



PREPARED FOR THE PLAN COMMISSION

Proposal: **Zoning Text Amendment**

Legistar File ID #: [67873](#) Encroachments in setback areas, bicycle parking in setbacks and open decks atop encroachments

Prepared By: Planning and Zoning Staff

[67873](#) – This amendment allows bicycle parking as an encroachment into any front, side or rear yard setback area. The amendment also allows uncovered decks to be placed atop other allowed projections into setback areas.

Surface-level “short term” bicycle parking is often placed at the edge of sites, front, side or rear, abutting public sidewalks or other site features to ease access from streets to/from the parking facility. This parking is required to be located within 100’ of a principal entrance. Most zoning districts along commercial corridors have no base front setback requirement, which has in turn allow bike parking to be placed directly near or at the edge of the public sidewalk. With the City’s new 5’ setback to encourage tree canopy growth and slightly pull back building facades that are in close proximity to the street, a new 5’ setback is required, thus not permitting bike parking facilities in this setback. This can push bike parking further into sites, limiting the building size at the ground level and result in less convenient locations for parking placement in proximity to the principal entrance.

At multi-family residential, visitor “short term” bike parking is required, and is often placed directly adjacent to the main entrance at the front of a site. Residential zoning districts have front yard setback requirements, which can result in bike parking being located in less convenient locations because front and side yard setback areas are not available. This amendment would make setback areas available for placement of bike parking facilities.

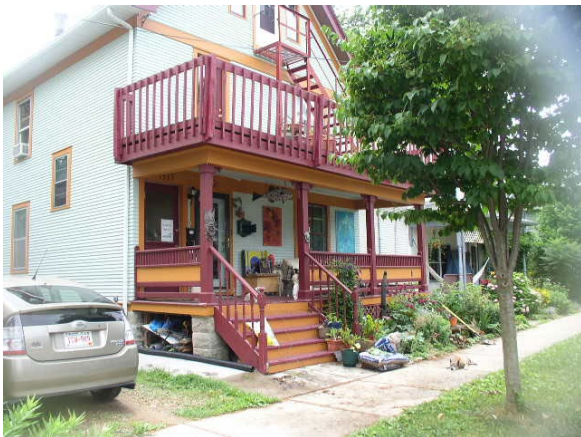
The second part of the amendment addresses decks that are open to the sky, to be allowed atop other encroachments into setback areas as listed in Sec. 28.132. The most common example would be an open deck placed atop an open front porch encroachment into the front yard, which is {awkwardly} not allowed currently. Other examples include deck/roof system atop a garage built into the front slope/embankment or a combination deck/roof system atop a detached garage behind a home. These decks create functional, seasonal and weather dependent outdoor amenities, often at small sites where opportunities to create outdoor space is limited. Also, older 2-3 story residential dwellings often have open porches at the first level and open decks above, which is not possible without an allowance for the open deck to be placed atop the open porch projection. These decks have the potential for some adverse impact on neighbors, but the seasonal usage patterns and the fact these features are open to the elements tend to limit the use of these features to daytime and hours and nicer weather.

Examples of features that would be permissible with this amendment:

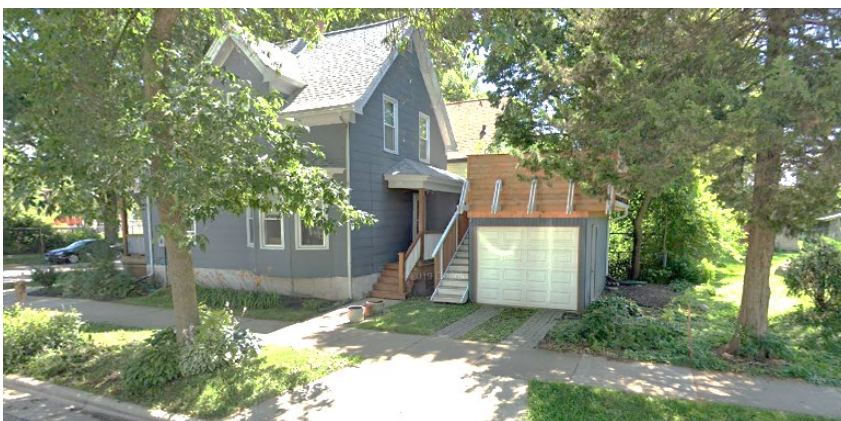
Open deck atop allowed garage in front embankment



Open deck atop open porch encroachment



Open deck atop detached garage



Staff supports this amendment.