

City of Georgetown Planning Department
Unified Development Code (UDC) Interpretation

Rule In Question: Applicability of workforce housing standards in non-residential zoning districts where residential uses may be permitted through a Special Use Permit, Planned Unit Development or other special district.

For simplicity purposes, all chapters and sections referred herein are of the City's Unified Development Code (UDC) unless noted otherwise.

In accordance with Section 4.06.010.A, a Planned Unit Development (PUD) is designed to be used in conjunction with a designated base zoning district, and thus must specify the base district(s) and the uses proposed. In addition, the standards and requirements of the specified base district apply unless specifically superseded by the standards and requirements of the PUD Development Plan.

In accordance with Section 5.02.010, attached multi-family dwelling units may be permitted in the Local Commercial (C-1), General Commercial (C-3), Business Park (BP) and Mixed Use-Downtown (MU-DT) zoning districts with approval of a Special Use Permit (SUP). In addition, detached multi-family dwelling units may be permitted in the Mixed Use-Downtown (MU-DT) zoning districts with approval of a Special Use Permit (SUP). Special site design and use limitations apply to multi-family uses in these districts should the SUP be approved, to include more stringent impervious cover and setback requirements than what otherwise would be allowed in the zoning district.

To incentivize workforce housing development within the city, the following Sections apply to single-family and multifamily development:

Sec. 6.07.040. - Workforce Housing Development.

E. Workforce Housing

1. Workforce Housing Developments in Single-Family Residential, Two-Family and Townhouse Districts that include twenty percent (20%) of the housing units available for those whose incomes are less than or equal to eighty percent (80%) of the area median family income (as set by the Department of Housing and Urban Development) are eligible to use the standards in Table 6.070.030 for all lots within the subdivision. The deed restrictions, approved by the City Attorney, must include language that requires all workforce housing lots be restricted for ten years from the date of the original home sale to the qualifying buyer any resale shall be to a party whose income is less than or equal to eighty percent (80%) of the area median family income or, absent that, shall require a payment to the City of their proportionate and prorated share of fees that were waived for their lot.

2. Workforce Housing Developments in Low-Density Multifamily (MF-1) and High-Density Multifamily (MF-2) Districts are eligible to use the dimensional standards in Table [6.07.040](#) with the provision of the following workforce housing units.
 - a. Dwelling units per structure maximum can be reached by providing five percent (5%) of the total development as workforce units.
 - b. Front setback can be reduced by five feet for every ten percent (10%) of total development set as workforce units, to the minimum.
 - c. Impervious cover can be increased by ten percent (10%) for every ten percent (10%) of the total development set as workforce units, to the maximum of seventy percent (70%), with required water quality improvements as required in [Section 11.02](#).

Staff Findings and Analysis:

The purpose of Sec. 6.07.040. - Workforce Housing Development is:

To encourage affordable housing for the workforce, this Code allows flexibility to the development standards and allowable housing types for projects that foster housing affordability.

The current UDC section for Workforce Housing Development only specifies certain residential zoning districts (Residential Single-Family (RS), Two-Family (TF), Townhome (TH), Low-Density Multifamily (MF-1) and High-Density Multifamily (MF-2) zoning districts) as eligible districts for workforce housing developments. The current code does not consider the case where workforce housing developments might be located in non-residential zoning districts where residential uses may be permitted through a Special Use Permit, Planned Unit Development or other special district. Development in these instances has the same intent to foster housing affordability and should not be limited from eligibility to use the workforce development standards if meeting the purpose of the standards.

Director's Determination:

It is the determination of the Planning Director that workforce housing developments located in non-residential zoning districts where residential uses may be permitted through a Special Use Permit, Planned Unit Development or other special districts are eligible to use the workforce housing development standards. The development must still comply with the standards of the district in which it is located.

This UDC determination in no way waives any requirements of the International Building Code, International Residential Code, International Fire Code or other City ordinance, as applicable. In the case of any conflict between the UDC and another code the more specific regulation shall apply as determined by the Planning Director.

The Planning Director requests staff to include this item in a future UDC amendment.

Determined By: Sofia Nelson, Planning Director

Date: May 19, 2020

Sofia Nelson

Sofia Nelson
Planning Director

5.19.2020

Date

The Director's determination shall become effective after 30 days unless appealed in accordance with UDC Section 3.14 within that timeframe.