



## PLAN COMMISSION AGENDA ITEM EXECUTIVE SUMMARY

<b>Project Title/Address:</b>	General Amendment: CBD & RT-4 Lot Area Requirements		
<b>City Staff:</b>	Ellen Johnson, Planner Russell Colby, Planning Division Manager		
<b>PUBLIC HEARING</b> 9/8/15	X	<b>MEETING</b> 9/8/15	X

**APPLICATION:** General Amendment

**ATTACHMENTS AND SUPPORTING DOCUMENTS:**

Staff Report	Application for General Amendment
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**SUMMARY:**

Staff is proposing a General Amendment to modify the lot area requirements for residential uses in the RT-4, CBD-2, and CBD-1 zoning districts.

Staff has observed that the lot area requirements in these zoning districts do not match the existing development pattern, meaning that a large percentage of properties do not conform to the requirements.

In addition, the current requirements limit the potential for providing a variety of housing types in and around downtown St. Charles, while the Comprehensive Plan and *Homes for a Changing Region* policy guide promote increasing housing options and opportunities for reinvestment downtown.

Staff proposes the following:

- RT-4 District: Decrease the minimum lot area required for a two-family dwelling from 7,500 sf to 5,000 sf.
- CBD-2 District: Require newly created lots to have a minimum lot area of 5,000 sf, and require 2,000 sf of lot area per residential unit.
- CBD-1 District: Decrease the minimum lot area per residential unit from 1,000 sf to 500 sf.

**SUGGESTED ACTION:**

Conduct the public hearing and close if all testimony has been taken.

Staff has placed this item on the meeting portion of the agenda for a vote should the Plan Commission feel that they have enough information to make a recommendation.

**INFO / PROCEDURE – GENERAL AMENDMENT APPLICATIONS:**

- See **Sec. 17.04.320** regarding General (Text) Amendments. A General Amendment (or Text Amendment) is an application requesting a change to the Zoning Ordinance, Title 17 of the City Code. A change may be requested to a numerical standard (such as a setback requirement) or to any other text of the Zoning Ordinance. Often, a General Amendment is proposed to change the standards that apply to a specific zoning district or a specific land use or business category. Changes to the text apply to all properties in the City that are located in the same zoning district or fall within the same category of land use or business. A General Amendment application may also involve changes to procedures or application requirements that are listed in the Zoning Ordinance.
- Public hearing is required. No mailed notice to surrounding property owners.
- Findings: 6 items of information for Plan Commission to consider in making a recommendation; all items need not be in the affirmative to recommend approval.

Community & Economic Development  
Planning Division

Phone: (630) 377-4443

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## Staff Report

**TO:** Chairman Todd Wallace  
And the Members of the Plan Commission

**FROM:** Ellen Johnson, Planner  
Russell Colby, Planning Division Manager

**RE:** Application for a General Amendment to Title 17 of the City Code (Zoning Ordinance) regarding lot area requirements for dwelling units in the CBD-1, CBD-2, and RT-4 Zoning Districts

**DATE:** September 4, 2015

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### I. GENERAL INFORMATION

Project Name: General Amendment – CBD & RT-4 Lot Area Requirements

Applicant: City of St. Charles

Purpose: Reduce the lot area requirements for dwelling units in the CBD and RT-4 zoning districts to promote reinvestment and redevelopment and a greater diversity of housing types in and around downtown.

### II. BACKGROUND

#### RT-4 & CBD Zoning Districts

**RT-4:** The RT-4 Traditional Single and Two-Family Residential District is the only Traditional Residential zoning district that permits both single-family and two-family dwellings. RT-4 zoned properties are generally located adjacent to the downtown area. The Zoning Ordinance states the purpose of the RT-4 District as follows:

*“To preserve higher density single- and two-family residential development in older neighborhoods of the City, and to accommodate new residential development with a similar character. The minimum lot size in this district is 5,000 sf. This district is primarily located in older residential neighborhoods near the downtown area”*

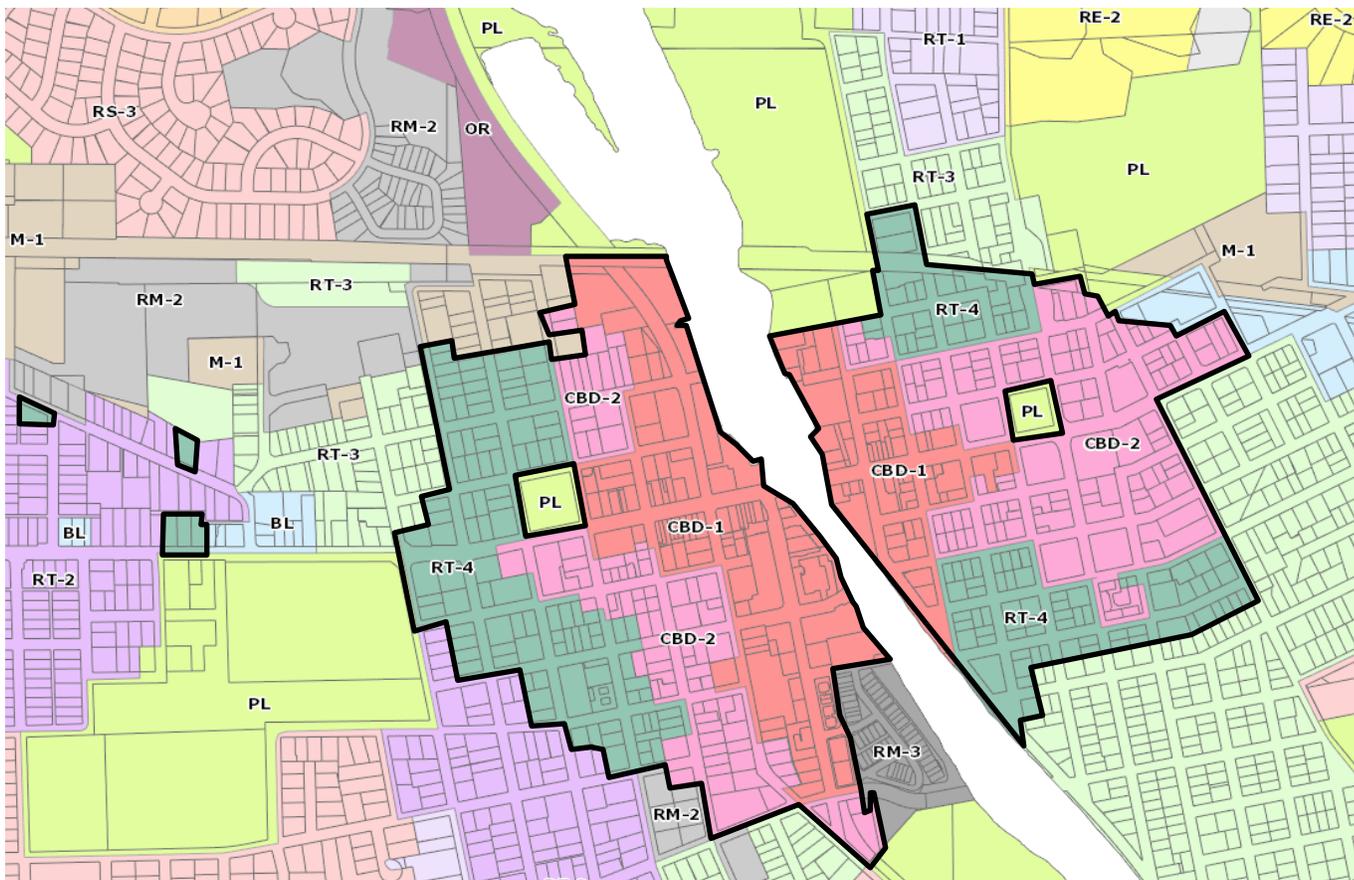
**CBD-2:** The CBD-2 Mixed Use Business District serves as a transitional zoning district between the central business district and residential neighborhoods. Both limited commercial uses and all types of residential uses are permitted in the CBD-2 District. The purpose of the CBD-2 District is as follows:

*“To provide for a properly scaled mixed-use transition between single-family residential neighborhoods and the retail core of the CBD-1 Central Business District. The CBD-2 District permits a mix of retail, service, office, and medium-density residential uses within buildings that are of a reduced height and scale than that permitted in the CBD-1 District.”*

**CBD-1:** The CBD-1 Central Business District comprises the central core of the downtown area. The only residential uses permitted in the CBD-1 District are upper level dwelling units in mixed-use buildings and multi-family units. The purpose of the CBD-1 District is as follows:

*“To provide for the maintenance and orderly growth of a mixed use, pedestrian friendly, compact district of retail, service, office, and higher density residential uses in the central area of the City. Development within the CBD-1 District is intended to promote the upgrade and full utilization of existing older structures as well as appropriate redevelopment.”*

Location of RT-4 and CBD Zoning Districts:



### III. PROPOSAL

#### 1. RT-4 District:

- Change the Minimum Lot Area requirement for two-family dwellings from 3,750 sf per unit to 5,000 sf total.
- Remove the 10,000 sf Minimum Lot Area requirement for “All Other Uses”.

#### 2. CBD-2 District:

- Change the Minimum Lot Area requirement to none, except that no new lot may be created under 5,000 sf., and 2,000 sf is required per residential unit.
- Remove the Minimum Lot Width requirements of 100 ft. for townhomes, multi-family, and mixed-use development and 50 ft. for all other uses. Require a Minimum Lot Width of 50 ft. for newly created lots.

**3. CBD-1 District:**

- a. Change the Minimum Lot Area requirement for dwelling units from 1,000 sf per unit to 500 sf per unit.

**IV. ANALYSIS**

**Lot Area Data**

**RT-4 District:** Current lot area requirements for permitted residential uses in the RT-4 district are as follows:

- Single-family: 5,000 sf
- Two-family<sup>1</sup>: 3,750 sf per unit (7,500 sf total)

Per these requirements, a two-family dwelling cannot be constructed, or a single-family dwelling cannot be converted to a two-family, unless the lot size is at least 7,500 sf. As shown in Table 1, the median lot size for parcels in the RT-4 district is greater than the 7,500 sf required for a two-family dwelling.

*Table 1.*

<b>Total parcels</b>	201
<b>Median lot size</b>	7,920 sf

While either a single-family or two-family dwelling could be constructed on a median size lot, 50% of the parcels that currently contain two-family dwellings do not meet the 7,500 sf lot area requirement (see Table 2).

Staff is proposing to reduce the lot size requirement for two-family dwellings in the RT-4 district to 5,000 sf for a two-family dwelling, which is the same lot size required for a single-family home. The resulting percentage of conforming lots would be 89%.

*Table 2*

<b>Permitted Residential Uses</b>	<b>Total Parcels</b>	<b>Required min. lot area</b>	<b>Parcels that <u>meet</u> lot area requirement</b>	<b>Parcels that <u>do not meet</u> lot area requirement</b>
<b>Conforming Lots – <u>Existing</u> Lot Area Requirement</b>				
Single-family	130	5,000 sf	116 (89%)	14 (11%)
<b>Two-family</b>	<b>36</b>	<b>3,750 sf per unit</b>	<b>18 (50%)</b>	<b>18 (50%)</b>
<b>TOTAL</b>	<b>166</b>		<b>127 (77%)</b>	<b>39 (23%)</b>
<b>Conforming Lots – <u>Proposed</u> Lot Area Requirement</b>				
Single-family	130	5,000 sf	116 (89%)	14 (11%)
<b>Two-family</b>	<b>36</b>	<b>5,000 sf</b>	<b>32 (89%)</b>	<b>4 (11%)</b>
<b>TOTAL</b>	<b>166</b>		<b>148 (89%)</b>	<b>18 (11%)</b>

The Zoning Ordinance also requires “All Other Uses” in the RT-4 district, besides single-family and two-family dwellings, to have a minimum lot size of 10,000 sf. Other uses permitted in the RT-4 district are parks and places of worship. These uses are also permitted in the other three RT districts, although the

<sup>1</sup> **Two-Family Dwelling** is defined as, “A building containing 2 dwelling units attached either vertically or horizontally.”

10,000 sf minimum lot size is not required in the other RT districts. Staff believes this 10,000 sf requirement may have been inadvertently added to the Zoning Ordinance.

**CBD-2 District:**

Lot area requirements for permitted residential uses in the CBD-2 district are as follows:

- Single-family: 5,000 sf
- Two-family: 3,750 sf per unit (7,500 sf total)
- Townhome<sup>2</sup>: 3,000 sf per unit (9,000 sf for 3-unit townhome)
- Upper level dwelling<sup>3</sup> & multi-family<sup>4</sup>: 2,200 sf per unit
- Non-residential uses: 5,000 sf

The maximum permitted density in the CBD-2 District is 19 units per acre.

Per these requirements, a two-family dwelling could not be constructed on the median size lot shown in Table 3, nor could a 3-unit townhome. A multi-family or mixed-use building with upper floor residential could be constructed with a maximum of three residential units.

**Table 3**

<b>Total parcels</b>	204
<b>Median lot size</b>	6,633 sf

As shown in Table 4, only 65% of existing residential uses meet minimum lot area requirements. Staff is proposing to remove the minimum lot area requirement for existing lots, and standardize the minimum lot area required per residential unit to 2,000 sf per unit. Staff is proposing to require newly created lots to have a minimum size of 5,000 sf. As a result of the proposed change, 87% of existing residential uses would comply. A newly created lot would have to be at least 5,000 sf., allowing for two residential units on the new lot. The maximum permitted density in the CBD-2 District would increase from 19 units per acre to 21 units per acre.

Alternatively, the Plan Commission may consider a minimum lot area per residential unit of 1,500 sf. 96% of existing residential uses would comply with this lot area. A total of three residential units would be permitted on a 5,000 sf lot. The permitted density in the CBD-2 District would increase from 19 units per acre to 29 units per acre.

Staff is also proposing to remove the 100 ft. minimum lot width requirement which applies to townhomes, multi-family, and mixed-use development. The standard lot width in the CBD-2 District is 50 ft. The 100 ft. lot width requirement limits the residential use that may be permitted on any given lot, even if the lot area requirement is met. Also, “mixed-use development” is not defined in the Zoning Ordinance, and is not listed as a permitted use. Therefore, it is unclear what type of development to which this requirement applies. For example, a structure with a commercial use on the first floor and a second level apartment would be considered an “upper-level dwelling”. Upper-level dwellings do not require a 100 ft. lot width, however the structure also comprises a mix of uses and could be considered a “mixed-use development”. Removing the 100 ft. lot width requirement would eliminate this ambiguity.

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<sup>2</sup> **Townhouse Dwelling** is defined as, “A building with 3 or more dwelling units arranged side-by-side, where each dwelling unit occupies an exclusive vertical space with no other dwelling unit above or below, and where each dwelling unit has at least one individual exit directly to the outdoors.”

<sup>3</sup> **Upper Level Dwelling** is defined as, “A dwelling unit located on a floor above a nonresidential use.”

<sup>4</sup> **Multi-Family Dwelling** is defined as, “A building with 3 or more dwelling units not designed as townhouses, where each dwelling unit is provided an individual entrance to the outdoors or to a common hallway.”

Staff is also proposing to remove the 50 ft. lot with requirement for “all other uses”, due to the fact that there will no longer be a minimum lot size required for existing lots. However, staff is proposing a minimum lot width of 50 ft. for newly created lots.

**Table 4**

<b>Permitted Residential Uses</b>	<b>Total Parcels</b>	<b>Required min. lot area</b>	<b>Parcels that <u>meet</u> lot area requirement</b>	<b>Parcels that <u>do not meet</u> lot area requirement</b>
<b>Conforming Lots – <u>Existing</u> Lot Area Requirement</b>				
Single-family	55	5,000 sf	45 (82%)	10 (18%)
Two-family	27	3,750 sf per unit	11 (41%)	16 (59%)
Townhome	0	3,000 sf per unit	N/A	N/A
Multi-family/upper level	18	2,200 sf per unit	9 (50%)	9 (50%)
<b>TOTAL</b>	<b>100</b>		<b>65 (65%)</b>	<b>35 (35%)</b>
<b>* Conforming Lots – <u>Proposed</u> Lot Area Requirement *</b>				
<b>Single-family</b>	<b>55</b>	<b>2,000 sf per unit</b>	<b>54 (98%)</b>	<b>1 (2%)</b>
<b>Two-family</b>	<b>27</b>	<b>2,000 sf per unit</b>	<b>24 (89%)</b>	<b>3 (11%)</b>
<b>Townhome</b>	<b>0</b>	<b>2,000 sf per unit</b>	<b>N/A</b>	<b>N/A</b>
<b>Multi-family/upper level</b>	<b>18</b>	<b>2,000 sf per unit</b>	<b>9 (50%)</b>	<b>9 (50%)</b>
<b>TOTAL</b>	<b>100</b>		<b>87 (87%)</b>	<b>14 (14%)</b>
<b>Conforming Lots – <u>Alternate Proposed</u> Lot Area Requirement</b>				
<b>Single-family</b>	<b>55</b>	<b>1,500 sf per unit</b>	<b>55 (100%)</b>	<b>0 (0%)</b>
<b>Two-family</b>	<b>27</b>	<b>1,500 sf per unit</b>	<b>27 (100%)</b>	<b>0 (0%)</b>
<b>Townhome</b>	<b>0</b>	<b>1,500 sf per unit</b>	<b>N/A</b>	<b>N/A</b>
<b>Multi-family/upper level</b>	<b>18</b>	<b>1,500 sf per unit</b>	<b>14 (78%)</b>	<b>4 (22%)</b>
<b>TOTAL</b>	<b>100</b>		<b>96 (96%)</b>	<b>4 (4%)</b>

Table 5 lists the multi-family developments currently located in the CBD-2 district, and the respective per-unit lot area. Only Heritage Square 1 and Heritage Green (multi-family portion) meet the 2,200 sf per unit requirement for multi-family structures. The proposed townhome development at Heritage Green will not meet the 3,000 sf per unit required for townhomes. With the exception of the Howard House Apartments which were constructed pre-Zoning Ordinance, all other multi-family housing in the CBD-2 District were developed as PUDs, allowing for approval of higher densities than permitted under the Zoning Ordinance.

**Table 5**

<b>Howard House Apartments</b>	10 units	1,682 sf per unit	25 units/acre
<b>Portland Terrace</b>	13 units	1,527 sf per unit	28 units/acre
<b>Heritage Square II</b>	13 units	1,550 sf per unit	28 units/acre
<b>Heritage Square I</b>	16 units	2,530 sf per unit	17 units/acre
<b>Heritage Green</b>	15 units	2,361 sf per unit	18 units/acre

**CBD-1 District:**

Lot area requirements for permitted residential uses in the CBD-1 district are as follows:

- Upper level dwelling & multi-family: 1,000 sf per unit

The maximum permitted density in the CBD-1 District is 43 units per acre.

Table 6 below lists the multi-family buildings currently located or approved in the CBD-1 district and the existing/approved per-unit lot area. None of these buildings meet the 1,000 sf per unit requirement.

**Table 6**

<b>Carroll Tower</b>	108 units	349 sf per unit	125 units/acre
<b>First Street Bldg. 7A</b> <i>(not including adjacent parking lot)</i>	16 units	594 sf per unit	73 units/acre
<b>First Street Bldg. 2 (proposed)</b>	36 units	436 sf per unit	100 units/acre
<b>First Street Bldg. 3 (proposed)</b>	32 units	530 sf per unit	82 units/acre

Staff is proposing to reduce the per unit lot area requirement to 500 sf per unit. This would increase the maximum permitted density from 43 to 87 units per acre. Although the per unit lot area requirement would be reduced, zoning bulk requirements such as building height (50 ft. maximum) and floor area per building (40,000 sf maximum) would continue to limit the permitted building size on any given lot.

For example, a fairly standard lot along Main St. is 3,000 sf. Currently, 3 dwelling units would be permitted on the lot. If the lot area requirement were reduced to 500 sf per unit, 6 units would be permitted. This would allow, for example, an existing two-story building with commercial on the first floor and three apartment units above, to reduce the size of the apartments to create additional units, or construct a third floor to house three more apartments. Ultimately, reducing the lot size per unit requirement would allow higher residential density in the downtown area.

**Policy Guidance**

**Comprehensive Plan**

The Comprehensive Plan calls for the need to promote diverse housing options within residential neighborhoods and downtown, which the proposed loosening of lot area requirements would help to accomplish:

- Ch. 3 Goals & Objectives, Residential Areas- Goal 1(p.22): “Maintain the City’s image and desirability as a great place to live by preserving and enhancing the diversity, quality, character, safety, affordability, and appeal of residential neighborhoods.
  - Objective 1: “Promote residential development and redevelopment of a variety of housing and dwelling unit types and densities in accordance with the Land Use Plan, and ensure the Zoning Ordinance and other regulatory tools are updated appropriately.”

- C. 3 Goals & Objectives, Commercial & Office Areas- Goal 3 (p.24): “Revitalize Downtown St. Charles as the symbolic “heart” of the community and enhance its role as the City’s primary mixed use pedestrian environment”.
  - Objective 9: “Zoning for the Downtown should be analyzed and amended if necessary to adequately accommodate appropriate new development and establish the desirable physical form of the downtown.”
  - Objective 10: “Undue or inappropriate zoning regulations or procedures should be modified or removed as to eliminate unnecessary barriers to Downtown investment.”
- Chapter 4 Land Use Plan, Residential Land Use Policies (p.43):
  - “Locate new multi-family residential developments in appropriate locations within the City and consider the implications of concentrating units in one location or area of the City.”
  - “Seek opportunities to provide senior housing within the City, consider locations that are within close proximity to recreation, public transit, healthcare and daily goods and services.”
- Chapter 4 Land Use Plan, Commercial Area Policies (p.48):
  - “Continue to promote mixed use development within Downtown while respecting the historic fabric of the community.”

### **Homes for a Changing Region Study**

City Council adopted the *Homes for a Changing Region* multi-jurisdictional housing study as a policy document in November 2014. One of the recommendations for St. Charles suggests reducing lot size requirements in the downtown zoning districts to promote residential development. The plan states: “Consider options to increase residential density in downtown St. Charles through context and design-sensitive development.”

The study explains: “The existing downtown infrastructure, including retail stores, services, entertainment destinations, restaurants, jobs, and mobility options, makes the downtown area an ideal location to increase population density. Increasing the downtown population would also result in more foot traffic to support downtown businesses. Through the First Street Redevelopment, progress has been made to add housing to the downtown area...Additional policies to encourage downtown residential development will expand on this success.”

One of the options presented for increasing residential density is the following: “The City should explore options for reducing the lot size requirements for residential units in the CBD-1 and CBD-2 zoning districts in order to provide new opportunities for higher density residential development...Reducing the per unit lot size requirements would allow for increased residential density, create new opportunities for adding residential units, encourage adaptive reuse of existing buildings, and would help developers to reduce per unit costs, dropping the unit price or rent for consumers.”

## **V. DISCUSSION**

In addition to the policy direction cited above, staff also wanted to add additional perspective on the proposal:

1. One of the goals of the 2006 Zoning Ordinance re-writing process was to establish new zoning districts for older neighborhoods where close to 90% of the properties would be conforming to the regulations. This goal was generally achieved for the RT single family districts, but not for the RT-4 and CBD-2 districts, where many properties remain non-conforming. This was partially due

to the fact that at the time the City did not have very accurate data on older buildings containing multiple dwelling units.

2. The CBD-2 district requirements were written primarily for larger scale redevelopment projects where there may be property assembly involved. (The Heritage Square development was used as an example at the time.) When the 2006 ordinance was written, the prevailing mindset was that most properties that had become outdated or functionally obsolete would be redeveloped as a part of a larger development project. However, over the past few years, staff has observed a greater interest by property owners to reuse and repurpose existing structures. Within the downtown area, zoning restrictions are a limiting factor.
3. Zoning non-conformities discourage investment in a building or property. Once a non-conforming use or building is destroyed, the non-conforming building or use cannot be reestablished. An owner of a non-conforming property therefore is unlikely to make a substantial investment to renovate or enhance the property. Non-conforming properties often remain under long-term ownership due to a number of factors:
  - a. Buyers avoid non-conforming properties because of the risk associated. Potential buyers looking to finance the purchase may be unable to obtain a mortgage or adequate insurance because of the non-conformity.
  - b. Many non-conforming properties do not gain value over time. Long-term owners may be hesitant to sell, due to the reduced value, and therefore may continue to hold on to the property for generating rental income, while only making minimal investment in the upkeep of the property.
  - c. A buyer of a non-conforming property is likely to be paying in all cash and looking to invest in the property “as is” for long-term rental income, not necessarily a return on an increase in property value.

Zoning non-conformities in the downtown area also discourage historic preservation efforts by restricting new investment, which over the long term can encourage demolition of older structures.

## **VI. SUGGESTED ACTION**

Conduct the public hearing on the General Amendment and close if all testimony has been taken.

Staff has placed this item on the meeting portion of the agenda for a vote should the Plan Commission determine that they have enough information to make a recommendation.

Staff has provided responses to the findings of fact for General Amendment for the Plan Commission’s consideration.

**CITY OF ST. CHARLES**  
TWO EAST MAIN STREET  
ST. CHARLES, ILLINOIS 60174-1984

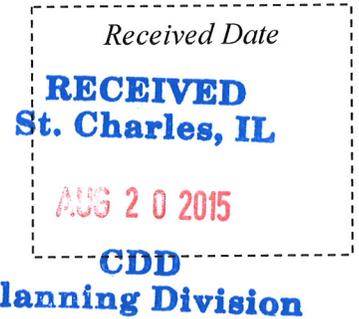


COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

**GENERAL AMENDMENT APPLICATION**

<b>CITYVIEW</b>	
Project Name:	<u>GA-CBD + RT-4 Lot sizes</u>
Project Number:	<u>2015</u> -PR- <u>017</u>
Application Number:	<u>2015</u> -AP- <u>029</u>



*Instructions:*

*To request an amendment to the text of the St. Charles Zoning Ordinance (City Code Title 17), complete this application and submit it with all required attachments to the Planning Division.*

*City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a meeting or public hearing date for an application.*

*The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.*

<b>Applicant:</b>	Name	City of St. Charles	Phone	630-377-4443
	Address	2 E. Main St.	Fax	630-377-4062
		St. Charles, IL 60174	Email	ejohnson@stcharlesil.gov

**Attachment Checklist**

*If multiple zoning or subdivision applications are being submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.*

- APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance (\$500)
- REIMBURSEMENT OF FEES AGREEMENT:**  
An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.
- REIMBURSEMENT OF FEES INITIAL DEPOSIT:**  
Deposit of funds in escrow with the City. (For a General Amendment application only: \$1,000 deposit.)
- FINDINGS:** Fill out the attached form or submit responses on a separate sheet.

□ **WORDING OF THE REQUESTED TEXT AMENDMENT**

**What is the amendment regarding?**

CBD-1 District: Change the Minimum Lot Area requirement for dwelling units to 500 sf per unit.

CBD-2 District: Change the Minimum Lot Area requirement to none, except that no new lot may be created under 5,000 sf and 2,000 sf is required per residential unit; remove the Minimum Lot Width requirement of 100 ft. for townhouse, multi-family, and mixed-use development and 50 ft. for all other uses, and require a Minimum Lot Width of 50 ft. for newly created lots.

RT-4 District: Change the Minimum Lot Area requirement for two-family dwellings to 5,000 sf and remove the 10,000 sf requirement for all other uses.

**What sections are proposed for amendment?**

Chapters(s): 17.14; 17.12

Section(s): Table 17.14-2; Table 17.12-2

**The wording of the proposed amendment:** Insert below or attached wording on a separate page.

See attached.

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**I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.**

Ellen Johnson  
Applicant

8/20/15  
Date

# FINDINGS OF FACT – GENERAL AMENDMENT



The St. Charles Zoning Ordinance requires the Plan Commission to consider factors listed below in making a recommendation to the City Council.

As an applicant, the “burden of proof” is on you to show why the proposed amendment is appropriate. Therefore, you need to “make your case” by explaining how the following factors support your proposal. If a factor does not apply to the amendment in question, indicate “not applicable” and explain why it does not apply.

See attached.

\_\_\_\_\_  
*Amendment Description/Ordinance Section Number* \_\_\_\_\_  
*Date*

### From the Charles Zoning Ordinance, Section 17.04.320.C:

In making its recommendation to grant or deny an application for a Zoning Text Amendment, the Plan Commission shall consider:

1. The consistency of the proposed amendment with the City’s Comprehensive Plan.

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\_\_\_\_\_  
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2. The consistency of the proposed amendment with the intent and general regulations of this Title.

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\_\_\_\_\_

3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.

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5. The extent to which the proposed amendment creates nonconformities.

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6. The implications of the proposed amendment on all similarly zoned property in the City.

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## **Findings of Fact – General Amendment**

### **1. The consistency of the proposed amendment with the City’s Comprehensive Plan.**

The Comprehensive Plan calls for the need to promote diverse housing options within residential neighborhoods and downtown, which the proposed amendment would help to accomplish:

- Ch. 3 Goals & Objectives, Residential Areas- Goal 1(p.22): “Maintain the City’s image and desirability as a great place to live by preserving and enhancing the diversity, quality, character, safety, affordability, and appeal of residential neighborhoods.”
  - Objective 1: “Promote residential development and redevelopment of a variety of housing and dwelling unit types and densities in accordance with the Land Use Plan, and ensure the Zoning Ordinance and other regulatory tools are updated appropriately.”
- C. 3 Goals & Objectives, Commercial & Office Areas- Goal 3 (p.24): “Revitalize Downtown St. Charles as the symbolic “heart” of the community and enhance its role as the City’s primary mixed use pedestrian environment”.
  - Objective 9: “Zoning for the Downtown should be analyzed and amended if necessary to adequately accommodate appropriate new development and establish the desirable physical form of the downtown.”
  - Objective 10: “Undue or inappropriate zoning regulations or procedures should be modified or removed as to eliminate unnecessary barriers to Downtown investment.”
- Chapter 4 Land Use Plan, Residential Land Use Policies (p.43):
  - “Locate new multi-family residential developments in appropriate locations within the City and consider the implications of concentrating units in one location or area of the City.”
  - “Seek opportunities to provide senior housing within the City, consider locations that are within close proximity to recreation, public transit, healthcare and daily goods and services.”
- Chapter 4 Land Use Plan, Commercial Area Policies (p.48):
  - “Continue to promote mixed use development within Downtown while respecting the historic fabric of the community.”

### **2. The consistency of the proposed amendment with the intent and general regulations of this title.**

The proposed amendment will help to promote reinvestment and redevelopment in and around downtown St. Charles, as well as to encourage the provision of a diversity of housing types. As such, the proposed amendment is consistent with many of that stated purposes of the Zoning Ordinance (Ch. 17.02.020), including protecting the character of established residential neighborhoods, maintaining business areas that are economically viable, conserving the value of property, and implementing the goals of the Comprehensive Plan.

### **3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.**

The proposed amendment is more workable than the existing text because it simplifies and standardizes the lot area requirements in the CBD-2 and RT-4 districts, as well as allows for greater flexibility in the types of residential uses that are permitted on a given parcel. The amendment also reflects a change in policy to promote increased housing opportunities in and

around downtown. The *Homes for a Changing Region* policy document recommends decreasing per unit lot area requirements in the CBD-1 and CBD-2 districts for this purpose.

**4. The extent to which the proposed amendment would be in the public interest and would not serve the interest of the applicant.**

The proposed amendment will allow for the creation of higher density housing in and around downtown St. Charles, thereby allowing for more types of housing for individuals and families with a variety of needs and preferences. The proposed amendment will also cause a number of nonconforming properties to become conforming, thereby promoting investment and reinvestment in these properties

**5. The extent to which the proposed amendment creates nonconformities.**

The proposed amendment will increase the number of conforming properties in the subject zoning districts. Currently, 77% of residential parcels in the RT-4 district comply with the lot area requirements, while 89% will comply as a result of the amendment. This will decrease the number of nonconforming residential parcels by 21.

In the CBD-2 District, 65% of residential parcels comply with the current lot area requirements. The percentage of conforming lots would increase to 87% as a result of the amendment, decreasing the number of nonconforming residential parcels by 22.

In the CBD-1 District, none of the existing larger multi-family buildings comply with the current lot area requirement. All but one of these developments were approved as part of a PUD. The proposed amendment will provide the opportunity for constructing residential structures at similar densities without requiring approval of a deviation through the PUD process.

**6. The implications of the proposed amendment on all similarly zoned property in the City.**

The proposed amendment will apply to all property in the City zoned RT-4, CBD-2, and CBD-1.

TABLE 17.14-2  
BUSINESS AND MIXED USE DISTRICTS  
BULK REGULATIONS

None, except that no new lot shall be created under 5,000 sf; 2,000 sf/residential dwelling unit

ft = feet sf = square feet du = dwelling unit B = building and structures P = parking lots	ZONING DISTRICT					
	BL	BC	BR	CBD-1	CBD-2	
Minimum Lot Area <sup>1</sup>	Dwelling, Upper Level: 3,000sf/du Drive-thru facilities, Minor Motor Vehicle Service & Repair: 1 acre Other Uses: No minimum lot area	1 acre	1 acre <b>500 sf/du</b>	Dwelling, Upper Level & Multi-family: 1,000 sf/du Nonresidential Uses: No minimum lot area	<del>Single Family: 5,000sf</del> <del>Two family: 3,750 sf/du</del> <del>Townhouse: 3,000 sf/du</del> Upper Level & Multi Family: 2,200sf/du <del>Non-Residential Uses: 5,000 sf</del>	
Minimum Lot Width	None	None	None	None	<del>Townhouse, multi family, mixed use development: 100 ft</del> <del>All other uses: 50 ft</del>	
Maximum Building Coverage <sup>2</sup>	60%	40%	30%	None	Single-family: 25% All other uses: 40%	
Maximum Gross Floor Area per Building	10,000 sq	75,000 sq	None	40,000 sq	10,000 sq	<b>None; 50 ft. for newly created lots</b>
Maximum Building Height	30 ft	40 ft	40 ft	50 ft	40 ft	
Front Yard <sup>3</sup>	B: Minimum 20 ft P: Minimum 10 ft	B, P: Minimum 20 ft	B, P: Minimum 20 ft	B: Maximum 5 ft/No Minimum P: Minimum 5 ft	B, P: Minimum 5 ft	
Side Yards:						
Interior Side Yard	B: Minimum 5 ft P: None	B: Minimum 10 ft P: None	B: Minimum 15 ft P: None	B: If provided, minimum 5 ft P: None	B: Minimum 5 ft P: None	
Exterior Side Yard	B: Minimum 20 ft P: Minimum 10 ft	B, P: Minimum 20 ft	B, P: Minimum 20 ft	B: Maximum 5 ft/No minimum P: Minimum 5 ft	B, P: Minimum 5 ft	
Minimum Rear Yard	B: 20 ft, P: None	B: 30 ft, P: None	B: 30 ft, P: None	B,P: None	B: 20 ft, P: None	

<sup>1</sup> The Lot Area for Two Family, Townhouse and Multi-Family developments with more than one lot may be calculated by adding the land area of all lots and common areas on which one category of dwellings is located, and dividing the total land area by the total number of dwelling units of that category. Common areas may be included in the calculation of land area, except for the area within a public or private street right of way; if no right of way is designated to private streets, the area between the backs of curbs of the private street shall be excluded.

<sup>2</sup> In the CBD-2 District, if a detached garage is provided in lieu of an attached garage, or if an attached garage is accessed via an alley, a) on lots 65 feet or less in width, 500 square feet of additional Building Coverage is allowed, and b) on lots more than 65 feet in width, 250 square feet of additional Building Coverage is allowed.

<sup>3</sup> If an existing parking facility is resurfaced or reconstructed, and the parking facility does not meet the current parking setback requirement, the required set back may be reduced by fifty percent (50%). If the existing parking facility is set back at a distance greater than fifty percent (50%) of the required parking facility set back of the Zoning District, the existing parking facility setback shall not be reduced.

**TABLE 17.12-2  
RESIDENTIAL DISTRICT BULK REQUIREMENTS**

ft = feet sf = square feet du = dwelling unit	ZONING DISTRICT			
	RT-1	RT-2	RT-3	RT-4
Minimum Lot Area <sup>3</sup>	8,400 sf	6,600 sf	5,000 sf	<del>Single Family Detached: 5,000 sf</del> <del>Two Family: 3,750 sf per du</del> <del>All Other Uses: 10,000 sf</del>
Minimum Lot Width	60 ft	50 ft	50 ft	50 ft
Maximum Building Coverage <sup>4</sup>	For structures 1 ½ stories or less, 30% For structures over 1 ½ stories, 25%	For structures 1 ½ stories or less, 30% For structures over 1 ½ stories, 25%	For structures 1 ½ stories or less, 30% For structures over 1 ½ stories, 25%	For structures 1 ½ stories or less, 30% For structures over 1 ½ stories, 25%
Maximum Building Height	34 ft or 2 stories, whichever is less	34 ft or 2 stories, whichever is less	32 ft or 2 stories, whichever is less	32 ft or 2 stories, whichever is less
Minimum Front Yard <sup>5</sup>	30 ft	25 ft	20 ft	20 ft
Minimum Side Yards:				
Interior Side Yards	For structures 1 ½ stories or less, 6 feet or 10% of lot width whichever is greater  For structures over 1 ½ stories, 8 feet or 10 % of lot width, whichever is greater	For structures 1 ½ stories or less, 6 feet or 10% of lot width whichever is greater  For structures over 1 ½ stories, 8 feet or 10 % of lot width, whichever is greater	For structures 1 ½ stories or less, 5 feet or 10% of lot width whichever is greater  For structures over 1 ½ stories, 6 feet or 10 % of lot width whichever is greater	For structures 1 ½ stories or less, 5 feet or 10% of lot width, whichever is greater  For structures over 1 ½ stories, 6 feet or 10 % of lot width, whichever is greater
Exterior Side Yard <sup>6</sup>	25 ft	20 ft	15 ft	15 ft
Minimum Rear Yard	40 ft	30 ft	30 ft	30 ft

(Ord. 2011-Z-2 § 2; Ord. 2011-Z-1 § 11.)

<sup>3</sup> The Lot Area for Two Family, Townhouse and Multi-Family developments with more than one lot may be calculated by adding the land area of all lots and common areas on which one category of dwellings is located, and dividing the total land area by the total number of dwelling units of that category. Common areas may be included in the calculation of land area, except for the area within a public or private street right of way; if no right of way is designated for private streets, the area between the backs of curbs of the private street shall be excluded.

<sup>4</sup> In RT-1, RT-2, RT-3 and RT-4 Districts, if a detached garage is provided in lieu of an attached garage, or if an attached garage is accessed via an alley, a) on lots 65 feet or less in width, 500 square feet of additional Building Coverage is allowed, and b) on lots more than 65 feet in width, 250 square feet of additional Building Coverage is allowed.

<sup>5</sup> Where 50% or more of the street frontage of a block has existing principal building setbacks less than the front yard or exterior side yard required by the zoning district, the required front yard or exterior side yard may be reduced to the average of the existing front or exterior side yard setbacks on that street frontage of the block. Only front yard setbacks shall be used to compute the reduced front yard setback; only exterior side yard setbacks shall be used to compute the reduced exterior side yard setback.

<sup>6</sup> If a corner lot has insufficient width to provide the required exterior side yard and still maintain a buildable width of thirty-two feet, then the exterior side yard may be reduced so as to provide a buildable width of thirty two feet; provided that in no event shall the exterior side yard be reduced to less than thirty percent of the width of the lot.