



Planning Commission/Zoning Board of Appeals

Meeting Agenda

July 18, 2018

7:00 P.M. Village Hall, 10 S Municipal Drive

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- a) May 16, 2018 Meeting

IV. PUBLIC HEARING

- a) Petition #18-011 Zoning Ordinance Text Amendment—Off-Street Parking
Applicant: Village of Sugar Grove

V. NEW BUSINESS

- a) None

VI. OLD BUSINESS

- a) None

VII. COMMISSIONER COMMENTS AND MISCELLANEOUS INFORMATION

VIII. ADJOURNMENT

**VILLAGE of SUGAR GROVE
PLANNING COMMISSION/ZONING BOARD of APPEALS
MINUTES of May 16, 2018 REGULAR MEETING**

1. **CALL TO ORDER**

The meeting of the Sugar Grove Planning Commission / Zoning Board of Appeals was called to order at 7:00 p.m. by Chairman Ochsenschlager in the Board Chambers of the Village of Sugar Grove Municipal Center.

2. **ROLL CALL**

Planning Commission/Zoning Board of Appeals members present:

Irv Ochsenschlager, Jim Eckert, John Guddendorf,
Gregory Wilson, Larry Jones, and Rebecca Sabo

Absent: James White

Also present: Renee Hanlon, Planning & Zoning Administrator

3. **APPROVAL OF MINUTES**

Commissioner Jones moved, Commissioner Guddendorf seconded, to approve Minutes of the April 18, 2018 Meeting of the Planning Commission/Zoning Board of Appeals.

Motion passed by unanimous voice vote.

4. **PUBLIC HEARING:**

None

5. **NEW BUSINESS:**

None

6. **OLD BUSINESS:**

- a. Petition #18-008 Zoning Ordinance Text Amendment—Solar Energy Systems
Applicant: Village of Sugar Grove

Renee Hanlon, on behalf of the petitioner, provided a brief summary of the revision to the proposed text amendment. This revision was limited to matching up ordinance definitions to those found in state statute.

Commissioner Eckert asked that a few changes be made to the revised ordinance with the intention of clarifying the regulations.

Commissioner Eckert moved, Commissioner Jones seconded, to recommend that the Village Board approve Petition #18-008 amending Title 11 Zoning Regulations to provide regulation for the establishment, operation, and removal of solar energy systems.

Motion passed by unanimous voice vote

7. PLAN COMMISSIONER COMMENTS, PROJECTS UPDATES and MISCELLANEOUS INFORMATION

Planning & Zoning Administrator Hanlon provided an update on development projects throughout the village.

8. ADJOURNMENT

Commissioner Sabo moved, Commissioner Wilson seconded, to adjourn.

The motion passed by unanimous voice vote.

The meeting was adjourned at 7:35 p.m.

Respectfully submitted,
Renee Hanlon
Recording Secretary

VILLAGE PRESIDENT

P. Sean Michels

VILLAGE ADMINISTRATOR

Brent M. Eichelberger

VILLAGE CLERK

Cynthia Galbreath



COMMUNITY DEVELOPMENT DEPARTMENT

VILLAGE TRUSTEES

Sean Herron

Mari Johnson

Ted Koch

Heidi Lendi

Rick Montalto

David Paluch

A D V I S O R Y **R E P O R T**

TO: Planning Commission
FROM: Walter Magdziarz, Community Development Director
DATE: July 10, 2018
CASE FILE: 18-011 Zoning Amendment—off-street parking

PROPOSAL

The Community Development Department staff has identified an amendment necessary to improve the administration of the Zoning Ordinance.

BACKGROUND

The Planning Commission previously reviewed and recommended changes to the off-street parking regulations in the Zoning Ordinance. In the course of administering the Zoning Ordinance in the short time since the amendment was adopted by the Village Board the Community Development Department has identified a need to modify the off-street regulations.

EVALUATION

The purpose of the amendment is to provide clarity and consistency between the zoning regulations and the parking regulations in the Village Code. When this Section was last amended, the intention was to separate the zoning and police functions of regulating off-street parking. This has proved problematic and to make administration and enforcement more efficient and effective the Village Attorney is recommending this amendment. The proposed amendment of Section 11-12-2-H of the Zoning Ordinance is attached.

PUBLIC RESPONSE

A public notice was published in a local newspaper as required. The proposed amendment were also made available for public inspection at the Village Clerk’s office and the Community Development Department office, and on the Village website. Staff has not had any inquiries from the public at this time.

STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment as described herein.

11-12-2 GENERAL PROVISIONS

H. Vehicle Restrictions/Storage of Vehicles

1. General Restrictions: General restrictions applicable to all zoning districts:
 - a. For purposes of this section only, a "side yard" is defined as a space extending from the front yard to the rear yard between the principal building and the side lot line, measured perpendicular from the side lot line to the closest point of the principal building. For purposes of this section only, a "front yard" is defined as a space extending the full width of the front lot line and measured perpendicular to the front most point of the principal building at the closest point to the front lot line. If a vehicle is located in the side yard of a corner lot, all such vehicles shall be screened from view by landscaping or other means approved by the zoning officer of the village of Sugar Grove.
 - b. Except as provided in section 11-12-2-H-10, all vehicles in a residential district parked in a front, rear or side yard ~~must~~ shall be on an improved surface. Except as provided in section 11-12-2-H-10, all vehicles in a nonresidential district parked in a front or side yard ~~must~~ shall be on an improved surface. All vehicles in a nonresidential district parked in a rear yard ~~must~~ shall be parked in accordance with the requirements of section 11-12-2-H-10. Any vehicles so placed, which are subject to Illinois secretary of state licensure, shall have a current Illinois registration with the Illinois secretary of state's office.
 - c. An "improved surface" as used herein is defined as a continuous surface construction of concrete, blacktop or paving stone, which is complete and uninterrupted underneath all portions of the vehicle being placed on the surface.
 - d. Drainage easements shall not be encroached upon by such improved surfaces or vehicles.
 - e. Vehicles ~~must~~ shall not be used as a dwelling unit at any time while parked or stored within the village.
 - f. Nothing herein shall obviate compliance with any other requirements of improvements to land required by any other provision of this code including, but not limited to, the zoning code and the subdivision control ordinances.
2. Residential Zones: In any residential zone, the following vehicles shall only be parked in a side or rear yard of any zoning lot:
 - a. Motor homes.
 - b. Mini-motor homes.
 - c. Truck campers.
 - d. Van campers.
 - e. Camping trailers.
 - f. Boats.

- g. Snowmobiles.
- h. Jet skis.
- i. Utility trailers.

Applicability. This subsection only applies to the above listed vehicles if such vehicles are subject to licensure requirements by the Illinois secretary of state (regardless of whether any such vehicle in particular is actually licensed by the Illinois secretary of state). Any vehicles so placed, which are subject to Illinois secretary of state licensure, shall have a current Illinois registration with the Illinois secretary of state's office.

- 3. Rear And Side Yard: No motor vehicle shall be parked or stored within three (3) feet of the rear lot line or within three (3) feet of the side lot line (unless on an improved driveway) and no motor vehicle shall be parked or stored on any sidewalk (except as provided in subsection 6-3-1-K of this chapter) or other area of the street at the entrance of the driveway to the property except to the extent that it is necessary to temporarily leave a vehicle standing in such area in order to open or close a door or other enclosure to a garage, carport or parking area on the lot or to accomplish other similar necessary actions incidental to the ingress or egress of the vehicle to or from the lot; provided, that any such temporary standing of the vehicle in any such area of the street is not a hazard to pedestrians, motorists or vehicles on the street and is not in violation of any traffic or street parking regulation imposed pursuant to the zoning or vehicle code.
- 4. Driveways: Notwithstanding section 11-12-2-H-2, vehicles such as those described in said subsection ~~may~~ **shall** be parked in a front yard driveway for a period not to exceed a total period of time (whether continuously or in the aggregate) of seventy-two (72) hours for the sole purpose of loading and unloading such vehicles within any given fourteen (14) day period.
- 5. Exemptions: The zoning official, or someone designated by him or her, is authorized to exempt from the provisions of this section, a nonresident of the village who is temporarily visiting a village resident upon application for such exemption for a period not exceeding fourteen (14) days. Such exemption shall only be utilized by a given applicant once per three (3) month period.
- 6. Recreational Vehicles: Recreational vehicles ~~may~~ **shall** be parked in the front driveway of a zoning lot only if the following conditions are satisfied beyond those exemptions otherwise provided herein:
 - a. The recreational vehicle is used daily and is the owner's principal means of transportation to and from their place of employment;
 - b. The length of the recreational vehicle does not exceed twenty-five (25) feet; and
 - c. The owner of the recreational vehicle shall obtain a special parking permit for such use from the zoning official.
- 7. Administration: The village administration shall develop such application forms, permits, and other documentary materials which are necessary to further the goals and objects of this section.
- 8. Buses and Trucks.

All parking and/or storage of vehicles requiring more than a Class D license plate as established by the Office of the Secretary of State of the State of Illinois such as buses, trucks, tractors, and trailers on residential property is prohibited; however, the parking of a school bus, as defined by 625 ILCS 5/1-182, shall not be prohibited between 8:00 a.m. and 4:00 p.m., provided:

- a. The occupant of the residential property is the authorized driver of said school bus; and
 - b. The school bus is parked no closer than 15 feet from the sidewalk adjacent to said residential property or, where no sidewalk exists, no closer than 15 feet from the street adjacent to said residential property;
9. **Junk Cars and Unusable Vehicles:** With regard to this section, nothing herein shall be construed as permitting the storage of abandoned vehicles or junk vehicles rendered unusable and in all cases the storage of any vehicles shall be subject to all other provisions of this code. An "abandoned vehicle or junk vehicle" shall be defined as either: 1) a vehicle that cannot be readily started and moved in an emergency, or 2) any vehicle in a state of disrepair rendering the vehicle incapable of being driven in its condition or any vehicle that has not been moved or used for seven (7) consecutive days or more and is apparently deserted. Except in a wholly enclosed permanent garage or other permanent building, storage of said abandoned vehicles or junk vehicles is hereby prohibited in any areas governed by this section.
10. **Parking On Existing Gravel Driveways:** Notwithstanding section 11-12-2-H-1(b) and section 1-12-2-H-1(c), residential properties in a residential zone, shall be permitted to park vehicles (which are otherwise in compliance with this section) on a gravel driveway, provided said driveway was in existence prior to April 20, 1999. Said driveway ~~may~~ shall not be expanded or changed (except for routine maintenance of the said driveway) without bringing the entire driveway into full compliance with the terms of this section, including being improved with a continuous surface of concrete, blacktop or paving stone. In order to qualify for this section, a property owner ~~must~~ shall file with the building and zoning official or his or her designee, a written statement, no later than June 1, 2001, requesting an exemption under this section and the village staff shall then determine whether said driveway qualifies for exemption (based upon the date of creation of said driveway), and if it so qualifies, shall document the approximate dimensions of said driveway.
11. **Nonresidential District Standards:**
- a. **Front And Side Yards:** Notwithstanding 11-12-2-H-1(b) and section 1-12-2-H-1(c), properties in any zone other than a residential zone, shall be permitted to park vehicles (which are otherwise in compliance with this section) on a gravel driveway, parking lot or outdoor storage area (as defined in the village zoning ordinance) in a front or side yard until January 1, 2004, provided said driveway was lawfully in existence prior to April 20, 1999. Said driveway ~~must~~ shall not be expanded or changed (except for routine maintenance of the said driveway) without bringing the entire driveway, in the front or side yards, into full compliance with the terms of this section, including being improved with a continuous surface of chip seal, concrete, blacktop or paving stone. In order to

qualify for this section, a property owner ~~must~~ shall file with the village building and zoning official or his or her designee, a written statement, no later than June 1, 2001, requesting an exemption under this section and the village staff shall then determine whether said driveway qualifies for exemption (based upon the date of creation of said driveway), and if it so qualifies, shall document the approximate dimensions of said driveway. After January 1, 2004, no vehicles ~~may~~ shall be parked upon said front yard or side yard, unless it is improved with a continuous surface of chip seal, concrete, blacktop or paving stone, and otherwise complies with all provisions of this section and all other provisions of this code.

- b. Rear Yards: Notwithstanding 11-12-2-H-1(b) and section 1-12-2-H-1(c), properties in any zone other than a residential zone, shall be permitted to park commercial vehicles and equipment (which are otherwise in compliance with this section) on a gravel driveway, parking lot or outdoor storage area (as defined in the village zoning ordinance) in a rear yard. All other vehicles parked in a rear yard ~~may~~ shall be parked on a gravel driveway, parking lot or outdoor storage area (as defined in the village zoning ordinance) until January 1, 2004, when all such other vehicles ~~must~~ shall then be parked on an improved surface of continuous chip seal, concrete, blacktop or paving stone, and otherwise complies with all provisions of this section and all other provisions of this code. "Commercial vehicles and equipment" shall be defined for purposes of this subsection, only as vehicles used in the day to day delivery and/or pick up of goods and services from the business, or businesses, located on the premises, other than passenger vehicles. After January 1, 2004, vehicles ~~may~~ shall only be parked in accordance with this subsection if screening is provided for said areas where vehicles are parked. Screening requirements shall be those as defined in title 11 of this code. All parking not in conformance with this subsection is prohibited.