

**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE VILLAGE COUNCIL MEETING  
JUNE 3, 2014 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Zoning Ordinance Draft Comprehensive Amendment	✓ Resolution Ordinance Motion Discussion Only	David Fieldman Village Manager

**SYNOPSIS**

An ordinance adopting the Village of Downers Grove Zoning Ordinance (Chapter 28 of the Municipal Code) has been prepared.

**STRATEGIC PLAN ALIGNMENT**

The goals for 2011-2018 include *Top Quality Infrastructure, Strong and Diverse Local Economy and Continued Innovation*. *Zoning Ordinance Update* is a High-Priority Action Item for 2013.

**FISCAL IMPACT**

N/A

**UPDATE & RECOMMENDATION**

The Zoning Ordinance was approved unanimously by the Village Council at the May 20, 2014 meeting. This item seeks Village Council reconsideration of the approval of the Zoning Ordinance to change the maximum permitted building height in the M-1 and M-2 Districts from 35 feet to 37.5 feet. This change would allow for the construction of the Village’s salt dome at the Public Works Facility.

A motion to reconsider must be made on the same day as the meeting in which the motion to be reconsidered was decided or on the next day business is conducted. The motion must be made by a person who voted on the prevailing side of the motion to be reconsidered.

**BACKGROUND**

The zoning ordinance update is one of the main tools for implementing the Village’s Comprehensive Plan. The Village’s current zoning ordinance has not undergone a comprehensive update since the 1960s. The project was established by the Village Council as a High Priority Action Item and defined to include amendments to both Chapter 28 (Zoning Ordinance) and Chapter 20 (Subdivision Ordinance). Work on the Subdivision Ordinance is continuing and is intended to conclude in 2014.

In February, 2013, the Village selected Duncan Associates to assist in the Zoning Ordinance Update. The consultant has completed the following:

- Led public meetings beginning in June
- Prepared updates for Plan Commission review each month, with input from staff
- Following several months of public hearings with the Plan Commission, prepared the attached Draft Comprehensive Amendment of the Village of Downers Grove Zoning Ordinance

The goals for the Zoning Ordinance update are to:

- Prepare a simple, attractive and easy-to-use document.
- Incorporate concepts and recommendations found in the Comprehensive Plan.

- Include updates, best practices and requests for changes initiated by the Village.

Additional explanation on how the draft ordinance meets these goals is provided below.

### *Simple, Attractive and Easy-To-Use*

Staff is preparing a new cover design for the Zoning Ordinance, which will likely be available as a stand alone document, part of the online Municipal Code or as an independent link on the website. The ordinance has been reorganized to make greater use of graphics and tables. It relies on hot links to help the user quickly find related topics both within the document and elsewhere in the Municipal Code or other documents online.

### *Comprehensive Plan Changes*

As an implementation tool for the Comprehensive Plan, the changes called for directly or by reference in the Plan are represented within the Zoning Ordinance amendments. The public process reflects a path from initial public input into the Comprehensive Plan and into the draft Zoning Ordinance language.

### *Village-Initiated Changes*

Staff recommended changes to the Zoning Ordinance to clarify confusing language, standards and measures within the current Zoning Ordinance. Staff also made recommendations for changes that would incorporate solutions for variations that are frequently granted under the existing ordinance. In addition, the consultant relied on their nationwide experience to update terminology and processes, as well as to offer newly established best practices.

### *Next Steps*

As with any comprehensive amendment to an ordinance as expansive as the Zoning Ordinance, the changes range in complexity and significance. Because the entire document has been re-worked and re-ordered, it was impractical to provide the traditional lined-through/underlined set of amendments. To help with the review of the proposed Zoning Ordinance, the consultant and staff worked together to supply a reference document, called a Concordance of Notable Changes, which highlights the prominent changes from the current Zoning Ordinance, along with the source for the requested amendments (e.g., the section of Zoning Ordinance coupled with the Comprehensive Plan page reference). The draft ordinance itself also includes notes, footnotes and explanations to aid in your review, typically in a blue font. While copies of these materials and notes will be retained, the adopted Zoning Ordinance will not include the Concordance and the blue explanatory notes.

During the next few months, opportunities will be provided for more discussion regarding the content of the proposed Zoning Ordinance. At the conclusion of the discussion period a final draft will be presented to the Village Council for adoption.

## **ATTACHMENTS**

Motion

**VILLAGE OF DOWNERS GROVE**  
**COUNCIL ACTION SUMMARY**

**INITIATED:** Community Development      **DATE:** June 3, 2014  
(Name)

**RECOMMENDATION FROM:** \_\_\_\_\_ **FILE REF:** \_\_\_\_\_  
(Board or Department)

**NATURE OF ACTION:**

- Ordinance
- Resolution
- Motion
- Other

**STEPS NEEDED TO IMPLEMENT ACTION:**

Motion to reconsider "AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE VILLAGE OF DOWNERS GROVE, ILLINOIS, CODIFIED AS CHAPTER 28 OF THE DOWNERS GROVE MUNICIPAL CODE, EFFECTIVE JUNE 15, 2014", passed and approved May 20, 2014.

**SUMMARY OF ITEM:**

Adoption of this motion shall allow the Council to reconsider approval of the Comprehensive Zoning Ordinance effective June 15, 2014, passed and approved May 20, 2014.

**RECORD OF ACTION TAKEN:**

---

---

---

**5. O-R-M, Office Research and Manufacturing District**

The O-R-M district is primarily intended to accommodate office, research & development and limited manufacturing, processing and assembly activities.

**6. M-1, Light Manufacturing District**

The M-1 district is primarily intended to accommodate office, research and employment uses, including very low-impact industrial activities.

**7. M-2, Restricted Manufacturing District**

The M-2 district is primarily intended to accommodate office, research and employment uses, including low-impact industrial activities.

**Sec. 3.020 Allowed Uses**

Principal uses are allowed in business and employment districts in accordance with [Table 5-1](#).

**Sec. 3.030 Lot and Building Regulations**

The lot and building regulations of [Table 3-2](#) apply to all principal uses and structures in B, O and M districts, except as otherwise expressly stated in this zoning ordinance. General exceptions to lot and building regulations and rules for measuring compliance can be found in [Article 14](#). Additional regulations governing accessory uses and structures can be found in [Sec. 6.010](#). See also [Figure 2-1](#).

*Table 3-2: B, O and M District Lot and Building Regulations*

Regulations		B-1	B-2	B-3	O-R	O-R-M	M-1	M-2
	Minimum District Area (acres)	2	4	4	10	5 <sup>[1]</sup>	6	6
<b>L1</b>	Minimum Lot Area (square feet)	–	–	–	–	20,000	20,000	20,000
	Minimum Lot Area Per Dwelling Unit (square feet)	Same as R6		–	–	–	–	–
	Maximum Floor Area Ratio (FAR)	0.40	0.75	0.75	0.75 <sup>[2]</sup>	0.80/1.00 <sup>[3]</sup>	1.00	1.00
	Maximum Building Coverage (% of lot)	–	–	–	–	–	60	60
	Building Setbacks (feet)							
<b>S1</b>	Street (see also <a href="#">Sec. 3.040</a> )	25	25	25	75 <sup>[6]</sup>	35 <sup>[7]</sup>	35 <sup>[7]</sup>	35 <sup>[7]</sup>
<b>S1</b>	Side (interior)	– <sup>[4]</sup>	– <sup>[4]</sup>	– <sup>[4]</sup>	30 <sup>[6]</sup>	10 <sup>[8]</sup>	10 <sup>[8]</sup>	20 <sup>[7]</sup> <sup>[9]</sup>
<b>S3</b>	Rear (residential floors)	30	30	30	–	–	–	–
<b>S3</b>	Rear (nonresidential floors)	– <sup>[5]</sup>	– <sup>[5]</sup>	– <sup>[5]</sup>	50 <sup>[6]</sup>	10 <sup>[8]</sup>	10 <sup>[8]</sup>	20 <sup>[7]</sup> <sup>[9]</sup>
	Min. Landscaped Open Space (% of lot) <sup>[10]</sup>	10	10	10	20	15	10 <sup>[11]</sup>	10
	Maximum Building Height (feet)	35	35	60	112	126/140 <sup>[3]</sup>	<del>3537.5</del>	<del>3537.5</del>

Notes to Table 3-2

- [1] No minimum district area required north of Ronald Reagan Memorial Tollway or to property zoned M-1 or M-2 on 10-25-1982.
- [2] Buildings with a floor area ratio (FAR) in excess of 0.50 are subject to the following: (1) required parking for floor area in excess of 0.50 FAR must be located underground or in parking garage and (2) landscaped open space must be provided on at least 20% of the lot.
- [3] South of Ronald Reagan Memorial Tollway/North of Ronald Reagan Memorial Tollway.
- [4] On lots abutting R districts, minimum side setback of abutting R district must be provided, plus one foot of additional setback for each foot of building height above 20 feet. See [Figure 3-1](#).
- [5] On lots abutting rear lot line of property in R district, a minimum 20-foot rear setback is required, plus one foot of setback per foot of building height above 20 feet. On lots abutting side lot line of property in R district, minimum side setback of abutting R district must be provided, plus one foot of additional setback per foot of building height above 20 feet.
- [6] Plus one foot of additional setback for foot of building height above 50 feet.
- [7] Plus one foot of additional setback for each 2 feet of building height above 35 feet.
- [8] On lots abutting property in R district, a minimum 30-foot setback is required, plus one foot of additional setback for each 2 feet of building height above 20 feet. Parking must be set back at least 15 feet from abutting R district.
- [9] Minimum 75-foot setback required abutting R district.
- [10] At least 50% of required landscaped open space must be located in the street yard.
- [11] No minimum street yard landscaping required for properties abutting I-355 and frontage along west side of Thatcher Road.