

**MINUTES OF UNIFIED DEVELOPMENT ORDINANCE
ADVISORY COMMITTEE MEETING**

Thursday, February 23, 2023 6:30pm
City Hall Council Chambers
800 Game Farm Road, Yorkville, IL

NOTE: In accordance with Public Act 101-0640 and Gubernatorial Disaster Proclamation issued by Governor Pritzker pursuant to the powers vested in the Governor under the Illinois Emergency Management Agency Act, the United City of Yorkville is encouraging social distancing by allowing remote attendance at the UDO Advisory Committee meeting due to the ongoing Covid-19 pandemic.

Meeting Called to Order

The meeting was called to order at 6:30pm by Chairman Chris Funkhouser and a quorum was established.

Roll Call & Establishment of Quorum

Committee Members:

Chris Funkhouser, Chairman/Alderman/in-person
Deborah Horaz, PZC Member/remote attendance
Dan Transier, Alderman/in-person
David Schultz, HR Green/remote attendance

Absent: Jeff Olson

Others Present:

Krysti Barksdale-Noble, Community Development Director/in-person
Jason Engberg, Senior Planner/in-person
Molly Krempsi/in-person
David Guss/in-person

Previous Meeting Minutes October 13, 2022

The minutes were approved as presented.

Citizens Comments None

1. Introduction

Mr. Engberg said the consultant has provided a draft of all chapters, though some chapters will not be changed. This is a review of the first draft and step 7 of 8. The last step is integrating it as part of the SmartCode and it will be available on-line and searchable by developers. He asked the committee for any changes needed.

2. Review of Materials

a. First Draft of Revised Chapter

REVISIONS COMPLETED:

Mr. Engberg reviewed the many revisions already completed as follows:

Alignment with Comprehensive Plan:

Committee eliminated some duplicates or zone districts not being used, added new residential district for smaller lots, re-purposed B-2 to work as downtown overlay, B-3 established as more general business, modernized

subdivision design, eliminated some bulk regulations not used, modernized landscape code, revised off-street parking to modern standards, established specific standards for different uses, updated off-street parking.

Incorporate Downtown Overlay District into Comp Plan

UDO will align with this. B-2 is overlay district area.

Update Off-Street Parking

Revised parking standards, added maximum amount of parking—allowing for compact cars and motorcycle parking, updated and additional off-street parking, cross-vehicle access provision, added curbside pickup standards, added charging stations for electric vehicles.

Revised Landscape Standards

Section was completely re-written, integrated storm water regulations and many graphics added, more defined language on expectations, integrated infrastructure, added language for lots/islands, added table showing how different uses needed to be buffered from each other,

Sign Ordinance

Changed this completely as a result of a 2015 Supreme court case, must be content neutral—can't define signs by content written on sign, added aggregate amounts to limit signs on each building, created more temporary regulations, updated the measuring process for wall signs

Subdivision Control Standards

Modernized these standards, additions were objective street designs requirements, specifying design improvements for different types of streets, connectivity index calculations which adds to walkability and more cohesive neighborhood, added cluster developments and conservation elements, added bike paths.

Streamline Procedures

Minimal revisions, clarified and added more staff control over minor variations.

User Friendly Format

Graphics added to make more user-friendly, all info goes into SmartCode with many graphic features, parking and other calculators added, staff discussing 3-D feature and on-line mapping component, chapter structure easier to navigate and more cohesive.

3. Committee Comments and Questions

Mr. Engberg asked for comments from the committee. Ms. Horaz asked when the next Comp Plan would be revised. It will be in 2026, actually starting in 2024 since it's a 2-year process. Ms. Noble said a budget request has been made to start the process. The entire UDO update should be done by summer with possible revisions coming from the city attorney. An open house is anticipated for early April/May with a Public Hearing in May or June.

Missing Comments:

Chairman Funkhouser said some committee comments have been missed in the revision and he listed them:

- Block length proposed for 800 feet, but too short according to committee, should be 1,300 feet
- Mid-block crossings and alternatives and incentives for shorter block lengths
- Right-of-way signs minimum is 75 feet—questioned logistics and need for this, 66 foot is current standard
- If requiring wider right-of-way, need offset on setbacks or size of lot, to maintain density
- Lot width measurements for cul-de-sacs and curves--shows straight line on back side of curve, is it based on convex or concave?

--Most of the changes needed are in chapter 7

Ms. Noble said staff also noted some changes in the land use section.

Landscape Discussion:

Ms. Horaz presented some revisions/changes for consideration. She asked that the number of trees be monitored so there are not too many to appear like a nursery and obscure business or monument signs. The revised code calls for less landscaping in exchange for a higher quality sign. Also the "fee in lieu" may mitigate that, said Mr. Funkhouser. Ms. Noble's concern was that standards may be met when the landscaping is first installed, but later may be covered by mulch. Mr. Funkhouser said this section may need flexibility and perhaps more staff authority. Regarding landscaping around signs, Chairman Funkhouser suggested a landscape area equal to the perimeter of the sign and vegetation placed adjacent to the sign. A landscape plan will be required with 50% shrubs and 50% grasses. Ms. Horaz said 2 shade trees per island is too many, not allowing enough room for roots to grow and it obscures line of sight. That was reduced to one tree per island. Three native grasses and one canopy shade tree were decided upon for an endcap. The graphic shows 2 and should be changed to one.

Cluster Development Discussion:

Ms. Horaz asked if there are certain areas where cluster developments would be located. Ms. Noble said they could be designed around rich ecological areas/wetlands rather than clearing them. There would be single unit homes and duplexes. Mr. Funkhouser gave an example of property south of town favorable for clusters.

Ms. Horaz noted the smaller lots of 6,000 or 6,500 sq. ft. in the revised UDO. She is not sure what the 6,000 sq. ft. will accomplish other than making row houses. Mr. Engberg replied that the proposed R-2-A zoning would give a 65 ft. wide lot in a lot size of 6,000 sq. ft., making it a more narrow lot. He said many lots in the older part of town would be suitable for that. This would not necessarily require a rear load garage with a smaller lot, added Mr. Funkhouser. He said many products are being built today that would fit on a 65 ft. wide lot. Products on 40 ft. lots could accommodate front load garages depending on sideyard setbacks, design of home, etc.

The question was raised by Ms. Horaz as to what size house can be built with a 10 ft. setback. Suggestions were a 45 ft. wide house with a 20 ft. garage. Another possibility is a 1,400 sq. ft. ranch and 400 sq. ft. garage for a total of 1,800 sq. ft. Ms. Noble added that people are moving away from the idea that a larger lot equates to a higher quality home. With a smaller amount of land you can get more product and make it more affordable. She said they are also trying to move away from architectural standards. Mr. Engberg added that the clusters are more aligned with the recent aging workshop asking for different types of housing. Seniors say they must move since they can't maintain a large home.

Ms. Horaz also said Yorkville is laid out nicely now and if cluster housing is brought in, is Yorkville going to change and are the developers going to build clusters regardless of conservation. Mr. Funkhouser answered that cluster homes is a style of development based on conservation and builders will have to use a different zoning if they are just concerned with density. They will still have requirements, but clusters have to maintain certain features such as a wetland. Conservation can mean just open space and it also reduces expenses significantly, he said. Mr. Transier commented that the market will dictate the success of cluster developments. An example of the cluster development showing 4 dwelling units per acre was pointed out by Ms. Noble. She said you would also have a walkable community, save ecologically valuable areas and be more aesthetically pleasing. Mr. Engberg added that by preserving natural elements, there could be a higher price for a nicer product. Cluster developments would have R-2-A zoning said Mr. Transier. It was clarified that clusters are not a zoning district, but rather an overlay on a district to get bonuses for conserving natural features.

Committee member Horaz said the bigger subdivisions look nice with bigger lots, the product is better and people enjoy it. Yorkville does not have enough senior housing stock and there are many smaller lots in the older part of town that would be appropriate, said Mr. Funkhouser. The market is trending toward diversity, but she asked if a smaller lot makes it diverse. Mr. Transier offered that if the market says people want 6,000 sq ft. lots, then they have that option and we want to offer that alternative to developers.

Mr. Engberg said some homeowners couldn't build in Yorkville, but we are trying to create opportunities and not exclude anyone from living here. He said Grande Reserve has gone to 9,000 sq. ft. for some single homes which

are next to a 6,000 sq. ft. age-targeted community. Ms. Horaz commented that is the diversity---- single homes next to senior housing. Chairman Funkhouser said he works for a national homebuilder and the target is not all small lots and there needs to be diversity in housing stock and lot size. Builders can't build just one product and the market will drive the sales. Ms. Horaz says she worries about how we want Yorkville to be 20 years from now. She likes the city as it is and when too many people are crowded in a small area, it can generate problems. Ms. Noble said the cluster development is one of 6 residential districts the city offers.

Recreational Vehicle and Parking Discussion:

Ms. Horaz said only one recreational vehicle is allowed and it was noted that snowmobiles, recreational vehicles and boats are defined differently. The committee discussed parking and Mr. Engberg said parking spaces were kept the same and charts have been updated. The consultants had recommended smaller spaces to conserve land, however, the city said there are many bigger vehicles so the larger size spots were kept. A compact car dimension was incorporated as well, with a 9-foot standard width.

Sign Discussion:

The committee reviewed some components of signs. Ms. Horaz asked if electronic (wall/moving) signs are allowed. Specific points were:

1. Consensus was no changeable copy on electronic message board signs.
2. Consensus that electronic signs should generally be on monument style sign and existing wall signs are legal non-conforming.
3. If sign is there now, it's legal non-conforming, but no changeable copy allowed on electronic board.
4. If item not specifically stated, it's prohibited. There will still be a number of signs that are legal non-conforming.
5. Maintenance only can be done, cannot expand or replace with new sign. If new sign, must be monument.
6. Are there electronic window signs? Lottery and hours signs are exempt. "Open/Closed" cannot be exempted since it's content based. UDO does not specifically say non-illuminated, but it can be added.
7. Electronic changeable signs are only allowed on monument signs and there are specific percentages allowed on changeable copy.

The committee discussed the recent gas station sign that is 10 feet higher than allowed. Ms. Horaz commented that a business should conform to the code. She noted that Shorewood has no more tall signs, suggesting a future trend. Staff said the petitioner went through the process and the request was not based on hardship, but rather visibility and also on land use and traffic speed. It was noted that variances are allowed and it is a state process that the city cannot dictate.

Definition of "Family" Discussion:

Chairman Funkhouser stated he takes issue with removing and replacing the term "family" when describing housing. Ms. Noble replied that if the term is put back in the code, it must be defined. She said the zoning use regulates the land, not the user. For the record, Mr. Funkhouser asked to make this a discussion point regarding the elimination or definition of the word "family". Mr. Transier also commented that if you say "more than one person" when referring to housing, how do you define "person".

Comments from Dave Schultz:

Mr. Schultz said he will email comments on brightness/flashing signs, non-conforming vs. conforming and illuminated signs. He has specific comments on the bank (FNB) ground-mounted sign at Rt. 34 and Cannonball.

Ms. Noble will have an inspector look at that sign. Mr. Funkhouser said he has a couple other locations he would like to discuss too, in relation to Mr. Schultz's comments. There is an ordinance that defines how many foot-candles you can have at property lines and the lighting from the signs doesn't seem to be taken in account. He asked that this be addressed.

Mr. Schultz said the YMCA sign is very bright and uses colors that appear someone has been stopped by

authorities. Mr. Engberg noted there is language in the UDO that addresses safety concerns with red/blue colors.

Rights-of-way, utilities, parkway trees and easements are also a concern, said Mr. Schultz. He suggested an illustration of a typical section of roadway showing all these components. This also coincides with the subdivision control ordinance as to locations of utilities. The committee discussed ComEd boxes and other utilities possibly being located in the front rather than the back of lots in the future. The city has no control over ComEd box and mailbox locations. It was noted that parkway width was kept at 7 feet in the UDO.

Summary:

Revisions will be made to the UDO draft and reviewed with the consultant before compiling another draft. One more meeting will be needed to review. The next step will be discussion of the SmartCode. Ms. Noble said it would be helpful if staff does a memo that reflects all the items suggested or recommended by the committee. The memo and draft will be provided to the committee by the end of March to allow time to consider prior to the next meeting. Chairman Funkhouser said it should be based on 7 sets of minutes and audio. The next meeting is tentatively scheduled for April 6th. Ms. Horaz also asked if staff can notify the committee if they administratively consider any 5% setbacks and if they are approved. That information will be provided in the Administration weekly report since PZC members also receive that report.

4. Adjournment

There was no further business and the meeting adjourned at 8:02pm.

Minutes respectfully submitted by Marlys Young, Minute Taker