

PLANNING DIVISION STAFF REPORT

March 25, 2019



PREPARED FOR THE PLAN COMMISSION

Proposal: Zoning Text Amendments

Legistar File ID #: [54782](#) [54783](#) [54784](#)

Prepared By: Planning and Zoning Staff

The following is a summary of the proposed zoning text amendments.

[54782](#) Create new zoning use, “Art Center”

This amendment creates a new use, Art Center, to be allowed as a permitted use in the LMX, NMX, TSS, MXC, CC-T, CC, DC, UOR, UMX, TE, SE, SEC, EC, and PR Districts. This new use fills a gap between traditional community centers and uses like art studios. This use will allow a single entity to carry on a variety of different arts-related activities, including creation, production, rehearsal, performance, and teaching.

Staff supports this amendment.

[54783](#) Clarify the articulation requirements for “Podium Building” form

This amendment clarifies that the articulation requirements for podium buildings applies to the lower-base facades. The amendment does not remove the articulation requirements for the base of the podium building, but will allow the upper area architectural flexibility otherwise limited by the articulation requirement. The amendment also results in the zoning text generally matching the graphic in the Zoning Ordinance associated with this building form, which shows no articulation (graphic follows, figure K21)

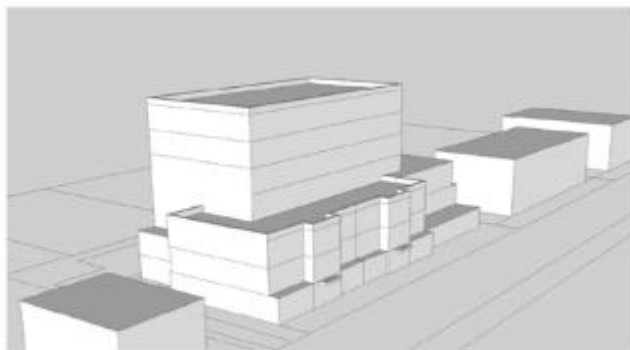


Figure K21: Typical Podium Building

Staff supports this amendment.

[54784](#) Create zoning definition for “bay window”

This definition provides clarification for a bay window feature, which will then will prohibit individuals from using a Bay Window projection into a setback area to add floor area to a level of a building.

The Zoning ordinance allows a number of encroachments into required setback areas. Some of the list of permissible encroachments include fireplaces, chimneys, eaves and gutters, egress window wells, steps, air conditioning units, fire escapes, etc. One of the allowed encroachments is a one-story “bay window” feature. A bay window is most often an “insert” or “replacement” feature into existing wall opening, but these features can also be designed into original construction as cantilevered portions of the building. Bay window features generally allow light/air into the dwelling, offer counter-level places for plants or other similar items to be placed, and in some cases small seating areas.

Some examples:



A bay window may project 3’ into a front or rear yard setback area and 2’ into a side yard setback area, regardless of the setback requirements for each specific zoning district.

The Zoning ordinance lacks a definition for a bay window feature, and some property owners have submitted “bay window” features that included occupy-able floor area. In cases where these features are proposed on small lots with small setbacks, and the bay window projection allows for the home to edge close to the side lot line, possibly as close as 1 foot from a property line on a narrow lot. Staff believes the “bay window” encroachment should not be used for expansion of floor area, and this amendment ensures that a bay window feature cannot expand the floor area of the structure.

This amendment does not prohibit a design including a bay projection from a wall or a cantilevered portion of a building. These features must meet side setback requirements and not be allowed encroachments into setbacks under the “bay window” allowance.

Staff supports this amendment.