
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: WALTER MAGDZIARZ, COMMUNITY DEVELOPMENT DIRECTOR
RENEE HANLON, ZONING ADMINISTRATOR
SUBJECT: ORDINANCE: ZONING ORDINANCE TEXT AMENDMENTS
(CUMULATIVE SPECIAL USES, PET GROOMING, MOBILE HOMES,
CONTRACTOR'S YARDS)
AGENDA: OCTOBER 18, 2016 REGULAR MEETING
DATE: OCTOBER 14, 2016

ISSUE

Shall the Village Board discuss various zoning ordinance text amendments.

DISCUSSION

The Committee of the Whole discussed this at the October 4, 2016 meeting and concurred with the Planning Commission's recommendations.

The Village of Sugar Grove Planning Commission held a public hearing on September 21, 2016 to receive public comment, discuss, and determine an appropriate recommendation to the Village Board on each of these amendments. No member of the public spoke at the public hearing nor has staff been contacted about these amendments. Each of the amendments is described below.

Cumulative Special Use Language in the B-1 and B-2 Districts

The Zoning Ordinance provides that any permitted use in the B-1 Community Shopping District is a permitted use in the B-2 General Business District and all permitted uses in the B-2 General Business District are permitted uses in the B-3 Regional Business District. This cumulative language does not appear in the special use list of these same business districts; however, over the years the Zoning Ordinance has been interpreted as if that language did appear. This Amendment adds the same cumulative language to the special use list in both the B-1 and B-2 Districts. This action will clarify any confusion of how special uses are treated in the business districts and will provide consistency between special uses and permitted uses in the business districts.

The Plan Commission voted unanimously to recommend approval of this amendment.

Pet Grooming

The Zoning Ordinance allows “Pet Grooming” as a special use in the B-2 General Business District and B-3 Regional Business District. This amendment expands that special use allowance to the B-1 Community Shopping District. In 2009, the village allowed a pet grooming facility, by temporary use, in a property zoned B-1 which is located in the downtown core. No nuisance complaints nor violations associated with this temporary use were noted. Recognizing the compatibility of the pet grooming uses in the downtown neighborhood, this amendment allows the use in the B-1 district by special use.

Plan Commission voted unanimously to recommend approval of this amendment.

Mobile Home Dwellings

The Village currently has placed a moratorium on establishing mobile home dwellings. This moratorium is set to expire in February 2017. Mobile home dwellings must be addressed in the Zoning Ordinance prior to the expiration of the moratorium. This amendment addresses mobile home dwelling in two (2) ways; single mobile home placement and mobile home parks.

This amendment allows for a mobile home dwellings to be located on a lot only in the E-1 Estate Residential District. Estate Residential zoning requires a one (1) acre (43,560 square feet) minimum lot, a street setback not less than fifty (50) feet and side and rear setbacks of not less than thirty (30) feet. The amendment also requires the mobile home dwelling to be both permanently anchored and skirted with concrete panels.

This amendment further provides for “Mobile Home Parks”. A mobile home park is defined as any tract of land or contiguous tracts of land where two (2) or more mobile home dwellings are maintained. Mobile home parks will be allowed by special use in the E-1 District as a Planned Unit Development. This amendment provides additional standards, beyond those required for all residential planned unit developments, specific to mobile home parks.

The Planning Commission approved the amendment by a 3-2 vote.

Standards for Contractor’s Yard

The Zoning Ordinance allows “Contractor’s Yard” as a principal permitted use in the M-1 Limited Manufacturing District and by special use in the B-3 Regional Business District. As a principal use of the property, the yard may be established without establishing and maintaining a building on the site. This is concerning in that a yard may be established that may be visited infrequently by the owner. Infrequent visits increase the likelihood of infrequent maintenance of the yard. Allowing contractor’s yards only in association with a contractor’s office reduces the likelihood of maintenance problems. The ordinance amendment establishes standards for contractor’s yards, including the maintenance of a

principal building on the same lot.

Plan Commission voted unanimously to recommend approval of this amendment.

Definitions

An amendment to the Definitions section of the Zoning Ordinance is necessary to clarify terms associated with each of these text amendments.

Plan Commission voted unanimously to recommend approval of this amendment.

ATTACHMENTS

- Ordinance Amending the Zoning Ordinance (Cumulative Special Uses, Mobile Homes, Pet Grooming, Contractor's Yards)

COSTS

Other than the cost of publishing the notice, there are no costs associated with approving these Zoning Ordinance text amendments.

RECOMMENDATION

That the Village Board approve an Ordinance Amending the Zoning Ordinance (Cumulative Special Uses, Mobile Homes, Pet Grooming, Contractor's Yards).



**VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS**

ORDINANCE NO. 2016-1014A

**AN ORDINANCE AMENDING TITLE 11 (ZONING ORDINANCE) OF THE VILLAGE CODE
(CUMULATIVE SPECIAL USES, PET GROOMING, MOBILE HOMES, CONTRACTOR'S YARDS)**

Adopted by the Board of Trustees and President of the Village of Sugar Grove
this 18th day of October, 2016

Published in pamphlet form by authority of the Board of Trustees of the
Village of Sugar Grove, Kane County, Illinois
this 18th day of October, 2016

ORDINANCE NO. 2016-1018A

**AN ORDINANCE AMENDING TITLE 11 (ZONING ORDINANCE) OF THE VILLAGE CODE
(CUMULATIVE SPECIAL USES, PET GROOMING, MOBILE HOMES, CONTRACTOR'S YARDS)**

WHEREAS, the Village of Sugar Grove is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, the Village of Sugar Grove currently maintains zoning restrictions on the use of land within the Village; and,

WHEREAS, the Village finds that such restrictions provide for the safety and well-being of Village inhabitants and benefit the public welfare, safety and morals; and,

WHEREAS, the Village seeks to continue to promote these interests, and seeks to amend the Village Code to more fully protect and preserve the safety and well-being of such inhabitants; and,

WHEREAS, after due notice the Plan Commission held a public hearing concerning the proposed amendments on September 21, 2016 and no objectors were present; and

WHEREAS, the Plan Commission recommended in their Recommendation PC16-12 that the Village Board approve the requested Zoning Ordinance amendments.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

SECTION ONE:

- A. That Section 11-3-2 of Title 11 (Zoning Ordinance) of the Village Code of Ordinances be, and it is, hereby amended as provided in Exhibit A, attached hereto and made a part hereof by this reference.
- B. That Section 11-7-2-B-1 and Section 11-7-2-D-1 of Title 11 (Zoning Ordinance) of the Village Code of Ordinances be, and it is, hereby amended as provided in Exhibit B, attached hereto and made a part hereof by this reference.
- C. That Section 11-8-4-D-5 of Title 11 (Zoning Ordinance) of the Village Code of Ordinances be, and it is, hereby amended as provided in Exhibit C, attached hereto and made a part hereof by this reference.
- D. That Section 11-8-5-D of Title 11 (Zoning Ordinance) of the Village Code of Ordinances be, and it is, hereby amended as provided in Exhibit D, attached hereto and made a part hereof by this reference.
- E. That Section 11-8-6-D of Title 11 (Zoning Ordinance) of the Village Code of Ordinances be, and it is, hereby amended as provided in Exhibit E, attached hereto and made a part hereof by this reference.
- F. That Section 11-8-6-I of Title 11 (Zoning Ordinance) of the Village Code of Ordinances be, and it is, hereby amended as provided in Exhibit F, attached hereto and made a part hereof by this reference.

G. That Section 11-10-2-A and Section 11-10-2-D-3 of Title 11 (Zoning Ordinance) of the Village Code of Ordinances be, and it is, hereby amended as provided in Exhibit G, attached hereto and made a part hereof by this reference.

H. That Section 11-11-3-A-2 and Section 11-11-5-E-4 and Section 11-11-5-F of Title 11 (Zoning Ordinance) of the Village Code of Ordinances be, and it is, hereby amended as provided in Exhibit H, attached hereto and made a part hereof by this reference.

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect on and after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this this 18th day of October, 2016.

P. Sean Michels,
President of the Board of Trustees of the
Village of Sugar Grove, Kane County, Illinois

ATTEST: _____
Cynthia L. Galbreath
Clerk, Village of Sugar Grove

	Aye	Nay	Absent	Abstain
Trustee Kevin Geary	___	___	___	___
Trustee Sean Herron	___	___	___	___
Trustee Mari Johnson	___	___	___	___
Trustee Ted Koch	___	___	___	___
Trustee Rick Montalto	___	___	___	___
Trustee David Paluch	___	___	___	___

EXHIBIT A

A. Section 11-3-2 is hereby amended by deleting the following terms and definitions:

TRANSITIONAL AREA: An area in the process of changing from one use to another; or an area which acts as a buffer between two (2) land uses of different intensities.

TRANSITIONAL USE: A land use of an intermediate intensity between uses of differing intensities.

PRIMARY ROAD: An existing or proposed arterial or collector road as identified in the village's comprehensive plan.

MANUFACTURED HOUSING: Factory built, single-family structures, commonly known as mobile homes that meet the national manufactured home construction and safety standards act, as amended from time to time.

MOBILE HOME: See definition of Manufactured Housing.

MOBILE HOME PARK: A site with required improvements and utilities for the long term parking of manufactured houses that includes services and facilities for the residents

RECREATIONAL VEHICLE: Every vehicle originally designed or permanently converted and primarily used for temporary living quarters or human habitation, and not used as a commercial vehicle, including any house car, house trailer, camper or private living coach.

B. Section 11-3-2 is hereby amended by adding the following terms and definitions:

LOT LINE, TRANSITION: Any lot line which separates a lot zoned for business, manufacturing, or industrial uses from a lot zoned for residential uses.

YARD, TRANSITION: The open space between a principal building, accessory building, off street parking facility, or accessory use and the transitional lot line. A solid landscape screen is required in transition yards along off street parking facilities.

PRIMARY ROAD(S): Bliss Road, Denny Road, Dugan Road, Galena Boulevard, Gordon Road, Harter Road, Illinois Route 56, Merrill Road, Municipal Drive, Prairie Street, Sugar Grove Parkway, and US Highway 30.

MOBILE HOME: A single family dwelling which is: manufactured off site; transportable in one or more sections; built on a permanent chassis; constructed without a permanent hitch or other device allowing transport of the dwelling other than for the purpose of delivery to a permanent site; and does not have wheels or axles permanently attached to its body or frame.

MOBILE HOME PARK: Any tract or contiguous tracts of land containing two (2) or more sites improved for mobile home dwellings.

MODULAR HOME: A dwelling unit which is: constructed off site; transported in one or more sections; and built on a permanent foundation.

RECREATIONAL VEHICLE: Every vehicle originally designed or permanently converted and primarily used for temporary living quarters or human habitation, and not used as a commercial vehicle, including any house car, camper or private living coach.

EXHIBIT B

A. Section 11-7-2-B-1 is hereby amended by adding the following:

Mobile Home Dwellings (permanently anchored and skirted with concrete panels).

B. Section 11-7-2-D-1 is hereby amended by adding the following:

Mobile Home Parks

EXHIBIT C

A. Section 11-8-4-D-5 is hereby amended by adding the following:

Pet grooming facilities

EXHIBIT D

A. Section 11-8-5-D is hereby amended to be and to read as follows:

D. Special Uses:

1. Cumulative: All uses listed as special uses in the B-1 district.

2. Retail:

Package liquor stores.

Wine shops (with or without service).

3. Residential:

Multi-family dwellings above the ground floor.

4. Highway oriented:

Automobile gas stations.

Automobile service and repair shops.

5. Business services:

Animal clinics (veterinarians).

Automobile body shop.

Banks and financial institutions.

Bed and breakfast guesthouses.

Blueprint and processing shops.

Childcare centers and nursery schools.

Game rooms.

Hotels and motels.

Pet grooming facilities.

Restaurant, with drive-through.

Restaurants, with live entertainment and dancing.

Service of alcoholic beverages in conjunction with an eating or drinking establishment.

Taverns.

Theaters and auditoriums, indoor or outdoor.

Tire and battery sales and service.

Undertaking establishments, funeral parlors and mortuaries.

6. Governmental/institutional:

Boarding schools.

Chambers of commerce.

Churches, temples, mosques or synagogues.

Civic buildings, including governmental, police and fire.

Community center buildings.

Libraries.

Museums and galleries.

EXHIBIT E

A. Section 11-8-6-D is hereby amended to be and to read as follows:

D. Special Uses:

1. Cumulative: All uses listed as special uses in the B-1 and B-2 districts
2. Highway oriented and retail uses:
 - Automobile sales, rental and service.
 - Boat dealer (sales, rental and repair).
 - Bottled gas dealer.
 - Camper sales and service.
 - Drive-in theaters.
 - Fuel oil dealer.
 - Hotels and motels.
 - Mobile home sales.
 - Motorcycle sales and service.
 - Open sales lot.
 - Recreation vehicle sales or rental.
 - Restaurant, with: a) drive-through, b) live entertainment, and/or c) dancing.
 - Snowmobile sales and service.
 - Trailer sales or rental.
 - Used car lots.
 - Wine shops (with or without service).
3. Business services:
 - Animal pounds and shelters.
 - Auction rooms.
 - Banks and financial institutions.
 - Contractor's yard, subject to additional standards and criteria in section 11-8-6-I-1
4. Recreational:
 - Commercial swimming pool.
 - Go-cart raceway.
 - Golf course and country club.
 - Health clubs.
 - Indoor skating rink.
 - Racquet clubs.
 - Riding stable.
 - Tennis club.
5. Planned developments.
6. Residential:
 - Senior apartment building. (Ord. 2012-07-17ZA, 7-17-2012; amd. Ord. 2014-05-20A, 5-20-2014)

EXHIBIT F

A. Section 11-8-6 is hereby amended by adding a new Section I to be and to read as follows:

I. Additional Standards and Criteria for Specific Uses

1. Contractor's Yard

- a. A principal building measuring not less than one thousand two hundred (1,200) square feet in floor area and constructed on a permanent foundation shall be located on the lot.
- b. The contractor's yard shall not include vehicle repair or any salvage operations.
- c. No vehicle shall be stored longer than one hundred eighty (180) days on site.
- d. The contractor's yard shall comply with the commercial outdoor storage requirement in section 11-4-7 of this title.
- e. The contractor's yard shall comply with the fence requirements in section 11-4-13 of this title, with a minimum solid fence height of six feet (6').

EXHIBIT G

A. Section 11-10-2-A is hereby amended to be and to read as follows:

A. Permitted uses:

Administrative buildings.
Adult uses (if in compliance with the requirements of chapter 15 of this title).
Assembly, with or without fabrication of parts.
Automobile body shops.
Beverage distribution.
Boat builder.
Bottling works.
Business machine manufacturing.
Carpet and rug cleaners.
Cartage, express and parcel delivery.
Clothing manufacturing.
Contractor's yard, subject to additional standards and criteria in subsection D3 of this section.
Electrical motor and generator manufacturing.
Electronic component manufacturing.
Fabrication, processing, production or manufacturing of materials, goods or products.
Freight warehousing and distribution.
Impound yard, subject to additional standards and criteria in subsection D2 of this section.
Laboratories and research firms involved in the research, experimentation or testing of materials, goods, or products.
Lumberyards.
Machine shops.
Photo processing (nonretail).
Plastic processing.
Police headquarters and stations.
Pottery and ceramics manufacturing.
Printing, publishing or lithography establishments.
Public works buildings and facilities.
Recycling center.
Research and development laboratories.
Schools, commercial or trade, including those teaching business, commercial or technical subjects.
Schools teaching dance, music, performance, and martial arts, subject to the additional standards and criteria in subsection D1 of this section.
Sheet metal fabrication.
Village halls.
Wholesale and warehousing.
Woodworking and wood products manufacturing. (Ord. 2007-03-06A, 3-6-2007; amd. Ord. 2007-08-21A, 8-21-2007; Ord. 2014-07-15, 7-15-2014; Ord. 2014-08-05E, 8-5-2014)

B. Section 11-10-2-D is hereby amended to add a new section 3 be and to read as follows:

3. Contractor's Yard

- a. A principal building measuring not less than one thousand two hundred (1,200) square feet in floor area and constructed on a permanent foundation shall be located on the lot.
- b. The contractor's yard shall not include vehicle repair or any salvage operations.
- c. No vehicle shall be stored longer than one hundred eighty (180) days on site.
- d. The contractor's yard shall comply with the commercial outdoor storage requirement in section 11-4-7 of this title.
- e. The contractor's yard shall comply with the fence requirements in section 11-4-13 of this title, with a minimum solid fence height of six (6) feet.

EXHIBIT H

A. Section 11-11-3-A-2 is hereby amended by adding the following:

- h. A mobile home park. Allowed only in E-1 Estate Residential.

B. Section 11-11-5-E-4-a is hereby amended to be and to read as follows:

- a. Single-Family Detached, Two-Family, ~~And~~ Patio Homes, and Mobile Homes: Not less than one 2¹/₂-inch shade, or six (6) foot tall ornamental or evergreen tree, and five (5) shrubs shall be installed in the front or corner side yard of a single-family detached dwelling, two-family dwelling or patio home.

C. Section 11-11-5-F is hereby amended to be and to read as follows:

F. Additional Standards for Mobile Home Parks

1. Minimum zoning lot for Mobile Home Park: 10 Acres
2. Minimum Mobile Home Site: 6000 square feet
3. Minimum Mobile Home Site street yard: 10 feet
4. Minimum Mobile Home Site side yard: 5 feet
5. Minimum building separation: 10 feet
6. Each Mobile Home site must have frontage on a public or private street and have unobstructed access to that street.
7. Requirements for State License must be met per Illinois Compiled Statutes (210 ILCS 115 Mobile Home Park Act)
8. Adherence to tiedown requirement per Illinois Compiled Statutes (210 ILCS 120 Illinois Mobile Home Tiedown Act)
9. Each site must have separate metered connections to electrical service, water service and sewer service.
10. Each site must be improved with at least two (2) off-street parking spaces setback at least 1 foot.
11. The Mobile Home Park must be operated by a resident manager.
12. Porches, carports, garages, sheds, awnings and additions must be constructed of compatible materials with the mobile home dwelling and meet setback requirements set forth previously in this section.
13. No temporary structures are permitted on mobile home sites.

14. Mobile home dwellings must be skirted with concrete panels.
15. An annual property maintenance inspection will be made by the Village of Sugar Grove. All property maintenance issues must be satisfied within six (6) months of notification. In the event property maintenance issues continue, the special use for planned unit development will expire and the property will revert to the underlying E-1 zoning classification.
16. Management must institute a pest-free, water-tight garbage collection system which provides at least weekly collection and disposal by a licensed waste hauler.
17. Each mobile home dwelling must be anchored/tied down in compliance with the most restrictive industry standard.