an equivalent square footage basis. This credit shall not permit the reduction of the Rear Yard Open Space to an area smaller than ten percent (10%) of the total lot area, and would never supersede the stated minimum setbacks.

This allows the City to continue developing under regulations that have generally worked well for NRH while providing flexibility that may be needed as the City receives additional infill residential project submissions, and residents look to revise their aging properties.

PLANNING AND ZONING COMMISSION: The Planning and Zoning Commission conducted a public hearing and considered this item at the January 15, 2026 meeting and voted 7-0 to recommend approval.

RECOMMENDATION:

Approve Ordinance No. 3948.