



Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed

**File created:** 4/19/2023      **In control:** City Council

**On agenda:** 5/2/2023      **Final action:** 5/2/2023

**Title:** Waive the first reading and pass the ordinance amending Section 7-1-3:2 of the Naperville Municipal Code to add the transitional use (TU) zoning district

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance

Date	Ver.	Action By	Action	Result
5/2/2023	1	City Council	waived the first reading and passed	

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Waive the first reading and pass the ordinance amending Section 7-1-3:2 of the Naperville Municipal Code to add the transitional use (TU) zoning district

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly, AICP

**BOARD/COMMISSION REVIEW:**

N/A (Planning and Zoning Commission review is not required for amendments to Title 7)

**BACKGROUND:**

At its November 17, 2020 meeting, the City Council approved an ordinance amending various chapters of Title 5 (Building Regulations), Title 6 (Zoning Regulations), and Title 7 (Subdivision Regulations) regarding developments including duplexes, single-family attached dwellings, multiple family dwellings or any combination thereof. The approved amendments included the modification of Section 7-1-3 to permit multiple residential buildings to be located on a single lot provided that the development is managed by an association and offers shared amenities, shared common space, shared access drives, and/or shared parking. This criterion is applicable to properties which are zoned R2, R3, R3A, R4, and OCI. Staff is proposing Section 7-1-3 be further amended to extend this allowance to the TU zoning district.

**DISCUSSION:**

The TU zoning district is intended to serve as a mixed-use transitional area between a low-density residential neighborhood and other more intensive uses such as an arterial roadway or a business district. The following residential uses are permitted by right in the TU zoning district: single-family detached dwellings, two-family dwellings and duplexes, single-family attached dwellings

(townhomes), residential care homes, and residential dwelling units located in multi-tenant buildings (provided no more than one unit is permitted in each building).

Given the transitional nature of the TU zoning district, and that townhomes and multi-family units are permitted by right, staff finds it appropriate to extend the allowance for multiple residential buildings on one lot to the TU zoning district.

It is important to note that the TU zoning district was not intentionally omitted from the 2020 amendments, staff did not consider that the amendment could also be applicable in the TU zoning district at that time. Accordingly, staff recommends the amendment and finds that it will provide flexibility to residential development design in the TU zoning district by allowing dwelling units to be broken up into multiple buildings versus restricting all dwelling units to one building.

An ordinance reflecting the above change is attached. The proposed code language is underlined.

**FISCAL IMPACT:**

N/A