



**MANAGER'S REPORT FOR FEBRUARY 21, 2014**  
**GENERAL INFORMATION AND RESPONSES TO MAYOR & COMMISSIONER REQUESTS**

***Places to be this Week...***

**Village Council Meeting** - No Village Council meeting this week.

***Future Calendar Reminders...***

**Village Council Meeting** - The Village Council meeting will be held on **March 4 at 7:00 p.m. in the Council Chambers** at Village Hall.

**Rain Garden Workshop** - The Village will hold a workshop on rain gardens on **February 25 in the Council Chambers at 7:00 p.m.**

**Zoning Ordinance Update** - A memo has been prepared to update the Village Council on the changes that have been made to the draft Zoning Ordinance since it was presented at a December 2013 Council meeting. The memo is attached.

**2014 Sidewalk Installation Program Update** - The second neighborhood meeting for the 2014 Sidewalk Installation Program was held on Wednesday, February 20, with approximately 30 residents attending. A presentation was made that highlighted the sidewalk design process, the method of selecting the side of the street for construction and engineering recommendation for each street. Residents expressed concerns about trees, drainage, sump pump discharge lines and landscape items. Staff will review these concerns and attempt to address them with the final design. The third neighborhood meeting for this project will be scheduled for April.

The following is a list of segments planned for the 2014 New Sidewalk Installation Program including the recommended side of the street:

- Lindley Street, 41st Street to north limit (west side)
- Prospect Avenue, Sherman Street to South Limit (east side)
- 67th Court, Fairview Avenue to west limit (south side)
- Chicago Avenue, Puffer Road to Belmont Avenue (south side)
- 60th Street, Carpenter Street to east limit (south side)
- 60th Place, Brookbank Road to East of Carpenter Street (south side Brookbank to Carpenter, north side Carpenter to east limit)
- 62nd Court, Carpenter Street to east limit (north side)
- Belleaire Lane, North of Ogden Avenue to Janet Street (east side)
- Hillcrest Street, south of 61st St to 61st Street (gap on east side)
- Webster Avenue, South of 73rd Street to 75th Street (gap on east side)
- Intersection of Lyman Ave and 61st St (gap on north side)

- Old Main Road, 73rd Street to 7237 Old Main Road (gap on east side)
- Lyman Avenue, south of 59th St to south Limit (west side)
- Prospect Avenue, Franklin St to 4835 Franklin (gap on east side)
- Cumnor Road, Ogden Ave to south of Ogden Ave (gap on east side)
- Warren Avenue, Montgomery Ave to east of Seeley Ave (gap on south side)
- Washington Street, 4528 Washington St to Grant St (gap on west side)
- Intersection of 41st St and Saratoga Ave (gap on north side)

## **Attachments**

Zoning Ordinance Memo

## **Memorandum**

To: Mayor & Council

From: David Fieldman, Village Manager

Re: Zoning Ordinance Update

Date: February 21, 2014

This memorandum summarizes the changes that have been made to the draft Zoning Ordinance since it was presented to the Village Council in December, 2013. The changes are as follows:

- Made the zoning regulations in the R-5 and R-5A Districts identical (single family attached units including duplexes and townhouses and single family detached houses would be permitted), by equating the mapped R-5A to the R-5 District regulations. No rezonings would be required as both districts could remain. Townhouses could be developed in both districts (currently townhouses are not permitted in the R-5 District).
- Updated the Permitted and Special Uses in the Zoning Districts in Table 5-1 (attached).
- Clarified the language regarding potential expansions of Non-Conforming Uses. A confusing long paragraph was broken into two parts. It describes expansion of a nonconforming use either (1) by right under limited conditions, or (2) by the application of standards under a zoning exception request.

### **Staff Presentations**

Staff presented the draft Zoning Ordinance at four Council meetings (December 17, January 14, January 21, and February 18). Summary slides of the staff presentations are attached.

### **Responses to Council Questions**

During the presentation and review process, Council members asked and staff provided responses to several questions. The questions and responses are attached.

### **Next Steps**

The draft Zoning Ordinance will be placed on the March 4, 2014 Village Council Meeting First Reading Agenda. The meeting is intended to allow the Council to identify and discuss policy items and issues in the Ordinance. Additional Council meetings may be scheduled for further review and discussion, if necessary.

### **Attachments**

Updated Table 5-1

Updated Text of 11.030 C 2 Regarding Nonconforming Uses

Slides from Staff Presentations

Staff Responses to Council Questions

**REVISED TABLE 5-1 (yellow highlights are changes)**

USE CATEGORY																			
Subcategory Specific use (See Sec. 5.020)	R-1	R-2	R-3	R-4	R-5		R-6	B-1	B-2	B-3	DB	DT	O-R	O-R-M	M-1	M-2	INP-1	INP-2	Supplemental Regulations
P = use permitted as of right   S = special use approval required   -- = not allowed																			
RESIDENTIAL																			
Household Living																			
Detached house	P	P	P	P	P		P	–	–	–	–	P	–	–	–	–	–	–	
Attached house	–	–	–	–	P		P	–	–	S	–	P	–	–	–	–	–	–	
Two-unit house	–	–	–	–	P		P	–	–	–	–	P	–	–	–	–	–	–	
Apartment/condo	–	–	–	–	–		P	P	P	S	S	S	–	–	–	–	–	–	
Group Living (except for the following uses)	S	S	S	S	S		S	–	–	–	–	–	–	–	–	–	<u>S</u>	<u>S</u>	
Group home, small (8-person max. occupancy)	P	P	P	P	P		P	–	–	–	–	–	–	–	–	–	<u>P</u>	<u>P</u>	Sec. 6.050
Group home, large (9 or more occupants)	S	S	S	S	S		S	–	–	–	–	–	–	–	–	–	<u>S</u>	<u>S</u>	Sec. 6.050
Nursing home	S	S	S	S	S		S	<u>P</u>	<u>P</u>	<u>S</u>	–	–	–	–	–	–	–	<u>S</u>	Sec. 6.060
Sheltered Care	S[7]	S[7]	S[7]	S[7]	S[7]		S[7]												
INSTITUTIONAL, CIVIC AND PUBLIC																			
Aircraft Landing Area	–	–	–	–	–		–	–	S	S	–	–	S	S	S	S	–	<u>S</u>	
Cemetery	–	–	–	–	–		–	–	–	–	S[6]	–	–	–	–	–	S	<u>S</u>	
College or University	S[1]	S[1]	S[1]	S[1]	S[1]		S[1]	–	–	–	S	S	S	S	–	–	–	<u>S</u>	
Community Center	S	S	S	S	S		S	–	–	–	S	S	–	–	–	–	<u>S</u>	<u>P</u>	
Fraternal Organization	S[2]	S[2]	S[2]	S[2]	S[2]		S[2]	P	P	P	S	–	–	–	–	–	<u>S</u>	<u>S</u>	
Governmental Facility	S[2]	S[2]	S[2]	S[2]	S[2]		S[2]	P	P	P	P	P	–	–	–	–	<u>P</u>	<u>P</u>	
Hospital	S[3]	S[3]	S[3]	S[3]	S[3]		S[3]	–	P	P	–	–	–	–	–	–	–	<u>S</u>	
Library	–	–	–	–	–	–	–	–	–	S	S	S	S	S	–	–	<u>S</u>	<u>S</u>	
Museum or Cultural Facility	–	–	–	–	–	–	–	–	–	S	S	S	S	S	–	–	<u>S</u>	<u>S</u>	
Natural Resource Preservation	P	P	P	P	P	–	P	P	P	P	P	P	P	P	P	P	<u>P</u>	<u>P</u>	
Parks and Recreation	S	S	S	S	S		S	–	–	–	–	–	–	–	–	–	<u>P</u>	<u>P</u>	
Religious Assembly	S	S	S	S	S		S	S	P	P	S[6]	S	P	S	–	–	<u>S</u>	<u>S</u>	Sec. 6.100
Safety Service	S	S	S	S	S		S	S	P	P	S	S	P	P	P	P	<u>P</u>	<u>P</u>	
School	S	S	S	S	S		S	–	–	–	–		–	–	–	–	<u>S</u>	<u>S</u>	
Utilities and Public Service Facility																			
Minor	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	<u>P</u>	<u>P</u>	

**REVISED TABLE 5-1 (yellow highlights are changes)**

USE CATEGORY	R-1	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	DB	DT	O-R	O-R-M	M-1	M-2	INP-1	INP-2	Supplemental Regulations
Subcategory																		
Specific use (See Sec. 5.020)																		
P = use permitted as of right   S = special use approval required   – = not allowed																		
Major	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	S	S	
<b>Wireless Telecommunications</b>																		
Freestanding tower	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	S	P	Sec. 6.150
Building or tower-mounted antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 6.150
<b>COMMERCIAL</b>																		
Adult Entertainment Establishment	–	–	–	–	–	–	–	–	–	–	–	–	P	P	P	–	–	Sec. 6.020
<b>Animal Service</b>																		
Boarding or shelter	–	–	–	–	–	–	–	S	P	–	–	–	–	P	P	–	–	
Grooming	–	–	–	–	–	–	P	P	P	P	–	–	–	P	P	–	–	
Veterinary care	–	–	–	–	–	–	–	P	P	S	–	–	–	P	P	–	–	Sec. 6.140
Assembly and Entertainment (except for the following uses)	–	–	–	–	–	–	–	–	P	S	–	–	–	–	–	–	S	
Auditorium	–	–	–	–	–	–	–	P	P	S	–	–	–	P	–	–	–	
Cinema	–	–	–	–	–	–	–	P	P	S	–	–	–	–	–	–	S	
Theater	–	–	–	–	–	–	–	P	P	S	–	–	–	–	–	–	–	
<b>Commercial Service</b>																		
Building service	–	–	–	–	–	–	–	S	P	S	–	–	–	P	–	–	–	
Business support service	–	–	–	–	–	–	P	P	P	P	–	–	–	P	–	–	–	
Consumer maintenance and repair	–	–	–	–	–	–	P	P	P	P	–	–	–	P	–	–	–	
Personal improvement service	–	–	–	–	–	–	P	P	P	P	P[15]	–	–	S	S	–	–	
Fortune-telling or psychic service <sup>i</sup>	–	–	–	–	–	–	–	–	–	–	–	–	–	S	S	–	–	
Massage and massage therapy <sup>ii</sup>	–	–	–	–	–	–	–	–	–	–	–	–	S	S	S	–	–	Sec. 5.050
Research service	–	–	–	–	–	–	–	–	P	S	–	P	P	P	P	–	–	
<b>Day Care</b>																		
Day care home	P	P	P	P	P	P	–	–	–	–	P	–	–	–	–	–	–	Sec. 5.050
Day care center	–	–	–	–	S	S	P	P	P	S	S	P	P	P	P	S	–	Sec. 5.050
<b>Eating and Drinking Establishment</b>																		
Restaurant	–	–	–	–	–	–	P	P	P	P	–	S[12]	P[8]	–	–	–	–	
Wine boutique	–	–	–	–	–	–	P	P	P	P	–	–	–	–	–	–	–	

**REVISED TABLE 5-1 (yellow highlights are changes)**

USE CATEGORY		R-1	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	DB	DT	O-R	O-R-M	M-1	M-2	INP-1	INP-2	Supplemental Regulations
Subcategory																			
Specific use (See Sec. 5.020)																			
P = use permitted as of right   S = special use approval required   – = not allowed																			
<b>Financial Service</b>		–	–	–	–	–	–	–	P	P	P	–	P	P	P	–	–	–	
<b>Funeral or Mortuary Service</b>		–	–	–	–	–	–	S	S	S	–	–	–	–	–	–	–	–	
<b>Lodging</b>		–	–	–	–	–	–	–	P	P	S	–	–	P	–	–	–	–	
<b>Office</b>																			
Business and professional office		S	S	S	S	S	S	P	P	P	P	S	P	P	P	P	–	–	Sec. 6.070
Medical, dental and health practitioner		–	–	–	–	–	S[4]	–	P	P	P/S[9]	S	P	P	P	P	–	–	
<b>Parking, Non-Accessory</b>		–	–	–	–	–	–	–	S	S	S	S	S	S	S	S	–	–	
<b>Retail Sales</b>																			
Convenience goods		–	–	–	–	–	–	P	P	P	P/S[14]	–	–	–	–	–	–	–	
Consumer shopping goods		–	–	–	–	–	–	P	P	P	P/S[14]	P[16]	–	–	–	–	–	–	
Guns and firearm supplies		–	–	–	–	–	–	P[13]	P[13]	P[13]	–	–	–	–	S	–	–	–	
Building supplies and equipment		–	–	–	–	–	–	P	P	P	P/S[14]	–	–	–	–	–	–	–	
<b>Self-service Storage Facility</b>		–	–	–	–	–	–	–	–	–	–	–	–	–	S	S	–	–	Sec. 6.110
<b>Studio, Instructional or Service</b>		–	–	–	–	–	–	P	P	P	P	S	–	–	–	–	–	–	
<b>Trade School</b>		–	–	–	–	–	–	P	P	P	S	–	S	S	S	S	–	–	
<b>Vehicle Sales and Service</b>																			
Commercial vehicle repair and maintenance		–	–	–	–	–	–	–	–	S	–	–	–	S	P	–	–	–	
Commercial vehicle sales and rentals		–	–	–	–	–	–	–	–	S	–	–	–	–	S	–	–	–	
<b>Fueling station<sup>iii</sup></b>		–	–	–	–	–	–	–	S	S	–	–	–	S	S	–	–	–	Sec. 6.040
Personal vehicle repair and maintenance		–	–	–	–	–	–	–	S[10]	S	–	–	–	S	S	–	–	–	Sec. 6.080
<b>Personal vehicle sales and rentals<sup>iv</sup></b>		–	–	–	–	–	–	–	S[10]	S	–	–	–	–	S	–	–	–	
Vehicle body and paint finishing shop		–	–	–	–	–	–	–	–	–	–	–	–	–	S	–	–	–	
<b>WHOLESALE, DISTRIBUTION &amp; STORAGE</b>																			
<b>Equipment and Materials Storage, Outdoor</b>		–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	
<b>Trucking and Transportation Terminals</b>		–	–	–	–	–	–	–	–	S	–	–	–	S	P	P	–	–	
<b>Warehouse</b>		–	–	–	–	–	–	–	–	–	–	–	–	P	P	P	–	–	
<b>Wholesale Sales and Distribution</b>		–	–	–	–	–	–	–	P	P	–	–	–	P	P	P	–	–	

**REVISED TABLE 5-1 (yellow highlights are changes)**

USE CATEGORY	R-1	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3	DB	DT	O-R	O-R-M	M-1	M-2	INP-1	INP-2	Supplemental Regulations
Subcategory Specific use (See Sec. 5.020)																		
P = use permitted as of right   S = special use approval required   – = not allowed																		
<b>INDUSTRIAL</b>																		
Artisan Industrial	–	–	–	–	–	–	–	–	P	–	–	–	P	P	P	–	–	
Limited Industrial	–	–	–	–	–	–	–	–	P[11]	–	–	–	P	P	P	–	–	
General Industrial	–	–	–	–	–	–	–	–	–	–	–	–	P	P	P	–	–	
Intensive Industrial	–	–	–	–	–	–	–	–	–	–	–	–	–	–	S	–	–	
Junk or Salvage Yard	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	
<b>RECYCLING</b>																		
Recyclable Material Drop-off Facility	–	–	–	–	–	–	S	S	S	–	–	–	S	S	S	–	–	Sec. 6.090
Recyclable Material Processing	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	
<b>AGRICULTURE</b>																		
Animal Agriculture (except as allowed under <a href="#">Chapter 5</a> of the municipal code)	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	
Crop Agriculture <sup>v</sup>	–	–	–	–	–	–	–	–	–	–	–	–	–	S	–	–	–	
Community Garden <sup>2</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
<b>OTHER</b>																		
Drive-in or Drive-through Facility	–	–	–	–	–	–	–	S	S	–	–	S[17]	S[17]	S[17]	–	–	–	
Medical Cannabis Cultivation Center <sup>vi</sup>	–	–	–	–	–	–	–	–	–	–	–	–	–	S	–	–	–	Sec. 6.050
Medical Cannabis Dispensing Organization	–	–	–	–	–	–	–	–	–	–	–	–	–	S	–	–	–	Sec. 6.050

<sup>i</sup> Allowed as special use but in newly defined location.

<sup>ii</sup> Allowed as special use if principle use in newly defined location; allowed as accessory use in combination with other principle uses such as medical care, health clubs, etc.

<sup>iii</sup> Deleted from DB District

<sup>iv</sup> Deleted from DB District

<sup>v</sup> Deleted use from residential areas and added as special use in M-1 for consistency with Cultivation Centers.

<sup>vi</sup> Both Cultivation Centers and Dispensing Organizations use regulations recently adopted and now included in draft



## Updated Text of 11.030 C 2 Regarding Nonconforming Uses

2. Nonconforming uses within a building may not be expanded except as expressly stated below:

a. A nonconforming use within a building may be expanded into another part of the same building that was occupied by the subject nonconforming use at the time the use became nonconforming;

b. Other expansions of a nonconforming use may be approved in accordance with the zoning exception procedures of Sec. 12.080. In order to approve such an expansion of a nonconforming use, the zoning board of appeals must find that all of the following criteria have been met:

(1) in residential districts, the expansion will not result in an increase in the number of dwelling units;

(2) the expansion will comply with all applicable lot and building regulations of the subject zoning district;

(3) the appearance of the expansion will be compatible with the adjacent property and neighborhood;

(4) off-street parking is provided for the expansion in accordance with the requirements of Sec. 7.010B.2 (for new uses);

(5) rezoning the property would result in an inappropriate spot zoning;

(6) the expansion will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare; and,

(7) the use is consistent with the comprehensive plan

# Village of Downers Grove

## Village Council Meeting

### December 17, 2013



## Zoning Ordinance Update Discussion



### DOWNERS GROVE ZONING ORDINANCE

Consolidated Public Review Draft  
As recommended by plan commission June, 2013

November 13, 2013

•High Priority Action Item

•No major update since 1960s

•Recognize no longer open field / new development

•Re-investment and redevelopment

### DOWNERS GROVE ZONING ORDINANCE

Consolidated Public Review Draft  
As recommended by plan commission June, 2013

November 13, 2013

•Selected consultant to help prepare updated zoning ordinance

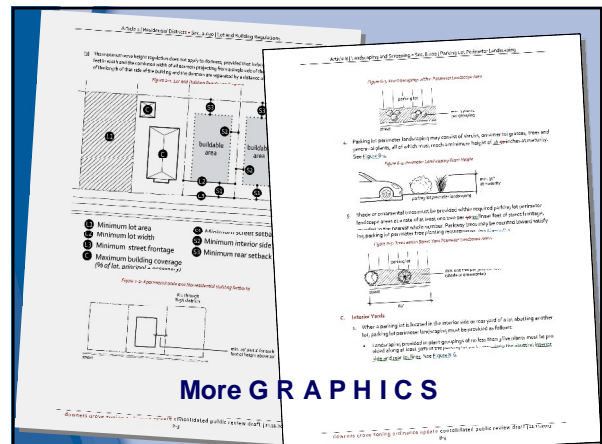
•Began series of public hearings with plan commission in June through November

Changes prompted by...

- Simple, attractive, easy-to-use
- Comprehensive Plan
- Village needs
- Update / best-practices

### Chapter 28 | Zoning Contents

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More GRAPHICS

6 ft. min. setback in all other districts

No [See Article 9](#)

Yes 1.5 ft. max. encroachment if setback is < 6 ft.

Yes 2 ft. max. encroachment if setback is ≥ 6 ft.

Yes 5 ft. min. setback in R-4 district

Yes 6 ft. min. setback in all other districts

See also [Sec. 6.010M](#)

Yes 5 ft. min. setback in R-4 district

Yes 6 ft. min. setback in all other districts

Yes 5 ft. min. setback in R-4 district

Yes 6 ft. min. setback in all other districts

Yes 1 ft. min. setback

Yes 10 ft. min. setback in R-1 and R-2 districts

No 7 ft. min. setback in all other districts

**Adds Hot Links**

setbacks apply

In nonresidential districts - no side or rear setback required

Yes 3-inch min. setback [See also Sec. 10.010](#)

Yes 1 ft. min. setback

Yes 5 ft. min. setback in R-4 district

Yes 6 ft. min. setback in all other districts

Yes 1 ft. min. setback

**More Tables**

## Help with reading the Draft

**Article 1 Introductory Provisions<sup>2</sup>**


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 Sec. 1.130 Severability ..... 1-1

Sec. 1.010 Official Name (Title)  
 The official name of this chapter (Chapter 10) is the "Zoning Ordinance of the Village of Downers Grove, Ill."  
 Sec. 1.020 Authority  
 This zoning ordinance is adopted pursuant to the powers granted and limitations imposed by Illinois law.  
 Sec. 1.030 Effective Date  
 The provisions of this zoning ordinance become effective on (effective date to be inserted), except as otherwise expressly stated.  
 Sec. 1.040 Applicability and Jurisdiction  
 The provisions of this zoning ordinance apply to all public and private development within the village, except as provided by state or federal law or as otherwise expressly stated in this zoning ordinance.  
 Sec. 1.050 Exempt Utilities  
 The provisions of this zoning ordinance do not apply to the title, location or use of pipes, wires, cables, conduits, vaults, laterals, poles, mains, valves or any other similar transmission or distribution equipment owned, installed or used by the Downers Grove Village Board or any other utility under the jurisdiction of the Illinois Commerce Commission or a municipally owned utility, provided that the installation of such equipment is in accordance with applicable codes and standards.

<sup>2</sup> The provisions of this article have been reorganized and edited, but no substantive changes are included unless expressly stated.

# Concordance of Notable Changes - Zoning Ordinance

Concordance of Notable Changes - Zoning Ordinance 12/12/2013						
Draft Ordinance Section	Page	Proposed change	Drafting Ordinance Section	Page	Reason for Proposed Change	Comp Plan Page
<b>Article 1 Introductory Provisions</b>						
1.110	1-4	Zoning Maps have been updated to allow for digital publishing.	28.401	28	Moderates ordinance. Reflects current DG practice.	N/A
1.120	1-5 thru 1-6	Transitional Provisions are added to clarify how various applications and actions carry over from previous 20 to new 20.	NA		Necessary administrative provisions and legal procedures for transition.	N/A
<b>Article 2 Residential Districts</b>						
2.010	2-1	Consolidate R-5 and R-5A districts	28.400	28	Simplifies ord.; allows 2-unit townhouses in R-5	N/A
2.030	2-2	Establish min lot area requirement for nonresidential uses allowed in R districts	28.1103	70	Clarify, neighborhood protection, buffers to res. Uses	53, 92, 116, 120 & 124
2.030	2-2	Regulated density by dwelling unit not bedroom count	28.1103	70	Promotes consistency; aids administration and enforcement	N/A
2.030	2-2	Increase allowed height in R-3 & R-4 from 33' to 35'	28.1105	71	Simplifies ord., Consistency among R districts	N/A
2.030	2-2	Eliminate min dwelling size (floor area)	28.1108	73	Simplifies ord., Minimums were less than mins required by building code. Removes obstacle to affordability and allows greater design flexibility	N/A
<b>Article 3 Business and Employment Districts</b>						
3.030	3-2	Eliminate R-3 district floor area limit (currently 10,000 sq. ft.)	28.1108	73	Comp. Plan commercial area plan - redevelopment	49
3.030	3-2, 3-3	Clarifies existing transition yard requirements	28.1113	78	Comp. Plan commercial area plan & Ord. Plan concepts; simplifies ord	48, 116, 120 & 124
3.030	3-2	Eliminate 100' street setback	28.1110	75	Simplifies ord.; promotes consistent streetscape	N/A

Brownsburg  
INDIANAPOLIS, IN

## Next Steps...

- Zoning Ordinance will be placed on Council Agenda - First Reading in January
- More than one First Reading? Consider in sections?
- More to come!

## Zoning Ordinance Update Discussion

## Village of Downers Grove

### Village Council Meeting

### December 17, 2013

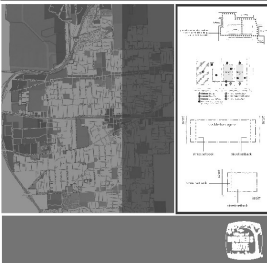
# January 14, 2013



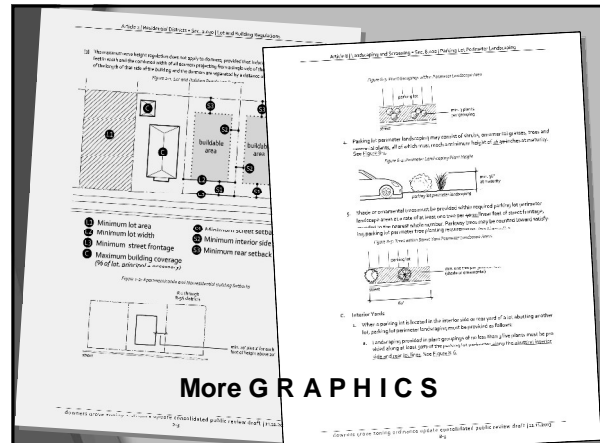
### Focus on Administration and Procedures



## 2014



- Update / best-practices / consistency



## More G R A P H I C S

	6 ft. min. setback in all other districts	
No	See Article 9	
Yes	1 1/2 ft. max. encroachment if setback is < 6 ft.	
	2 ft. max. encroachment if setback is ≥ 6 ft.	
Yes	5 ft. min. setback in R-4 district	
	6 ft. min. setback in all other districts	
	See also Sec. 6.010M	
Yes	5 ft. min. setback in R-4 district	
	6 ft. min. setback in all other districts	
Yes	5 ft. min. setback in R-4 district	
	6 ft. min. setback in all other districts	
Yes	1 ft. min. setback	
Yes	10 ft. min. setback in R-1 and R-2 districts	
7	See Article 9	
No	<b>Adds Hot Links</b>	
	<b>adds apply</b>	
	In nonresidential districts - no side or rear setback required	
Yes	3-inch min. setback See also Sec. 10.020	
Yes	1 ft. min. setback	
Yes	5 ft. min. setback in R-4 district	
	6 ft. min. setback in all other districts	
Yes	5 ft. min. setback	

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## Article 1 – Introductory Provisions

Sec (pg)	Proposal	Reason
1.110 (1-4)	Zoning maps may be published digitally	Modernization
1.120 (1-5 to 1-6)	Provisions to clarify transition from old to new ZO	Necessary

Approved and commenced under OLD, stays approved  
Old violation stay violations, unless new ZO changes them



## Article 9 - Signs

Sec (pg)	Proposal	Reason
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\* Only change is a corrected department name, removing **Code Enforcement Department** (9.060 K) and replacing it with **Community Development Department**

**Code Enforcement Department**



## Article 12 – Review and Approval Procedures

Sec (pg)	Proposal	Reason
12.010 C	Formalizes Neighbor Communications Notice Tool	Tool used successfully ad hoc
12.010 G (12-3 to 12-5)	Increases Notice radius and adds	Reflects policy direction, based on community comps
12.020 (12-6)	All text amendments must be village initiated	Clarifies for staff efforts and review priorities
12.070 (12-16 to 12-19)	Administrative Adjustments allowed to expedite minor relief	Modernizes ZO; Comp Plan source (focus on redev/remodel)



### C. Neighbor Communications<sup>16</sup>

- Purpose**  
The purpose of neighbor communications is to help educate applicants for development approvals and neighbors about one another's interests, to attempt to resolve issues in a manner that respects those interests and to identify unresolved issues before initiation of formal public hearings.
- Applicability**  
Neighbor communications are encouraged in all cases. They are required whenever the provisions of this zoning ordinance expressly state that they are required.
- Summary Report**  
The applicant must submit a neighbor communication summary at least one week before the first required public hearing. The summary report must describe:
  - efforts to notify neighbors about the proposal (how and when notification occurred, and who was notified);
  - how information about the proposal was shared with neighbors (mailings, workshops, meetings, open houses, etc.);
  - who was involved in the process;
  - suggestions and comments received;
  - what specific changes to the communications were made.

#### Mandated when?

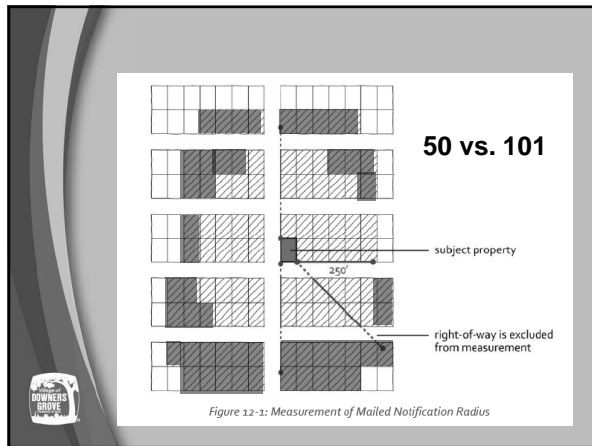
- Owner-initiated rezoning
- New telecommunications towers
- Other cases as required by Director



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### Why the requested change?

- Private entity would seek support / interest for text amendment through Council
- Council requests help staff understand interest or support for amendment
- Text amendments are time-consuming, between careful preparation of language, and consideration of intended and unintended consequences
- Request for text amendment are made often, and a knee-jerk response to a developer hearing "the ordinance prohibits [X]"
- Consistency with other similar communities' zoning ordinances

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### Administrative Adjustments

- Recognizes that community is built out
- Encourages re-investment in existing buildings by reducing regulatory barriers, time (2 weeks vs. 2-3 months) and expense (\$83 vs. \$400+/-) for very small additions
- Consistent with other communities' zoning ordinances

- Sets limitations for approval (typically less than 10% of setback / width / area or one parking space)
- Defines process and deadlines for Director decision, includes report to PC and Council

### Article 12 – Review and Approval Procedures

Sec (pg)	Proposal	Reason
12.090 B (12-21)	Variations only go through ZBA	More consistent application of variation stds
12.090 B (12-21)	Broadens list of eligible variations	Good practice and Comp Plan rec

## Variations

- A variation is a grant of relief from strict compliance with the zoning ordinance, based on court-tested standards which are used to establish unique character and physical hardship associated with the property itself. It should not consider mere convenience or cost.
- Granting variations without consistent application of the standards may have the result of weakening the zoning ordinance, or have the effect of re-writing it when the same variance is granted repeatedly without regard to the standards.



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- Granting variations without consistent application of the standards may have the result of weakening the zoning ordinance, or have the effect of re-writing it when the same variance is granted repeatedly without regard to the standards.
- In Downers Grove, the ZBA is the quasi-judicial board established and trained to apply the standards given the zoning district and neighborhood context.
- Also, the Plan Commission grants variations as part of their development approval hearings, considering the standards within the context of each proposal but with less emphasis on consistent application in the district or neighborhood.



## Variations

- Applicants should be able to challenge more elements of the zoning ordinance. Limiting the types of relief that can be sought by an applicant may be a concern.
- Assuring consistent application of court-tested standards may be a concern.



## Variations

- The draft ordinance proposes to broaden the number of authorized variations to include nearly the full ordinance, rather than limiting them to a 2-page list (28.1802).
- Proposes that all variation requests (except Administrative Adjustments) proceed through ZBA, as the authorized board established to apply the standards consistently.
- Applicants should be able to challenge more elements of the zoning ordinance. Limiting the types of relief that can be sought by an applicant may be a concern.
- Assuring consistent application of court-tested standards may be a concern.



## Article 13 – Administration and Enforcement

Sec (pg)	Proposal	Reason
13.020 (13-2 to 13-5)	Clarifies list of eligible zoning violations and penalties	Good practice; comp plan sourced



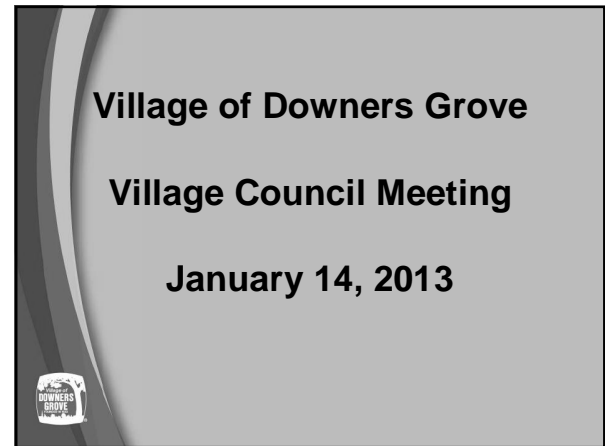
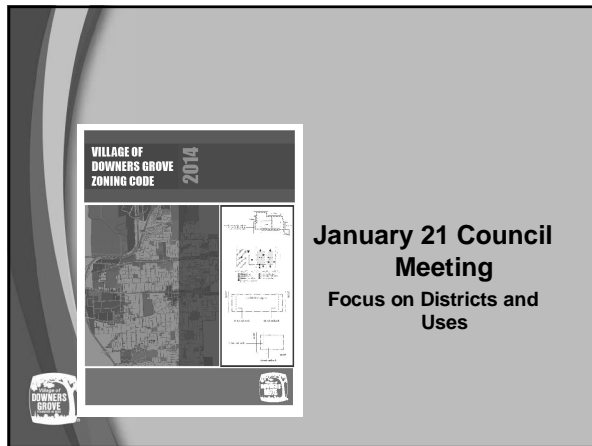
## Violations, Penalties, Enforcement

- 28.103 says simply "...any person violating any provision..."
- Enforcement comes with fines or court

### AS PROPOSED...

- "Unless otherwise expressly allowed..." (e.g., state law)
- A list of nine ways to clearly violate the ordinance.
- Remedies may include, fines, liens, withholding permits, revoking permits, stop work orders, confiscation of illegal signs, and various court actions.







# Village of Downers Grove

## Village Council Meeting

January 21, 2013



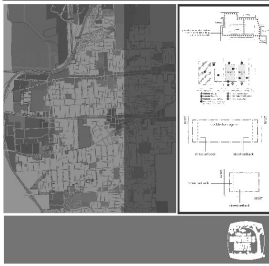
## Zoning Ordinance Update

Focus on Districts and Uses



### VILLAGE OF DOWNERS GROVE ZONING CODE

2014



January 14: discussed  
Administration and  
Process

Tonight: Districts and  
Uses

February 11: Regulations  
and Nonconformities

Changes prompted by...

- Simple, attractive,  
easy-to-use
- Comprehensive Plan  
(built-out village)
- Village needs /  
consistency
- Update / best-practices

### Chapter 28 | Zoning Contents

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### Concordance of Notable Changes - Zoning Ordinance

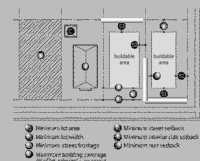
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## Article 2 – Residential Districts

Sec (pg)	Proposal	Reason
2.010(p2-1)	Combine R5-A into R-5	No regulatory differences
2.030(p2-2)	Minor bulk and density changes^ (nothing more restrictive)	Improves consistency, eliminates conflicting provisions. Protects residential integrity.

\* Explicit goal was to minimize changes to Residential Districts, and to clarify and enhance protections where opportunities existed

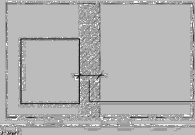


## Article 3 – Business and Employment Districts

\* Downtown Business and Downtown Transition described under Special Purpose Districts (Art. 4)

Sec (pg)	Proposal	Reason
3.030 (p3-2)	Eliminate B-1 Max. Floor Area	Allows successful businesses to grow in place, not move
3.030 (p3-2&3)	Minor Business / Residential Transition Changes	Clarify, simplify, eliminate redundancy; source is Comp Plan

Billboard Midstate



for a small setback or additional space, making it for a more off building height, etc.



## Article 4 – Special Purpose Districts

Sec (pg)	Proposal	Reason
4.010 D(p4-2)	Downtown build-to and 2-story min requirements ^	Comp Plan and Pattern Book; promote pedestrian friendly / econ value, sustainability
4.020 (p4-4to6)	Adds Institutional and Public District (INP) ^	Promotes transparency and predictability; Comp Plan is source
4.030 (p4-6to8)	New Planned Unit Development Overlay District	Promotes transparency, simplifies; Comp Plan is source



## Institutional and Public District

- Intended for public, civic and institutional uses (churches, govt bldgs, hospital - typically in Residential Districts today)
- Protects (1) interests of Institutional activities and (2) the residential uses surrounding it
- Clarifies codes (e.g., DG North fence)
- Two levels: INP-1 (neighbor scale) and INP-2 (large scale), with INP-2 targeting larger (>4 acres) and requiring master plan and allows for multiple buildings (e.g., school campus, hospitals)



## Article 4 – Special Purpose Districts

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## PUD Overlay District

- Intent to accommodate desired development not easily carried out under typical standards. Allows for planned and pre-agreed upon flexibility with codes.
- Establishes purposes for clarity (e.g., mixed use, comprehensive plan goals)
- Establishes objectives and standards
- Defines how represented on maps for clarity/transparency



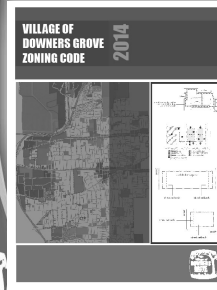
## Article 5 – Allowed Uses

Sec (pg)	Proposal	Reason
5.010 (p5-2to6)	New consolidated use table ^	User-friendly, simplifies. Uses reviewed per Comp Plan.
5.030-5.100	Reorganizes use categories	Broader categories accommodate future changes/new uses
5.050 (p5-11to13)	Some uses may be prohibited or modified	Transparency, clarifies intent; Comp Plan recommends; <i>under additional review</i>



## Article 6 – Supplemental Use Regulations

Sec (pg)	Proposal	Reason
6.010 C (p6-3)	Modernized satellite dish / ham radio antennae regs	Modernization
6.010 D (p6-4)	Express prohibition of donation drop boxes	Clarifies
6.010 E (p6-4)	Standards for electric car charging stations	Comp Plan and anticipated demand
6.010 J (p6-7)	Allows geothermal energy	More common; modernizes
6.040	Gas station and funeral home regs eliminated, mostly	Redundant or now subject to appropriate district



**February 11  
Council Meeting**  
Focus on Additional  
Regulations and  
Nonconformities



**Village of Downers Grove**

**Village Council Meeting**

**January 21, 2013**



# Village of Downers Grove

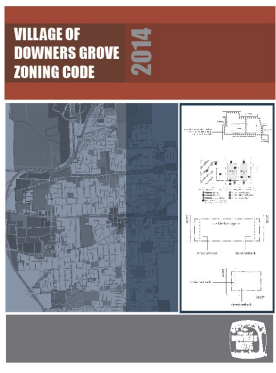
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### February 18, 2014



## Zoning Ordinance Update

### Focus on Additional Regulations and Nonconformities



Jan 14: discussed Administration and Process

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## Article 7 – Parking

- Reduce development costs
- Runoff impacts
- More landscaping

Restaurants  
Banks  
Offices  
Day Care

(pg)	Proposal	Reason
7.020 (p7-2)	• New maximum parking ratio	Comp Plan asks to prevent excess unused pavement <sup>^</sup> ;
7.030 (7-2to4)	• A few reduced ratios <sup>^</sup>	modernization
7.050 (7-7to8)	• Shared parking	
7.050C&D (p7-7)	Motorcycles, car-share & fleet services, bicycle parking alternatives allowed or required;	Comp Plan based; <i>alternative modes</i> ;
7.060 (p7-8/9)	enhanced on-site to off-pedestrian connections	modernization; reduce pavement, sustainability
7.110 (p7-16to18)		

\* Explicit purpose to ensure provision of off-street parking responsive to land uses, and allow for safe/convenient other options, while avoiding too much pavement.



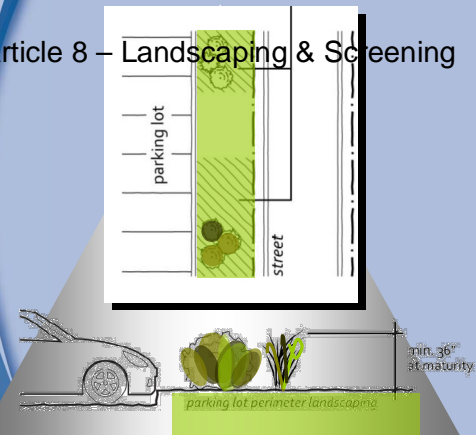
## Article 8 – Landscaping & Screening

Sec (pg)	Proposal	Reason
8.020 (p8-11to4)	Enhanced landscape buffer on nonresidential facing residential	Comp Plan; mitigates impacts; enhance appearance; better trees and shade
8.030 (p8-5to6)	25% larger parking lot landscaped islands	
8.040 (p8-6to8)	Clarifies when/where screening is required	Need for clarification
8.060 (p8-9)	Increased installation size for tree (2-1/2")/ shrub (18")	Comp Plan; hardier; improved appearance; better headlight blocking

\* New ten-point Purpose statement included to help guide decision-making on landscaping and screening proposals

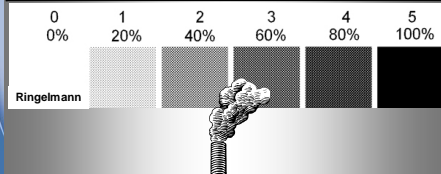


## Article 8 – Landscaping & Screening



## Article 10 – General Development Regulations

Sec (pg)	Proposal	Reason
10.030 (p10-3to5)	Lighting regs simplified; Easier to understand and enforce	Modernization; best practices; clarification
10.040 (p10-5to7)	Noise / Smoke / Other impact assessment simplified	Comp Plan; modernizes; best practices



## Article 11 – Nonconformities

### What is a **Nonconformity**?

- Commonly thought of as *grandfathered*
- Buildings or uses no longer allowed as new in the location / size that they now exist
- Inevitable consequence of updating / amending almost any ordinance
- Technically complex / legal subtleties



## Article 11 – Nonconformities

### **Intent** differs from current ordinance

- 1965 "green field" community versus 2014 "built-out" community
- Did not want old buildings to survive; but wanted to make room for new – rules made to encourage demo and use changes
- Unintended consequence: Reinforced lack of maintenance and relocation of successful businesses



## Article 11 – Nonconformities

### **Intent** to provide more opportunity

- Today: local value / re-investment / sustainability
- Distinguish *illegal* business or structure from one that is *legal* and nonconforming
- Place reasonable limits on uses or structures no longer suitable for their district
- Recognize interests of landowners in continuing lawfully established uses
- Promote re-investment in existing structures and encourage their maintenance



## Article 11 – Nonconformities

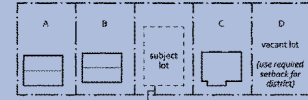
### Examples all rooted in Comp Plan

- Provide standards to allow expansion of nonconforming uses where no external change or impact is apparent (11.030C&F)
- Provide standards for reasonable expansion of structures along existing nonconforming building lines (11.040C) – reduces ZBA cases
- Makes it easier to rebuild on existing footprints (11.040E) – fire / tornado examples



## Article 14 – Measurements

Sec (pg)	Proposal	Reason
<b>14.100D</b> (14-7to8)	Contextual setbacks on infill sites	Comp Plan
<b>14.various</b>	Clarifies setbacks/encroachments for generators, solar, geothermal, other	Comp Plan; staff clarification and modernization

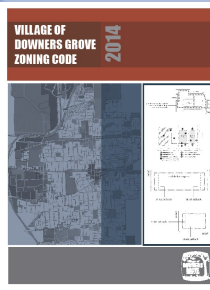


average street yard depth of nearest properties on either side of subject lot (average of lots A, B, C and D)



## Article 15 – Definitions

- Placement at back of document, instead of front (more common)
- Comprehensive editing, clean-up and revisions



**Next Steps**  
March - Highlight changes  
Discussion



## Zoning Ordinance Update

Focus on Additional Regulations  
and Nonconformities



## Village of Downers Grove

## Village Council Meeting

February 18, 2014



## **Staff Responses to Council Zoning Ordinance Questions**

February 21, 2014

**How does the proposed zoning ordinance comport with the comprehensive plan? Were there any specific issues or recommendations not addressed? If so, why?**

The Concordance shows the strong links between the comprehensive plan and the zoning ordinance. However, there were two recommendations not carried over: (1) the plan recommends creating an overlay district for floodplain and wetland areas, which is seen as a redundancy with the stormwater ordinance; and, (2) the plan recommends expanding use of architectural design standards, especially in the downtown and along Ogden Avenue. Architectural design standards could be enacted by the Village in documents and ordinances outside of the Zoning Ordinance. The design standards could be advisory or mandatory.

**What is the intent of the neighbor communications exemption for rezonings not within 500 feet of residential districts? (Sec. 12.030.B.)**

The intent is to require neighbor communication efforts for petitions near residences and not require the communication efforts for petitions where residences are not located nearby. As proposed, neighbor communications efforts are mandated for most owner initiated zoning map amendments, but they are not required if there is no residential zoning within 500 feet of the edge of the property to be re-zoned. The exception based on distance was added to provide a reasonable and consistent threshold representing typical zoning impacts. For example, many of the Esplanade properties are not within 500 feet of residential property and would not require a neighbor communications meeting and summary, but Ogden Avenue properties are within 500 feet and the threshold is met for requiring the meeting and summary.

**Why are the time extensions for special use approvals proposed to be reduced to 6 months from one year? (Sec. 12.050.I)**

The changes are proposed to conform with national best practices. The change represents a renewal timeframe more in line with other communities' zoning ordinances and reduces the total time to establish the special use from 3 years to 2 years from the time of first approval. Two years is seen as a reasonable timeframe for a serious and capable developer to complete work. Instead of two 6-month extensions, a single one-year extension from Council would accomplish a similar outcome.

**How many variation requests are likely to be handled using the administrative adjustment process? (Sec. 12.070)**

During the last two years there were about 12 variation cases before the Zoning Board of Appeals. Of these, perhaps three (25%) would have been eligible for the less expensive and faster administrative adjustment process. At the same time, some projects avoid ZBA (and the expense and time) altogether by not advocating for their preferred design, which may fall within the parameters of an administrative adjustment approval. So some degree of increase in requests for administrative adjustments could be expected to allow property owners or builders a better chance to achieve their preferred design.

**Why eliminate the R-5A District? What effectuates the change from R-5 to R-5A? (Art. 2 and Table 5-1)**

Staff has revised the proposal as follows:

- Do not eliminate the R-5A District on the zoning map (keep both the R-5 and R-5A Districts)
- Make the zoning regulations in the R-5 and R-5A Districts identical (single family attached units including duplexes and townhouses and single family detached houses would be permitted), by equating the mapped R-5A to the R-5 District regulations.

The results of this proposal are:

- No rezonings would be required as both districts could remain.
- Townhouses could be developed in both districts (currently townhouses are not permitted in the R-5 District).

**Will the proposed changes regarding combining R-5A into R-5, and the new INP districts, require immediate rezoning of land? If so, how would this occur?**

As noted above, no rezonings are required with the proposed changes to the R-5 and R-5A Districts.

A rezoning to the INP district would be required when an improvement or change is made to a structure. The owner would petition for the rezoning in conjunction with the proposed improvement. While a Village-initiated rezoning is an option, it is not required or recommended.

**Where/what are the definitions of multi-family and single-family attached? (Sec. 5.030)**

Definitions can be found in 5.030 A. The key distinction between the two uses is that multi-family represents a structure with multiple units located on a single lot, while single-family attached has each unit located on its own lot, although both concepts have



common walls.

**Why eliminate minimum dwelling unit floor area requirements? (Table 2-2)**

There are three reasons: (1) the Village's building code contains minimum habitable floor area requirements so the zoning ordinance regulation is seen as redundant; (2) minimum floor area has rarely, if ever, come into play; and, (3) maximum density limits remaining in place do a better job to manage impacts of neighborhoods.

**Explain the difference between Day Care Centers and Day Care Homes.**

Day Care Centers provide for day care in most business and multi-family districts with the maximum number of children determined by the State of Illinois based on several factors such as available space, age of children, and child-to-staff ratio. Day Care Homes provide day care services for 3 to 12 children and are currently operated from residences as home occupations in the Village. Both Day Care Centers and Day Care Homes are licensed by the state and must be allowed by the Village.

**Does the Village currently regulate home day care?**

Yes. The Village regulates Day Care Homes as home occupations. Due to the operational requirements of home day care, the home occupation tool is not the best tool to manage the activity. Home occupation regulations address issues such as maximum allowed floor area available for the business, storage of materials, prohibitions of in-person sales and outdoor activities, and numbers of employees and vehicles. Routine operation of a home daycare demands more space and outdoor activities.

**Does the proposal expand regulation to a new item?**

The proposal merely shifts the category of the allowed activity to a better-fitting zoning use and away from home occupation rules. Home occupation rules are routinely violated in a home daycare setting, such as the mandatory outdoor play requirements where no outdoor activity is legally allowed as a home occupation. Home daycare also often exceeds the 400 square foot home occupation floor area limit, as various children must use separate rooms for sleep and play. The shift allows the home day care to meet both state licensing and Village zoning ordinance requirements.

**Is the 250 square foot play area a state requirement? (Sec. 5.050F)**

No, the 250 square foot play area requirement is a Village regulation more restrictive than state regulations. The State requires a minimum of 75 square feet of outdoor play area per child for Day Care Centers and Day Care Homes. The current zoning ordinance requires a minimum of 250 square feet of outdoor play area per child.

**What kinds of drive-throughs are allowed in the DB Downtown Business district? Why? Should drive-throughs be prohibited downtown? (Table 5-1)**

Under the current and proposed zoning ordinances, drive-throughs in conjunction with all uses in the downtown, except restaurants, are Special Uses in the DB District. Drive throughs for restaurants are not allowed in the DB District.

Drive-throughs are often banned entirely from central business districts as they are seen as presenting less-friendly and unsafe challenges for pedestrians, as well as underutilization of prime real estate. Prohibiting drive-throughs is intended to enhance the walking environment and, with time, improve property values. The Village could consider prohibiting all drive-throughs in the DB District to achieve these objectives. Drive-throughs are prohibited in the DT Downtown Transition District.

**Table 5-1 indicates that Mobile Home Parks and Manufactured Housing are prohibited, correct? Are the definitions (Sec. 5.030 A) consistent with the prohibition?**

Both uses are prohibited. The definitions will be revised to improve clarity.

**Should geothermal energy systems have setbacks? (Sec. 6.010 J)**

Staff thinks that setbacks are not necessary because these systems are typically underground and unseen. Any above-ground structure, if required, will be subject to the same setback requirements of accessory structures within the district it is found.

**Fueling station regulations were eliminated. Why? (Sec. 6.040) Should these be prohibited in the DB Downtown Business District? (Table 5-1)**

The fueling station regulations are proposed to be eliminated because they are: (1) redundant with other requirements in the ordinance; (2) excessive in terms of restricting pump numbers and area, where basic design constraints would suffice; and, (3) difficult to comply with, with access often controlled by outside agencies.

Staff does not object to not allowing fueling stations in the DB District. Fueling stations were kept in the DB Downtown Business district because they were allowed as special uses in the past. Prohibiting them would not prevent electric charging as an accessory use in the DB district, as these are handled under a separate designation.

**Make sure the motorcycle parking provisions (Sec. 7.050 C) is not a loophole to reduce required parking.**

Staff does not believe this will be a problem as it is a very conservative approach to

parking demand. The allowance is not triggered until there are at least 20 parking spaces provided, where only one space could be turned into a smaller motorcycle parking space. The next step is at 40 parking spaces, where one space could be turned into two motorcycle spaces. The potential to occupy two vehicle spaces is not triggered until there is a demand for 80 parking spaces.

**Is the bicycle parking section new? (Sec. 7.060) How will this affect restaurants downtown? (Sec. 7.050 A)**

This section is new, although the existing zoning ordinance already has very modest requirements to accommodate bicycle parking in and around large office and commercial buildings. The bicycle parking requirements do not substitute for vehicle parking and instead require the placement of bike racks or something similar elsewhere on the property. Because commercial uses in the downtown do not need to provide parking, downtown businesses including restaurants are exempt from this provision.

**Confirm that nonconformity provisions do not negatively affect lot consolidation. (Sec. 11.020 B)**

Confirmed. The non-conforming provisions do not create disincentives to consolidate lots. Lot consolidation will help property owners meet the one of the goals of the ordinance which is eliminate or minimize nonconforming lots. Lot consolidations remain one of the best ways to eliminate nonconforming lots and to promote redevelopment on legal lots.

**Regarding nonconforming uses, what are we allowing and why? (Sec 11.030 C.2)**

The intent here is to provide standards for approval to expand a nonconforming use in an existing building, where there is no external building or site related alteration needed and there is no additional impact on the neighborhood. This is a proposed change that recognizes Downers Grove as a built-out community and is somewhat more forgiving to existing uses and structures. The only option today for a successful nonconforming business with a need to expand is to relocate. The wording found in this section is under review as the draft language is confusing.

**Delete the word “encouraging” from the public hearing notice requirements (Sec. 12.010 G.2.a.(5)) as it does not match the list and direction given above it.**

Done.

**Table 3-2 Footnote 12 indicates the proposed ordinance would eliminate a 100' setback requirement of M-2 District uses from residential uses. Why is this change proposed?**

Both the proposed and current zoning ordinances call for a 35' street setback. The current ordinance also contains a second, more restrictive setback of 100' where M-2 uses exist directly across the street from residential uses. However, there are no locations in the Village where M-2 uses are located within 100' feet of residential uses. Consequently, the requirement is proposed for elimination.

**Is crop agriculture allowed under the current ordinance? (Table 5-1)**

Yes, crop agriculture is currently allowed in all residential districts as long as the property exceeds one acre in size. Should the Council wish to keep crop agriculture as an allowed use, the one acre size minimum should be maintained.

**Is it feasible to require screening of small satellite dishes? (sec. 6.010 C)**

It is only partly feasible to screen small satellite dishes for several reasons:

- Certain side-of-building mounts would make screening very difficult.
- The FCC's requirement to not impair a viewer's ability to receive a video signal may preclude some designs, providing certainty only with rear screening.
- FCC regulations limit the costs and time delays associated with installation that would likely result from a permitting approval and inspection process.
- The large number of dishes already installed without screening will lead to difficult and uneven enforcement.

**Should automobile sales be prohibited in the DB Downtown District? (Table 5-1)**

Yes. Automobile sales are not currently allowed downtown. It was listed as a Special Use in error. The prohibition in the DB Downtown Business district will continue.

**It appears that the current zoning ordinance and proposed ordinance exempt buildings of four square feet or less from lot area coverage. Please explain why.**

The exemption of very small structures is a common one and aimed at recognizing the impracticality of keeping track of (i.e., enforcing regulations on) very small structures, typically decorative landscape structures. The code recognizes that these types of items have a negligible impact on the character or "bulk" of a developed site.

**Please explain the proposed changes to the required parking ratios. What is proposed to be changed and why?**

Reductions in the required parking ratios are proposed for Day Care, Restaurants, Banks, Funeral Homes, Large Grocery Stores and Office uses. The new ratios are based on independent studies reviewed and summarized by the Institute for Traffic

Engineers in a manual entitled “Parking Generation.” It is considered the primary source for all parking ratio questions. Prior rates were based on earlier editions of the manual (or other unknown sources) and resulted in the provision of excessive parking area, along with the unused spaces, excess costs, and additional stormwater runoff. Local studies may be required when the unique characteristics of a use could result in significantly more or fewer parking spaces. In these cases, the results of those studies sometimes result in a change to the ratio for the individual proposal.

**Why are garages exempted in building coverage calculations?**

In Sec. 14.080, small garages of less than 500 square feet are proposed to not be counted towards building coverage limits so as not to penalize owners of small lots who otherwise would be prohibited from adding a detached garage. This exemption does not apply to stormwater impervious surface calculations.

**Is the R5A district being folded into the R5 district?**

Yes, the R5A district is being folded into the R5 district. The R5A District was created many years ago when the Village was uncertain about townhouse concepts being proposed. From a setback and bulk standpoint, the two districts are the same.

**How does the elimination of the Downtown Business District mapping guidelines affect the Village?**

The mapping guidelines are relocated within the document, moving from Section 28.610(b) to Section 4.010(B)(1).

**Which land use definition includes uses such as nursing homes and supportive living facility?**

Nursing homes and supportive living facilities are listed within Group Homes in Table 51. They are also individually defined in Section 5.030(B). The new zoning ordinance will rely on current state definitions.

**Is there a demand for amateur radio facilities?**

There are amateur radio facilities located within the Village. The Village does not see many permits for these types of facilities, but neighbor concerns are typically associated with the placement, height and interference of the towers. Current regulations are less clear than those proposed.

**Are day care facilities regulated by the State?**

The Illinois Department of Children and Family Services is responsible for setting standards and licensing day care centers, day care homes, group homes and day care agencies throughout the state.

**Why is there a proposal to eliminate some of the gas station regulations?**

The proposed ordinance modernizes and simplifies the regulations for gas stations while maintaining standards to protect neighboring residents. Many of the regulations (lighting, driveway design, screening) that are listed in the current ordinance (Section 28.1018) are now addressed on their own in other sections of the proposed ordinance: lighting in Section 10.030, driveway design in 7.110 and screening in Article 8.

**Page 67: Geothermal Energy how do the proposed limitations on Riparian areas, etc. affect houses in LPDAs and floodplains?**

Homes in floodplains and LPDAs would still be able to install geothermal systems as long as the system is completely outside of the stream (floodway) and any riparian buffer zones. The only areas that are restricted are the stream (or floodway) and required buffer areas, which cannot be disturbed under federal regulations.

**Vending Kiosks are there proposed changes to existing regulations? Is the prohibition on donation boxes proposed to be changed?**

The previous ordinance did not contain any specific requirements for vending kiosks. They were regulated as commercial accessory structures. Donation boxes are expressly prohibited in the new ordinance (see page 64)

**Page 632: Elimination of Security Funds for Cell Towers What is proposed to be changed? Why? How often has the Village had to use security funds?**

The current regulations required that owners of cell towers post a security for removal of the tower. The security must be kept on file until the tower is decommissioned and removed by the owner. The updated code provides stronger general remedies for violations of the zoning ordinance, which make the previous requirement redundant. In addition, maintaining the security requires staff time to administer as ownership of towers is transferred frequently. The Village has never used a security to remove a tower. The Village's code enforcement procedures would seek compliance from the owner before calling the security, which matches the Village's practices.

**Parking the ordinance requires parking for the expansion of a nonconforming building and states that adding parking for an existing parking**

**shortage is not required. Should the Village retain the right to require the addition of parking to address existing parking shortfalls?**

Additional parking is required if the new use requires more parking than the previous use. This regulation matches the current ordinance. It has only been reworded for clarity. The Village's nonconformity rules are written to accommodate redevelopment and recognize that there is a benefit to allow reuse of existing buildings that may not meet all the current requirements.

**Page 719: Drivethru Escape Lanes Why are they proposed to be eliminated?**

It is the Village's practice to require traffic circulation studies for new drivethrough uses. Escape lanes may be required based on a use's individual conditions, however there are tradeoffs. When installed, the escape lanes increase impervious areas and stormwater runoff. Studies show escape lanes are rarely used and where lacking provide only a modest inconvenience for those vehicles temporarily remaining in line. Escape lanes are recommended on a case by case basis when full site circulation options are restricted.

**Offstreet loading zones Why are these being reduced?**

The current ordinance's requirements are sized for tractortrailer deliveries for all uses. The updated ordinance allows flexibility for users that receive most deliveries via smaller vehicles, a practice increasingly common for small and medium sized companies.

**102: Line of Sight Triangles Please explain the proposed changes to line of sight triangle requirements.**

The ordinance was clarified that sight triangles for fences are not required on residential properties where a driveway is present in rear and side yards. This change clarifies the existing requirements and represents current interpretation.

**104: Illumination standards Does the proposed zoning ordinance include standards for parking lot illumination? Why is the reference to the Illumination Society proposed to be removed?**

The illumination standards have been expanded for all uses including parking lots. Previously, they only applied to parking lots with more than five spaces. The trespass standards are simplified and still limit light spilling onto adjacent residential and commercial properties, making reliance on a single organization redundant and

potentially confusing.

**Smoke and particulate matter Is this a new regulation?**

This regulation previously was in Article 20. These regulations still limit emissions from manufacturing uses, but have been modernized and simplified for code enforcement purposes. Nationally, few zoning ordinances carry this language but it remains typical to do so in the greater Chicagoland area so the restriction was maintained.