



PREPARED FOR THE PLAN COMMISSION

**Proposal:** Zoning Text Amendments

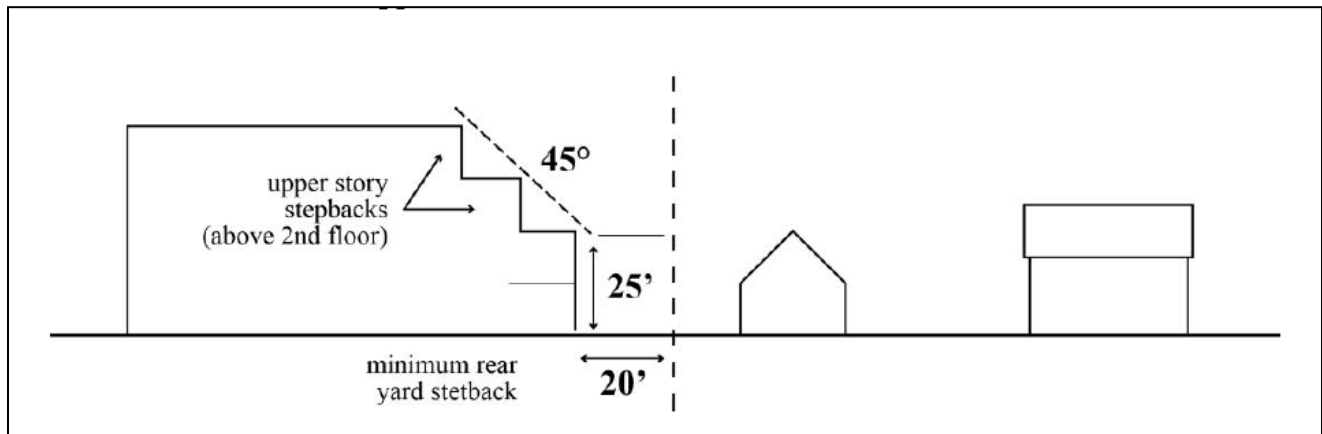
**Legistar File ID #:** [34578](#), [34579](#), [34588](#), [34629](#)

**Prepared By:** Planning and Zoning Staff

The following is a summary of the proposed zoning text amendments for Plan Commission consideration.

**[34578](#) – Rear and Side Yard Height Transitions Adjacent to Residential Districts**

Currently, the zoning code requires a “rear yard height transition”, such that in mixed-use districts, upper levels of buildings step back at a 45 degree angle from residential properties adjacent to the rear (see graphic below).



On some corner properties, where there has been and continues to be interest in mixed-use redevelopments, the requirement as currently worded is not sufficient, due to the flexibility in determining which is the rear yard. For instance, on a corner lot, if the property line adjoining a residential district is technically identified as a “side yard”, there is no requirement to step the building back. This amendment addresses that concern by extending the requirement such that on corner lots, the stepback or height transition would be required in mixed-use districts for both the side and rear yards, when adjacent to a residential district.

It is important to note that in any case, the required rear yard and newly required side yard height transition could be modified through conditional use approval, as is the case in the current form of the ordinance.

Staff supports this amendment.

**[34579](#) – Supplemental Regulations for Food and Beverage Uses in Employment Districts**

This amendment corrects a technical problem with the code, approved for drafting by the Plan Commission earlier this spring, on the “corrections and simple issues” list. “Food and Beverage uses” is a *category* of use type, not a *specific use* for which a supplemental regulation would exist. Therefore, this amendment removes “Food and Beverage Uses” from the supplemental regulations and adds the regulation in each applicable Employment district: EC, IL, and IG.

Staff supports this amendment.

### [34588](#) – Revisions to Scrivener’s Errors and Inconsistencies

Staff supports these clerical changes.

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### [34629](#) – Sidewall Offset for Residential

A current requirement in the code limits the depth of residential building facades close to side lots lines by requiring incremental increases in the side yard setback for every foot of depth over 40 feet.

This requirement leads to several unintended consequences, and after a thorough review, staff believes that it would be best to provide an exemption from the requirement for all residential buildings, so long as the sides of residential buildings are well-articulated with window openings and other architectural features. The ordinance language re-writes the subsection to remove certain exceptions, and to make the requirement clear to the user. The end result will be a sidewall offset for nonresidential buildings and a requirement that residential buildings include articulation.

One of the more significant problems with the existing requirements is that it pertains even to large multi-family buildings (e.g. – partial or even full-block redevelopments), which may have street-facing side yards where a relatively consistent setback from the street is actually desired. The required increase to setback works against this desire.

Staff supports this amendment.