



## **United City of Yorkville**

800 Game Farm Road

Yorkville, Illinois 60560

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# **UNIFIED DEVELOPMENT ORDINANCE ADVISORY COMMITTEE AGENDA**

Thursday, December 9, 2021  
6:30 PM

Yorkville City Hall Council Chambers  
800 Game Farm Road

Meeting Called to Order: 6:30 p.m.

Roll Call:

Establishment of Quorum

Previous meeting minutes:     October 21, 2020

Citizen's Comments:

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1. Introduction
2. Staff Review of Materials
  - a. Presentation and Discussion Chapter 5
3. Committee Comments and Questions
4. Establish Future Meeting Date
5. Adjournment

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**UNIFIED DEVELOPMENT ORDINANCE  
ADVISORY COMMITTEE MEETING**

Thursday, November 14, 2019 6:00pm  
City Hall Conference Room  
800 Game Farm Road, Yorkville, IL

The meeting was called to order at 6:00pm by Chairman Chris Funkhouser.

**Introductions**

**Roll Call**

The following answered present:

Chris Funkhouser, Alderman  
David Schultz, Engineer-HR Green  
Jeff Olson, PZC, Construction  
Billy McCue, Developer  
Daniel Transier, Alderman

**Absent:**

Deborah Horaz, Mike Torrence, Greg Marker, Matt Hively

**Others Present:**

Krysti Barksdale-Noble, Community Development Director  
Jason Engberg, Senior Planner  
Nick Davis, Hauseal Lavigne  
Jackie Wells, Hauseal Lavigne

**Review of Code Diagnostic Memorandum**

Mr. Davis said the committee would be reviewing the diagnostic memo and then engage in questions or comments. The intent of the memo is to provide an outline on how to move forward and the scope of the UDO. The first step is to review the Comprehensive Plan, bring the zoning codes up to speed and determine long range goals, etc. The second step is to review community outreach done to this point including challenges and feedback received by the consultants. The third step is discussion for the UDO proposal including reorganization information and recommended revisions.

**First Step - Comprehensive Plan:**

The first step is to review text and insure graphics represent what should be accomplished, maintain existing zoning standards and consistency. The Consultants will work with staff to amend zoning maps as needed. Ms. Noble said the UDO is a 2-year program and the city will be halfway through the Comprehensive Plan.

The Consultants will evaluate and enhance the downtown overlay district and carry forward the Form Based Code. They will encourage preservation and re-use of existing buildings, manage downtown parking and review landscaping standards. In general, they hope to make regulations easier to understand. Mr. Davis commented that he favors the Form Based Code, but not for the entire community. One of its challenges is administration of the Code. Promotion of sustainable designs will be encouraged along with modernized engineering designs and environmental standards, all of which will be folded into the revised language.

The development process will be streamlined and simplified to be understandable and checks and balances must be in place. A Conservation District will also be implemented. Public Works will be consulted regarding cul-de-sac designs, ways to reduce the amount of pavement, sustainable designs and road connections to future subdivisions.

### Second Step - Public Outreach

Ms. Wells opened the discussion for the Public Outreach. Feedback was received from this committee and also from developers. Some of the topics raised were: 1) Actual parking needed for various venues—not enough or too much, 2) clarification of landscape regulations, 3) improve and modernize lighting regulations, 4) rules for multi-tenant building signage, electronic message boards, temporary signs, LED signs, 5) subdivision standards with more open space, no cul-de-sacs or eyebrow streets, improved street layouts, conservation areas, 6) administration and enforcement—streamline all reviews and add administrative relief with level of public review and less need for committee reviews, 7) restart of dormant subdivisions with easier processes for developers, update PUD process to make less burdensome, use zoning code more instead of adding ordinances.

Ms. Wells asked for other feedback from committee members. Ms. Noble suggested adding the concept of accessory dwelling units particularly in the older parts of town. This could include living space converted from garages or attics. Chairman Funkhouser questioned allowing small spaces for this purpose, though he said garage conversions might be open for discussion.

Committee member Jeff Olson commented on the rationale for pie-shaped lots. Ms. Noble said a couple developers had extreme angles which created setback issues and the housing for the shape needing a variance or other relief. She said it would be better to avoid them unless there is adequate room for setbacks. Other issues raised with these lots is that the streets must be able to accommodate fire trucks and Public Works maintenance trucks. Chairman Funkhouser asked to have comparisons done with other communities for cul-de-sacs and eyebrow streets and he said he likes flexibility of lot sizes. Mr. Olson asked if smaller lots are needed to which Ms. Noble replied they would allow for a better return of investment for developers and reduce home costs. A deeper lot size would allow for less infrastructure in the front and the saved money could be put back into the actual home, said Mr. Funkhouser. He added that Naperville teardowns have zero lot lines. He said narrower lots don't allow for parking 2 cars, but perhaps parkway space could be used.

Mr. McCue noted there is a need for less expensive homes now and the national builders are building “boxes”. He suggested smaller lots and requirements for more architectural standards. He said national builders in Colorado are building beautiful smaller homes based on those standards.

Ms. Noble said sidewalks cost more to build and maintain than asphalt paths and Mr. McCue added that in one Oswego subdivision, the path is situated in the main section. He said as a builder, he knows the big equipment goes across the path and they have to do all repairs.

Regarding parking, Mr. Olson said there might not be adequate handicapped parking considering that baby boomers are reaching retirement age. And he added that parking lots like those in Target, might have too much parking. Mr. Funkhouser said consultants have studied market standards and have recommended balanced parking vs. requirements to avoid massive lots. More parking is needed downtown, he said. In Sugar Grove, parking is severely restricted on the streets at all times, added Mr. McCue.

### Third Step - Discussion for UDO Proposal

Ms. Wells gave a brief overview of the proposed UDO code, saying that many aspects need to be consolidated and streamlined. She said “General Provisions” is the opening section for all the titles. This format will allow for easier updates which would go through committee rather than a Public Hearing. Mr. Olson commented that he is in favor of giving more power to the staff to allow easier changes. Plain language will be used as well as less legal language, clearer graphics and use of Encode Plus. Mr. Davis added that simplified graphics, cross references to links and permit fee tables should also help. Definitions will all be in one section and by hovering over the definition, Encode Plus will give the ability to pop up other information. Encode will also display standards for types of developments.

The Use Standards will include tables specifying what type of use is permitted in which zones. Now the regulations are widely disbursed in the code, but the UDO will bring all of them together into a single table.

It was stated that signs cannot be regulated by content and this is supported by a court case. Lighting of the signs was also discussed.

Chairman Funkhouser said that a recent Neighborhood Design Manual should be rolled into the UDO also. An ordinance was done, however, it is a guide rather than requirement.

Subdivision Standards Comments: Mr. Davis said the recommendations included relocating administrative requirements for submission, modernizing and introducing new design standards, conservation design, road connectivity standards, open space requirements including incentivizing developers, coordinating with Public Works for road engineering design standards, aligning all application processes, and revising PUD regulations for better outcomes of master plan and Comprehensive Plan.

Mr. McCue asked if any communities encountered legal challenges when matters were handled by staff instead of committees and Council. Ms. Wells replied that there are standards for review which are legally defensible. Ms. Noble also noted there is an appeal process and there was an appeal last year that was won.

Mr. Davis said the Form Based Code applicability analysis will be incorporated into the UDO and that the overlay had not been adopted when they drafted this memo.

Appendix Comments: The committee members were all asked to read this.

### Comments and Questions

None

**Project Schedule and Next Steps**

Two steps are now completed: Project Initiation and Technical Analysis. The next phase will be the draft District Standards and Concepts which includes residential/agriculture district standards and commercial/industrial standards. This will be the next item to consider in February or March. The committee will also start looking at Special District Standards and a Proposed Zoning District Map. This will be presented to the public at a later time. It is hoped to send the draft of Chapter 3 to committee members at least 2 weeks prior to the next meeting after staff has a chance to review first.

Chairman Funkhouser asked the Consultants if there would be any implications for the UDO if the City became home-rule. The Consultants did not think so.

**Adjournment:**

There was no further business and the meeting adjourned at 7:12pm.

Transcribed from digital recording,

Minutes respectfully submitted by Marlys Young, Minute Taker



# Memorandum

To: Unified Development Ordinance Advisory Committee  
From: Jason Engberg, Senior Planner  
CC: Bart Olson, City Administrator  
Krysti J. Barksdale-Noble, Community Development Director  
Date: December 2, 2021  
Subject: **Unified Development Ordinance – Chapter 5 Review**

## **SUMMARY:**

This meeting is to review Chapter 5: Development Standards for the Unified Development Ordinance. This Chapter covers several major topics for development including off-street parking, landscaping, screening, fencing, and lighting regulations. This Chapter has a great deal of new regulations and modifications from existing ordinances. Not only has Community Development Staff reviewed this section but the Building Code Official, Public Works Director, City Engineer, and City Landscaping Consultant have all provided input to the draft regulations. Staff is seeking feedback from the UDO Advisory Committee on this Chapter to present to the City's consultant.

## **DISCUSSION TOPICS:**

While there have been several modifications and additions to the regulations regarding development standards, staff is seeking specific input on the following topics:

- There has been a slight reduction in parking lot widths for angled parking to reduce overall potential impervious surfaces. **Do you agree with these changes or should they be kept the same?**
- A calculation for a maximum number of required spaces is being introduced to help reduce potential impervious surface. **Do you agree with this idea and is the calculation appropriate?**
- Table 10-5-1(H) regulates the required minimum number of spaces. There has been discussion among staff and the consultant to have different requirements for small and large developments. **Should we have different standards for smaller and larger developments?**
- There are also highlighted sections within Table 10-5-1(H) which need better numbers. Many of these types of uses are unique and may not benefit from a definitive number. **Would you recommend having the Zoning Administrator determine minimum requirements or would you prefer a definitive number?**
- The number of required loading berths has been removed and will be determined as a case by case basis and mostly dictated by the private developer. **Do you agree with the removal of these regulations to allow more flexibility for developers?**
- While not expressly prohibited in the current code, a new section has been added to permit and regulate ribbon driveways. **Should the City regulate and permit these types of driveways?**
- Currently, the City does not permit parking in the required side yard. The parking pad regulations will allow this in the future. **Do you agree with this addition?**

- The landscape section has been modified with more robust and up to date standards. There are several topics which have resulted in much discussion between departments.
  - **Do you agree with the requirements of foundation landscaping? Is it too much or not enough?**
  - **Do you believe the parking island and end cap requirements are reasonable?**
  - The current tree preservation ordinance is extensive. There is a slimmed down version in the draft ordinance. The consultant has also provided examples of other communities (attached). **What are your thoughts on how the City should handle tree preservation regulations?**
- The condensing of fencing regulations makes a more streamlined ordinance, but it removed galvanized chain link from the manufacturing district. **Should we remove or keep galvanized chain link from the permitted materials in the manufacturing districts?**

#### **ATTACHMENTS:**

1. Chapter 5 – Development Standards (redline)
2. Table 10-5-1(H) Minimum Parking Requirements
3. Houseal Lavigne – Tree Preservation Memo
4. Chapter 5 Presentation

**REVIEW GUIDE**

Existing Text

New Text

Deleted or Moved Text

References to be updated

## Chapter 5. Development Standards

10-5-1. Off-Street Parking and Loading .....	1
10-5-2. Driveways .....	13
10-5-3. Landscape .....	1745
10-5-4. Screening .....	2524
10-5-5. Fences .....	2622
10-5-6. Vision Clearance .....	3024
10-5-7. Outdoor Lighting .....	3024

### 10-5-1. Off-Street Parking and Loading

Commented [JW1]: Existing language from Chapter 16

A. **Purpose.** The purpose of this ~~chapter section~~ is to regulate off-street parking and loading areas on private property outside the public right-of-way. The regulations are intended to achieve the following:

1. Relieve traffic congestion on streets by providing adequate, but not excessive, off-street parking;
2. Encourage the use of alternate forms of transportation including bicycling, transit, walking, and ~~car-pooling~~ ride sharing services;
3. Avoid unnecessary conflicts between vehicles, bicycles, and pedestrians; ~~and~~
4. ~~To m~~Minimize negative impacts on adjacent properties and the environment.

B. **General Provisions.**

1. **Application.** The off-street parking and loading provisions in this ~~chapter section~~ shall apply to the following:

~~a. **New Development.** All new buildings, structures, and land uses established after the adoption of this ~~chapter title~~ must comply with the parking and loading regulations ~~herein in this section~~. However, if a building permit has been issued prior to adoption and construction has begun within one (1) year of the effective date, then following the parking and loading regulations are not required.~~

~~a.b. **Process Vesting.** Once an application for approval of any process specified within this section has been certified to be complete, it shall be reviewed according to the process, procedures, and standards of this section at the time of determination, provided that such application has not been abandoned. Any subsequent amendments to these regulations adopted by the City that become effective after the date of the determination of completeness shall not apply to the applications pending approval at the time of the adoption of the changes unless the City and the applicant agree in writing to follow the revised process or application has been abandoned.~~

~~b.c. **Expansion.** When an existing building or structure increases in intensity or is expanded, the number of parking spaces and/or loading facilities must be modified to meet the parking and loading regulations. The number of parking spaces and/or loading facilities that must be modified will be determined by the unit of measurement specified for that land use ~~herein in section 10-5-1(G)~~. However, no building or structure lawfully erected or use lawfully established prior to the effective date shall be required to provide additional parking spaces and/or loading facilities unless the aggregate increase in units of measurements is greater than fifteen ~~(15)~~ percent ~~(15%)~~.~~



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d. **New Use.** Whenever the existing use of a building or structure ~~shall hereafter be~~ changed to a new use, parking or loading facilities shall be provided as required for such new use, ~~unless otherwise approved as an Administrative Exception as detailed in section 10-#-#.~~ However, if ~~the~~ said building or structure was erected prior to the effective date ~~hereof of this title~~, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use if the latter were subject to the parking and loading provisions of this title.

**Commented [JW2]:** We would recommend allowing flexibility from this requirement if site conditions cannot accommodate additional parking to make it easier for new uses to occupy existing buildings.

e. —

2. **Existing Parking and Loading Facilities.** Accessory off-street parking or loading facilities which are located on the same lot as the building or use served and were in existence on the effective date ~~hereof of this title~~ shall not be required to reduce the amount of parking and loading facilities regulated in this title. A change of occupancy is not a change of use unless the new occupant is considered in a different use classification.

~~3. **Damage or Destruction.** If any building, structure, or use that is in existence on the effective date hereof of this title is somehow damaged by fire, collapse, explosion or another cause and is reconstructed or repaired, the parking and loading facilities may be rebuilt to the original form. This shall be allowed only if the original building or use is repaired to its original form and keeps its original use. In no case shall it be necessary to restore or maintain parking or loading facilities in excess of those required by this title for equivalent new uses in construction.~~

~~4.3. **Control of Off-Site Parking Facilities.** Where required parking facilities are provided on land other than the zoning lot on which the building or use served by such facilities is located, they shall be and remain in the same possession or ownership as the zoning lot occupied by the building or use to which the parking facilities are necessary. No such off-site parking facilities shall be authorized and no zoning certificate shall be issued where the plans call for parking facilities other than on the same zoning lot until and unless approved as an Administrative Exception as detailed in section 10-#-#, the Zoning Board of Appeals has reviewed the plans and heard the applicant and made findings that the common ownership or possession of the zoning lot and the site of the parking facilities are reasonably certain to continue and that~~ Prior to approval as an Administrative Exception, the owners of the multiple properties shall provide an agreement in a form approved by the City Attorney attesting that the off-site parking facilities will be maintained at all times during the life of the proposed use or building.

~~5. **Submission of Site Plan.** Any application for a building permit, or for a certificate of occupancy where no building permit is required, shall include therewith a site plan, drawn to scale and fully dimensioned, showing any parking or loading facilities to be provided in compliance with this title.~~

**Commented [JW3]:** To be covered in Chapter 7: Administration and Enforcement

C. **Use of Parking Areas.**

1. All required off-street parking areas shall continually be available for the parking of operable vehicles of intended users of the site.
- ~~2. Required parking shall not be rented, leased, sold, or used for parking that is unrelated to the primary or accessory use of the site, except if there is a recorded shared parking agreement.~~
- ~~3.2. Also, no~~ off-street parking area ~~can~~ shall be used for storage of equipment or materials except where otherwise approved.
- ~~4. All off-street parking facilities for a residential use or within a residential district must be used for passenger automobiles. These automobiles must be owned by the occupants of the dwelling structure or by the guest of the occupant.~~

**D. Requirements For All Parking.**

1. Drive aisles shall be required in the parking areas that have five (5) or more spaces.
2. All required parking lots, by this Code, shall comply with the accessibility requirements of the State of Illinois Accessibility Code and the ADA.

**D.E. Parking Space Stall and Aisle Dimensions.**

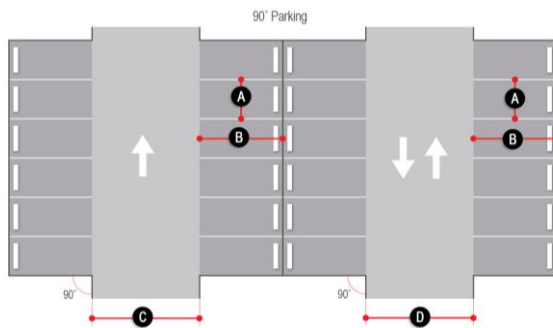
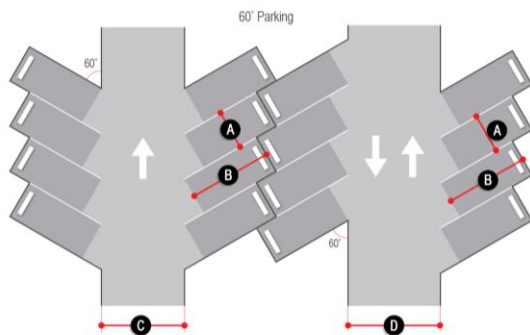
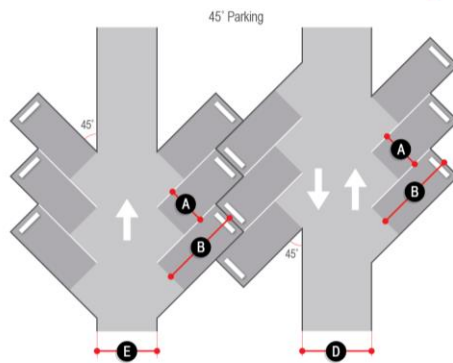
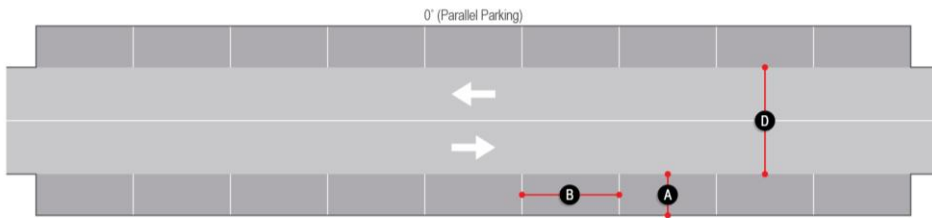
1. **Standard Parking Stall and Aisle Dimensions.** Standard parking spaces, including interlocking standard parking spaces, shall comply with the minimum dimensional and layout requirements specified in [Table 10-5-1\(D\)\(1\)](#) and as generally illustrated in [Figure 5.1](#).

Table 10-5-1(D)(1) Standard Parking Stall and Aisle Dimensional Requirements						
Parking Angle (degrees)	Figure Reference					
	A	B	C	D	E	F
	Space Width	Space Depth	Aisle Width (2-Way)	Aisle Width (1-Way)	Depth of Interlocking Spaces	Overhang
0	8'	22'	18'	12'	n/a	n/a
45	8.5'	17'	18'	12'	28.25'	1.5'
60	8.5'	18'	18'	16'	32'	1.5'
90	9'	18'	24'	24'	36'	2'

**2. Compact Parking and Motorcycle Stall and Aisle Dimensions.**

- a. Compact parking stalls and aisles shall comply with the minimum dimensional and layout requirements specified in [Table 10-5-1\(D\)\(2\)](#).
- b. In parking areas containing more than ten (10) spaces, up to twenty (20) percent of the spaces exceeding the first ten (10) spaces may be designed for compact vehicles.
- c. Compact parking spaces shall be labeled for such purposes.

Table 10-5-1(D)(2) Compact Parking Space Dimensional Requirements						
Parking Angle (degrees)	Figure Reference					
	A	B	C	D	E	F
	Space Width	Space Depth	Aisle Width (2-Way)	Aisle Width (1-Way)	Depth of Interlocking Spaces	Overhang
0	7.5'	18'	18'	12'	n/a	n/a
45	7.5'	15.5'	18'	12'	28.25'	1.5'
60	7.5'	16.25'	18'	16'	32'	1.5'
90	7.5'	15.5'	24'	24'	36'	n/a



EXAMPLE  
GRAPHIC ONLY

~~E.—The minimum off-street parking space dimensions are shown in Table 10.16.01 of this section. An explanation of how these dimensions are generally measured is shown in figure 10.16.01 of this section. The parking of mobile food or retail vendor vehicles shall be an exception to subsection A of this section when in compliance with section 10-3-14 of this title and title 3, chapter 5 of this Code.~~

~~F.—The actual measurements of the stalls and aisles are shown in figure 10.16.02 of this section. The actual stalls and aisle must be clearly marked as shown in figure 10.16.02 of this section.~~

~~G.—All measurements start from the edge of the pavement in front of the curb.~~

~~H.—Drive aisles shall be required in the parking areas that have five (5) or more spaces.~~

~~I.—All required parking lots, by this Code, shall comply with the accessibility requirements of the State of Illinois Accessibility Code and the ADA.~~

**F. Access and Cross Access.**

~~1. **Access.** To ensure safe and efficient means of automobile access for all parking spaces, Each required off-street parking space shall open directly upon an aisle or driveway as stated in Table 10.16.01 of this section. This will ensure safe and efficient means of automobile access for all parking spaces. The only exception is when unless the facility is serviced by a parking attendant. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements.~~

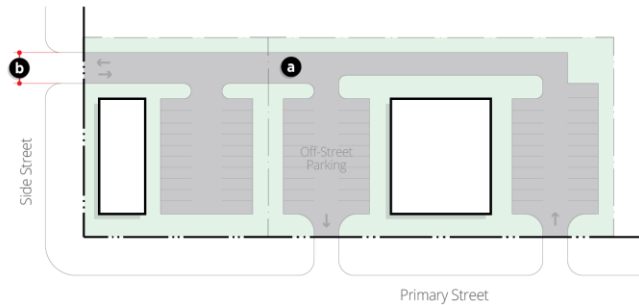
~~2. **Cross Access.** To facilitate vehicular access between adjoining developments, encourage shared vehicle parking, and minimize access points along streets, new multifamily, nonresidential, and mixed-use development or redevelopment shall comply with the following standards:~~

~~a. Internal vehicular circulation systems shall be designed to allow for vehicular cross-access between the development's vehicle parking facilities and vehicle parking facilities in an adjoining multifamily, nonresidential, or mixed-use development, or to the boundary of adjoining vacant land zoned to allow multifamily, nonresidential, or mixed-use development.~~

~~b. Required vehicular cross access between the adjoining lots shall be provided through the use of a frontage or service street (if the lots front on a major thoroughfare right-of-way), a single two-way maneuvering lane, or two one-way maneuvering lanes that are sufficiently wide to accommodate traffic by automobiles, service vehicles, loading vehicles, and emergency vehicles.~~

~~c. The Zoning Administrator may waive or modify the requirement for vehicular cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally sensitive area, would create unsafe conditions, or there exists an inability to connect to adjacent property.~~

~~d. Easements allowing cross access to and from properties served by a vehicular cross-access, along with agreements defining maintenance responsibilities of property owners, shall be recorded with the Register of Deeds for the county in which the properties are located before issuance of a Building Permit for the development.~~



## EXAMPLE GRAPHIC ONLY

1. —

### J. Design Standards:

1. **Open and Enclosed Parking Spaces.** Accessory parking spaces located on the same lot as occupied by the use served may be open to the sky or enclosed in a building. Accessory parking spaces located in a residence district elsewhere than on the same lot occupied by the use served shall be open to the sky except when otherwise allowed as a special use.
2. **Aprons.** Driveway aprons shall not widen the driveway more than five (5) feet (5') in total width when measured at the curb/street edge.
3. **Distance to Existing Street Intersections.** Residential driveways shall be a minimum of fifty feet (50') feet when measured from the driveway edge to the nearest intersecting street right of way line. Nonresidential driveways shall be a minimum of two hundred feet (200') feet when from the driveway edge to the nearest intersecting street right-of-way line. Driveways not meeting the minimum distances may be approved administratively by the Community Development Director with a recommendation to approve made by the City Engineer. If administrative approval is not granted, a variance must be approved.
4. **Driveway Edge/Curb Radius:**
  - a. **Residential:** The maximum radius for a driveway edge/curb for a driveway entrance is twenty feet (20') feet.
  - b. **Commercial/Industrial/Industrial:** Subject to engineer review based upon the traffic and specific land use characteristics.
5. **Surfacing.** All open off-street parking areas shall be improved with a pavement meeting State of Illinois standard A-3 or equivalent material as approved by the Public Works Director.
6. **Screening and Landscaping.** All open automobile parking areas shall comply with the requirements of the current landscape ordinance regulations for perimeter parking lot landscaping.
7. **Lighting:**
  - a. Any lighting used to illuminate off-street parking areas shall be directed away from residential properties and public highways in such a way as not to create a nuisance. The City of Yorkville promotes the "dark sky" concept. Lighting fixtures should be full cutoff, and the use of wall packs on buildings should be minimized.
  - b. The average foot-candle intensity should be two (2) to two and one-half (2.0–2.5) foot-candles. The average to minimum light intensity ratio should be no more than six (6) to one (6:1), and the maximum to minimum light intensity ratio should be no more than twenty (20) to one (20:1). The lighting intensity at the property line shall be zero (0) foot-candles.

**Commented [JW4]:** Proposed to be covered in driveways section

**Commented [JW5]:** Proposed to be covered in landscape section

**Commented [JW6]:** Proposed to be covered in outdoor lighting section

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8. ~~Signs.~~ Directional and regulatory signs/markings only are permitted on parking areas.

9. ~~Repair, Service, and Sales.~~

a. ~~No motor vehicle repair work of any kind shall be permitted in conjunction with accessory off-street parking facilities provided in a residence district.~~

b. ~~The sale of gasoline and motor oil in conjunction with accessory off-street parking facilities is not permitted in any residence district prohibited.~~

**K.G. Location.** Off-street parking spaces may be located in any yard defined by this title. The location of off-street parking spaces in relation to the use served shall be as prescribed ~~hereinafter below~~. All distances specified shall be ~~walking distances between such parking spaces~~ property line to parking space and a main entrance to the use served.

1. **Residence Districts.** Parking spaces accessory to dwellings shall be located on the same zoning lot as the use served. Spaces accessory to uses other than dwellings may be located on a lot adjacent to, or directly across a street or alley from the lot occupied by the use served, but in no case at a distance in excess of three hundred ~~feet~~ (300') feet from such use.
2. **Business and Manufacturing Districts.** All required parking spaces shall be within one thousand ~~feet~~ (1,000') feet of the use served, except for spaces accessory to dwelling units (except those located in a transient hotel) which shall be within three hundred ~~feet~~ (300') feet of the use served. However, no parking spaces accessory to a use in a business or manufacturing district shall be located in a residence district unless authorized by the ~~Zoning Board of Appeals~~ Planning and Zoning Commission in accordance with this title.

**H. Off-Street Parking Requirements.**

1. **Minimum Requirements.** Except as otherwise expressly stated, off-street parking spaces shall be provided in accordance with the parking ratio requirements established in Table 10-5-1(H) Minimum Parking Requirements. Parking spaces reserved for specific user groups, other than ADA compliant spaces and spaces with electric vehicle charging stations, shall not count towards the minimum requirement.
2. **Maximum Requirements.** To minimize excessive areas of pavement, no off-street parking area ~~for nonresidential or multifamily uses~~ shall exceed the required minimum number of parking spaces by more than twenty (20) percent, except as approved by the Zoning Administrator. In approving additional spaces, the Zoning Administrator shall determine that the parking is needed based on documented evidence of actual use and demand provided by the applicant.
3. **Parking in the B-2 District.** Nonresidential uses in the B-2 Mixed Use District shall be exempted from providing off-street parking ~~as required in the form-based code.~~
4. **Calculations.** The following rules shall apply when calculating the required minimum number of parking spaces.
  - a. **Fractions.** When measurements of the number of required spaces result in a fractional number, any fraction of less than 0.5 is rounded down to the next lower whole number, and any fraction of 0.5 or more is rounded up to the next higher whole number.
  - b. **Area Measurements.** Unless otherwise expressly stated, all area-based (square footage) parking standards must be computed on the basis of gross floor area (GFA).
  - c. **Occupancy or Capacity-Based Standards.** For the purpose of computing parking requirements based on employees, students, residents or occupants, calculations must be based on the largest number of persons working on any single shift, the maximum enrollment or the maximum fire-rated capacity, whichever is applicable as determined by the City Planner and the Fire Department.

**Commented [JW7]:** Proposed to be covered in Chapter 6: Signs

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5. **Unlisted Uses.** In the case of uses not listed in [Table 10-5-1\(H\)\(1\) Minimum Parking Requirements](#), the number of spaces for a similar use, as determined by the [Zoning Administrator](#), shall apply.

**Number of Spaces.** The minimum requirements for the number of spaces needed for a certain use is shown in [Table 10-5-1\(H\)](#) of this section. At the time of permit review, the Zoning Administrator will assign the development a use category. If the category does not fit one of the descriptions in [Table 10-16.03](#) of this section, then the Zoning Administrator has the right to determine the amount of off-street parking needed for the building, structure, or use.

- L.I. Allowed Reductions to Required Parking.** [Table 10-5-1\(I\)](#) establishes reductions to required parking that may be approved by the Zoning Administrator.

Table 10-5-1(I) Allowed Reductions to Required Parking		
Adjustment Type	Criteria	Adjustment Amount
Pedestrian Access	Nonresidential use is located where residents of all residential and mixed-use areas within 1,320 feet of the subject property can walk to and from the nonresidential use on a continuous sidewalk system (ignoring intervening streets).	10% reduction
Public Parking Lots	Nonresidential use is located within 900 feet of a parking lot that is available for use by the public without charge (either directly or through a validation program in which the subject use participates).	10% reduction
On-Street Parking	Single-family or duplex residential is located along one or more public street frontages where public parking is permitted.	One legal on-street parking space (to a maximum of two parking spaces) can be substituted for every required off-street parking space provided the on-street space is located on a public right-of-way immediately abutting the property or tenant space seeking the parking adjustment. Where a partial space straddles an extension of a side property line, the space may be counted by the abutting property owner in front of whose property 50% or more of the space is located.
	Multifamily residential or nonresidential use located along one or more public street frontages where public parking is permitted.	One legal on-street parking space can be substituted for 0.5 of every required off-street parking space provided the on-street space is located on a public right-of-way immediately abutting the property or tenant space seeking the parking adjustment.

**Commented [JW8]:** Zoning Officer and Community Development Director or designee are utilized in other sections of the ordinance. We would recommend revising all for consistency. What is the City's preferred terminology?

**Commented [RS9R8]:** Revised to ZA per city request.

**M-J. Shared Parking.**

1. **Purpose.** Shared parking is the use of a parking space by vehicles generated by two (2) or more individual land uses without conflict or encroachment. Shared parking for multiple uses creates better pedestrian connections and reduces reliance on private vehicles because multiple trips may be taken by walking. Shared parking is encouraged for the benefits it provides as long as the use follows the ~~above~~-conditions and ~~the~~-standards listed below.
2. The ability to share spaces is the result of two (2) conditions:
  - a. Vehicles accumulate at different times; either by hours, days, or seasons.
  - b. Relationship of the uses allows for multiple visits in one (1) auto trip.
3. **Shared Parking Uses.** The uses listed in [Table 10.16.04](#) of this section are uses that are generally considered prime candidates for shared parking. While these are considered the main uses to have shared parking, the [Zoning Administrator](#) has the final authority on what uses may or may not share parking regardless ~~of~~ if the use is listed in [Table 10.16.04](#) of this section or not.

a. For purposes of this Section, the following uses are considered daytime uses:

- (1) Office Uses.
- (2) Commercial Service Uses.
- (3) Commercial Retail Uses.
- (4) Industrial Uses, and
- (5) Other similar primarily daytime uses, as determined by the City Council.

b. For purposes of this Section, the following uses are considered evening or weekend uses:

- (1) Physical Health and Entertainment Uses.
- (2) Public/Semi-Public Uses.
- (3) Eating and Drinking Uses, and
- (4) Other similar primarily nighttime or weekend uses, as determined by the City Council.
- (4)



**3.4. Standards.**

- a. The applicant must demonstrate that the shared parking area has a sufficient amount of spaces for the uses they intend to share the area with. The **Zoning Administrator** may require the applicant to provide data to support the sufficient parking claim.
- b. The nearest parking space shall be no farther than one thousand ~~feet~~ (1,000') ~~feet~~ from the principal buildings, structures, or uses. ~~The measurement shall be measured along a path that has~~ The measurement shall be measured along a path that has ~~The path from the parking space to the principal building should consider::~~
  - (1) Adequate lighting.
  - (2) Separation from the right-of-way.
  - (3) Legal crosswalks for right-of-way crossing.
  - (4) Asphalt, concrete, or similar surface material.
- c. A legal document between the property owners that guarantees access to the shared parking must be submitted to the **Zoning Administrator**. The document will be approved by the City before being recorded. The termination of the agreement must be approved by the City and the owners must provide proof that each establishment meets the criteria within this title.

**K. Pedestrian Circulation Standards.**

1. Off-street parking areas shall include on-site pedestrian circulation systems to ensure the safety of pedestrians, bicyclists, and motorists.
2. The on-site pedestrian circulation system shall comply with all ADA standards.
3. The on-site pedestrian circulation system shall be marked and must connect all buildings on the site to one another and provide connections to the required vehicle and bicycle parking spaces.
4. The on-site pedestrian circulation system must connect building entrances to adjacent public rights-of-way along direct routes that do not require significant out-of-direction travel.
5. The on-site pedestrian circulation system shall provide at least one (1) connection to adjacent properties along a shared street frontage. Connections must provide access to existing walkways on adjacent properties, or to the likely future location of walkways on those properties. The **Zoning Administrator** may waive this requirement upon determining that no walkway exists, a future walkway is unlikely to exist, or such connection would create a safety hazard.
6. Connections to future planned trails shall be provided.

**N.L. Bicycle Parking.** The purpose of this section is to provide sufficient, safe, and convenient bicycle parking to encourage bicycling as a form of transportation, reducing traffic congestion, air pollution, wear and tear on roads, and use of fossil fuels, while fostering healthy physical activity.

1. **Types of Parking.** The following types of bicycle parking shall be allowed:
  - a. **Short-Term Parking.**
    - (1) **Bicycle Rack.** A bicycle rack is a device that is capable of supporting a bicycle in a stable position that secures the bicycle with at least two (2) points of contact. A single rack provides two (2) parking spots. The rack shall be no taller than three (3) feet ~~(3')~~ tall and no less than eighteen (18) inches ~~(18")~~ in length.

## DRAFT FOR REVIEW

- (2) **Bicycle Shelter.** A bicycle shelter is a covered parking area and provides all weather protection. The shelter should be designed to hold many bicycles. It is preferred that the shelter be close to other forms of transportation to encourage bicycle riding throughout the City.

b. **Long-Term Parking.**

- (1) **Bicycle Locker.** A bicycle locker provides an all-weather, high security, and long-term parking solution. The enclosure should be made out of durable material that will keep the bicycle safe from weather or vandalism. The locker must be able to be locked to prevent theft and it must be able to be unlocked by the user for easy access. It is preferred that bicycle lockers are placed near other forms of transportation to encourage bicycle riding throughout the City.
- (2) **Bicycle Station.** A bicycle station provides the highest level of service for long term parking. The station is intended to be a regional hub for bicycles in the area and it is expected for the station to provide services to cyclists. These services may include, but are not limited to, repair, lockers, showers, food and beverages, rental, and other storage facilities.

2. **Off-Street Parking Reduction For Bicycle Parking.**

- a. A reduction in the number of off-street vehicle parking spaces required shall be permitted for the provision of bicycle parking provided that:
- (1) No fee is required for using the bicycle parking made available;
- (2) When calculation of the maximum number of reduced parking spaces results in a fraction, the resulting number shall be rounded to the next highest integer.
- b. The reduction in the number of ~~automobile-vehicle~~ parking spaces shall be reduced by no more than one (1) space for every two (2) bicycle parking spaces, but no more than twenty (20) percent ~~(20%)~~ of the total required spaces.
- c. This provision is applicable to all land ~~type~~ uses except ~~to~~ single-unit residential and two-unit residential.

**Q.M. Land Banked Parking Facilities.** Land banking allows for ~~the~~ designation of a portion of land on a site that would be required for parking to be held and preserved as open space, rather than constructed as parking. This reduces the amount of impervious surface on a site for developments which otherwise would not have enough parked vehicles to fill the minimum required parking stalls, or "bank" the spaces until such time capacity warrants their construction.

1. **Standards.** The ~~Zoning Board of Appeals~~ Planning and Zoning Commission may permit land banking of up to twenty-five (25) percent ~~(25%)~~ of the required parking spaces through the ~~variance process~~, subject to the following:
- a. ~~Sufficient evidence is provided by the applicant that supports the reduced parking needs.~~
- b. ~~Approval of a land bank parking plan which illustrates the area proposed for land banking of parking spaces in an area suitable for parking at a future time.~~
- c. Landscaping of the land banked area must be in full compliance ~~of the zoning regulations with this title~~ and, at a minimum, landscaped with turf. As a result of the site plan review process, the ~~Zoning Board of Appeals~~ Planning and Zoning Commission may require additional landscaping of the land banked area.
- d. ~~The land banked area cannot be used for any other use and must be part of the same zoning lot and all under the same ownership.~~
- e. ~~As part of the variance process, the applicant must show the area to be banked on the overall site plan and marked as "Land Banked Future Parking".~~

**Commented [JW10]:** We would recommend establishing a distinct Land Banked Parking Facilities permitting process since the standards of review for a variance would be impossible for an applicant for land banking to meet.

## DRAFT FOR REVIEW

2. **Land Bank Plans Required.** The owner of the property making a land bank request shall submit a detailed land banked parking plan for review and approval by the ~~Zoning Board of Appeals~~ Planning and Zoning Commission. The land banked parking plan shall show both full compliance with the parking regulations of this chapter and the land bank area showing the reduced number of parking spaces.
3. **Termination of Land Bank.**
  - a. The City Council shall have the right in its discretion to require the property owner or successor, to construct all or a portion of the land banked parking facilities. Instances for termination, shall include, but not be limited to:
    - (1) The intensity of the use is increased,
    - (2) The type of use changes,
    - (3) There is an addition to the property or building.
  - b. The Community Development Director Zoning Administrator will provide notice to the owner that the land banked parking facilities must be constructed and completed within one (1) year from the date of the notice.

**Commented [JW11]:** If new process is established, we would recommend moving these standards to Chapter 7: Administration and Enforcement

**Commented [JW12]:** If approved by the Zoning Board of Appeals, should they be responsible for termination instead of the City Council?

### P.N. Off-Street Loading Regulations and Requirements.

1. **Location.** All ~~required~~ loading berths shall be located on the same zoning lot as the use served. No loading berth for vehicles over two (2) tons ~~of~~ capacity shall be closer than fifty (50) feet ~~(50')~~ to any property zoned or used for residential purposes unless all loading and unloading activities are located completely within the building, screened by walls, solid fencing or densely planted mature shrubbery, or a combination thereof ~~the requirements for Transition Area D as detailed in section 10-5-3, not less than six (6) feet (6') in height.~~ No permitted or required loading berth ~~that is open to the sky~~ shall be located within any front or corner side yard, and shall not be located within fifty (50) feet ~~(50')~~ of the nearest point of intersection of any two (2) streets.
- 4.2. **Size.** ~~Required size shall be determine on a case-by-case basis depending on the narrative provided by the petitioner or traffic study and shall be as approved by the Zoning Administrator.~~
2. **Size.** ~~Unless otherwise specified, a required loading berth shall be the greater of ten (10) feet (10') in width by at least twenty-five (25) feet (25') in length or the length of the longest delivery vehicle used in connection with such use, exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least fifteen (15) feet (15').~~
3. **Access.** ~~Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements.~~
- 4.3. **Surfacing.** All open off-street loading berths shall be improved with a compacted aggregate base not less than twelve (12) inches ~~(12")~~ and surfaced with not less than four (4) inches ~~(4")~~ of bituminous concrete or six (6) inches ~~(6")~~ of concrete or some comparable all weather dustless material. The exact design to be determined based on projected use of the loading berth.
- 5.4. **Repair and Service.** No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any ~~residence or business~~ districts.
- 6.5. **Loading Spaces Not to be Used for Parking Requirements.** Space allocated to any off-street loading berth shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof.
- 7.6. **Special Uses.** For special uses other than prescribed hereinafter, loading berths adequate in number and size to serve such use, as determined by the Community Development Director Zoning Administrator, shall be provided.
8. **Computation of Number of Required Off-Street Loading Spaces.** ~~If in determining the number of off-street loading berths as required by this title, the computation results in a requirement of a fractional berth, any one-half (½) or more shall be round to the nearest whole number and counted as one (1) loading berth.~~

## DRAFT FOR REVIEW

— **Accessory Off-Street Loading Facilities.** Uses for which off-street loading facilities are required herein but which are located in buildings of less floor area than the minimum prescribed for such required facilities, shall be provided with adequate receiving facilities off any adjacent alley, service drive or open space on the same lot which is accessible by motor vehicle.

**9.7. Required Off-Street Loading Spaces.** The number of loading spaces provided shall be determined on a case-by-case basis as approved by the Zoning Administrator and based on a narrative provided by the petitioner or traffic study. These spaces shall be provided in a manner that does not interfere with internal site circulation, ingress or egress to the site, access to or use of required off-street parking areas and pedestrian circulation areas, and with the public use of streets or alleys.

### 10-5-2. Driveways

**A. General Driveway Standards.** All driveways shall comply with the City of Yorkville's surfacing requirements as established in Chapter ## of the Municipal Code.

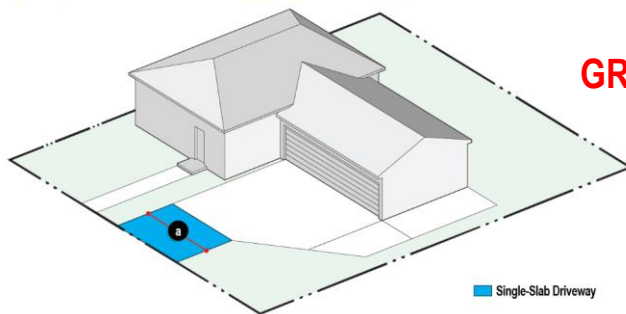
**B. Single-FamilyUnit Driveway Standards.** A single slab or ribbon driveway from the property line to legal, on-site parking shall be provided and shall be in conformance with the following criteria.

**1. Limit of One.** One (1) single slab or ribbon driveway and one (1) curb cut shall be permitted per every seventy-five (75) feet of frontage of a single-familyunit residential lot. New residential parcels taking access from collector or arterial streets, shall share driveways in order to protect public safety by limiting curb cuts.

**2. Single-Slab Driveway Design Standards.**

**a.** Single-slab driveways shall not exceed twenty~five (205) feet in width at the property line.

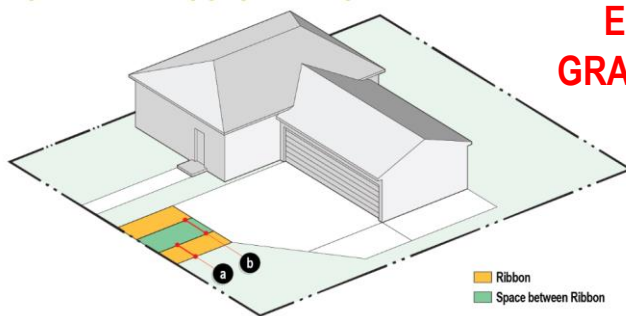
**b.** Single-slab driveways shall be surfaced with concrete including decorative concrete, patterned concrete, and exposed aggregate concrete; porous asphaltbituminous concrete; concrete pavers; paving blocks; or other materials approved by the Public Works Director.



**EXAMPLE  
GRAPHIC ONLY**

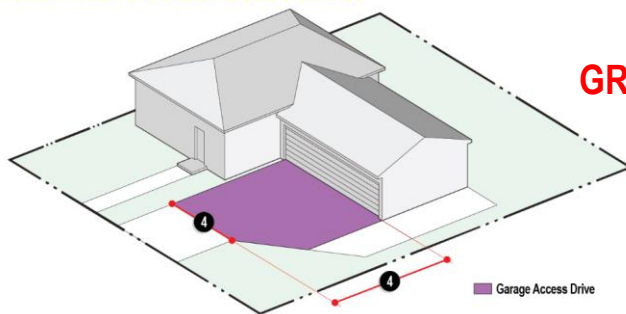
### 3. Ribbon Driveway Design Standards.

- a. Ribbons shall be a minimum of two (2) feet wide and a maximum of three (3) feet wide.
- b. Ribbons shall be a minimum of three (3) feet apart measured from their nearest edges. The space between ribbons shall be planted in turf grass or another permeable surface.
- c. Ribbons shall be surfaced with concrete including decorative concrete, patterned concrete, and exposed aggregate concrete; porous asphalt/bituminous concrete; concrete pavers; paving blocks; or other materials approved by the City Engineer/Public Works Director.



**EXAMPLE  
GRAPHIC ONLY**

4. Garage Access Drive. A garage access drive, the width of the garage, as measured from the garage door(s) plus an additional one (1) foot on either side of the garage door(s), is permitted to extend for a distance of sixteen (16) feet from the garage doors before tapering, within ten (10) feet, back to the maximum driveway width.



**EXAMPLE  
GRAPHIC ONLY**

**5. Parking Pad.**

a. **Limit of One.** A single-unit driveway may be extended to include one (1) parking pad.

b. **Configuration.**

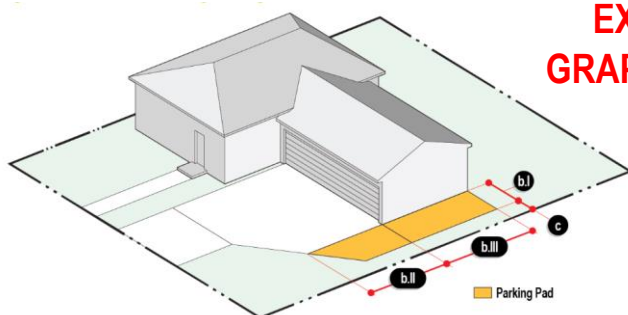
(1) A parking pad shall be a maximum of ten (10) feet in width.

(2) The portion of the parking pad adjacent to the driveway shall have a maximum length of twenty (20) feet, as measured from the front façade line of the garage. A minimum seven (7) foot taper shall be included in the twenty (20) foot maximum.

(3) The portion of the parking pad adjacent to the garage shall have a maximum length equal to the depth of the garage, as measured from the front façade line of the garage.

a-c. **Location.** The parking pad shall be set back a minimum of five (5) feet from any side property line and shall be outside of all easements.

d. **Surfacing.** Parking pads shall be surfaced with porous asphalt; concrete pavers; paving blocks; or other pervious materials approved by the City Engineer/Public Works Director.



**EXAMPLE  
GRAPHIC ONLY**

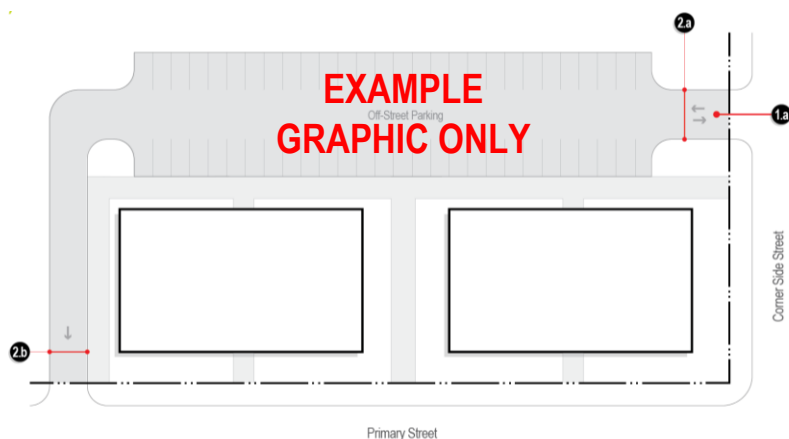
D. Multiunit and Nonresidential Driveway Standards.

1. Location.

- a. Where an off-street parking area of a corner lot abuts an alley or a corner side street, access to the off-street parking area shall be obtained from a driveway off the alley or corner side street.
- b. No lot can have multiple driveways for purposes of vehicular ingress and egress without a minimum three hundred (300) foot separation between such curb cuts along a street.

2. Driveway Design Standards.

- a. Two-way driveways for multifamily and nonresidential uses shall be a minimum of twenty-five (25) feet and a maximum of thirty-six (36) feet at the property line.
- b. One-way driveways for multifamily and nonresidential uses shall be a minimum of sixteen (16) feet and a maximum of twenty (20) feet at the property line.
- a.c. Driveways for multifamily and nonresidential uses shall be surfaced with an asphaltic concrete or portland cement pavement.



**10-5-3. Landscape**

Landscape improvements required by this section shall apply to all nonresidential, mixed use, and multifamily development and consist of living vegetation in a combination of plants, trees, shrubs, native grasses, perennials, and/or groundcover. Unless otherwise stated in this section, all size specifications for plant materials shall be based upon the time of planting. When caliper is specified for tree planting, the caliper of the tree trunk shall be measured at six (6) inches above the soil level. Any plant materials used to meet the requirements of this section shall not include any plant material identified as an invasive species by the Illinois Department of Natural Resources.

**Commented [JW13]:** Existing language from landscape ordinance proposed to be replaced

**A. Planting Types.**

1. **Canopy Trees.** A woody plant (deciduous or evergreen) having not less than a two and one-half (2.5) inch caliper with single central axis which typically reaches a mature height of not less than forty (40) feet and a mature spread of not less than fifteen (15) feet.
2. **Understory Trees.** A woody plant having not less than a one and one-half (1.5) inch caliper, or six (6) feet tall for multiple stem species, that normally attains a mature height of at least fifteen (15) feet.
3. **Evergreen Trees.** A tree having foliage that persists and remains green throughout the year and has a height of not less than six (6) feet at installation and maturing to a height of not less than twenty (20) feet.
4. **Shrubs.** A woody plant (deciduous or evergreen) of low to medium height characterized by multiple stems continuous from its base and having a height of not less than two (2) feet.
5. **Native Grasses.** Grasses that are native to the State of Illinois, not including noxious weeds.
6. **Herbaceous Perennials.** Plants with non-woody stems whose above-ground growth largely or totally dies back during winter months but whose underground plant parts (roots, bulbs, etc.) survive.
7. **Groundcover.** Spreading herbaceous plants, other than turf grass, or prostrate shrubs, or woody vines normally reaching an average maximum height of eighteen (18) inches at maturity.

[INSERT PLANTING TYPES GRAPHIC]

- B. Required Landscape Zones.** Figure 6.3 illustrates the location of the required landscape zones as detailed in the following sections. The Zoning Administrator may approve exceptions to the required landscape zone as an administrative exception specified in Section ##.

[INSERT LANDSCAPE ZONES GRAPHIC]

- C. Building Foundation Landscape Zone.** All nonresidential, mixed-use, and multifamily development where a front yard setback is required, with the exception of food processing facilities regulated by the FDA, shall include landscape located at the building foundation as required by this section. Landscape required by this section shall be in addition to landscape required under other sections of this title. It is the objective of this section to provide a softening effect at the base of buildings.

1. Applicable development is required to maintain a building foundation area at front and exterior side yards of seven (7) feet at a minimum.
2. Foundation plantings shall be designed to supplement buffer yard plantings to frame important views, while visually softening long expanses of walls.
3. Foundation plantings shall be installed in a manner that complements the architecture of the building, as approved by the Zoning Administrator, depending on site conditions and the location of walkways and driveways.
4. Foundation plantings may include a mixture of the planting types specified in Section 10-5-3(A).



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5. Where the area between the building and parking lot or street curb is entirely paved for pedestrian use, landscaping may consist of canopy trees planted in structural soils beneath tree grates or permeable pavement, at the rate of one (1) tree per fifty (50) linear feet of building facade. Minimum structural soil volume shall be six-hundred (600) cubic feet per tree.
6. Above-ground stormwater planter boxes installed on-site may be substituted for foundation plantings as deemed appropriate by the Zoning Administrator.

[INSERT BUILDING FOUNDATION LANDSCAPE GRAPHIC]

**D. Parking Area Perimeter Landscape Zone.** Landscape required by this section shall be in addition to landscape required under other sections of this title. It is the objective of this section to provide screening between off-street parking areas and rights-of-way, and to provide for the integration of stormwater management with required landscaping.

1. **Location.** All off-street parking areas which abut a public or private right-of-way, excluding alleys, shall include landscape and trees as required by this section located between the back of curb of the off-street parking area and the right-of-way.
2. **Applicability.** The parking lot perimeter landscape regulations of this section apply to the following:
  - a. The construction or installation of any new off-street parking area; and
  - b. The expansion of any existing off-street parking area, in which case the requirements of this section apply only to the expanded area.
3. **Requirements.** Perimeter landscape shall be established along the edge of the off-street parking area and have a minimum width of seven (7) feet as measured from the back of curb of the off-street parking area, to accommodate vehicle bumper overhang and ensure planting areas that are adequate in size.
  - a. One (1) shrub or native grasses the height of which shall not be less than three (3) feet nor greater than five (5) feet, shall be planted for every three (3) feet of landscape area length.
  - b. Landscaped areas outside of shrubs/native grasses and tree masses shall be planted in live groundcover.
  - c. A low masonry wall or fence the height of which provides effective screening to a maximum height of three (3) feet may be used in conjunction with required landscaping as detailed above. Plant materials shall be installed between the sidewalk and the fence or wall to provide a softening effect.

[INSERT PARKING PERIMETER LANDSCAPE GRAPHIC]

**E. Parking Area Interior Landscape Zone.** All off-street parking areas shall include landscape and trees located within the off-street parking area as required by this section. Trees and landscape required by this section shall be in addition to trees and landscape required under other sections of this title. It is the objective of this section to provide shade within parking areas, break up large expanses of parking area pavement, support stormwater management where appropriate, improve the appearance of parking lots as viewed from rights-of-way, and provide a safe pedestrian environment.

1. **Applicability.** The parking area interior landscape zone regulations of this section apply to the following:
  - a. The construction or installation of any new off-street parking lot containing twenty (20) or more parking spaces; and
  - b. The expansion of any existing off-street parking area if the expansion would result in twenty (20) or more new parking spaces, in which case the requirements of this section apply only to the expanded area.
2. **Requirements.** For off-street parking areas consisting of twenty (20) or more continuous spaces, interior parking area landscape as described in this section shall be required. Off-street parking areas consisting of fewer than twenty (20) continuous spaces that are located in front or to the side of the principal building shall be required to terminate all rows

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of parking with a parking area end cap meeting the standards of subsection 4 below. Off-street parking areas consisting of fewer than twenty (20) continuous spaces that are located to the rear of the principal building shall be exempt from parking area interior landscape zone requirements.

3. **Amount.** The amount of required parking area interior landscape shall be determined by the location of the off-street parking area in relation to the primary building as detailed below.

a. **Off-Street Parking Areas in Front or Side of Primary Building.**

- (1) **Parking Area End Caps.** A parking area end cap shall be located at the end of any bay of parking bordered by a drive aisle, public or private street, or pedestrian circulation system.
- (2) **Parking Area Median Amount Requirement.** Parking area medians shall be placed between every third bay of parking.
- (3) **Parking Area Island Amount Requirement.** Parking area islands shall be located on parking bays which are not required to have parking area medians. Parking area islands shall be spaced not more than one-hundred thirty-five (135) feet or more than fifteen (15) continuous spaces apart.

[INSERT INTERIOR PARKING LOT LANDSCAPE ZONE FRONT/SIDE REQUIREMENTS LANDSCAPE GRAPHIC]

b. **Off-Street Parking Areas in Rear of Primary Building.**

- (1) **Parking Area End Caps.** A parking area end cap shall be located at the end of any bay of parking bordered by a drive aisle, public or private street, or pedestrian circulation system.
- (2) **Parking Area Median or Parking Area Island Amount Requirement.** The developer may choose to install either parking area medians or parking area islands. If the developer chooses to install parking area medians, they shall be placed between every third bay of parking. If the developer chooses to install parking area islands, they shall be spaced not more than one-hundred eighty (180) feet or more than twenty (20) continuous spaces apart.

[INSERT INTERIOR PARKING LOT LANDSCAPE ZONE REAR REQUIREMENTS LANDSCAPE GRAPHIC]

4. **Parking Area End Cap Standards.**

- a. **Size.** Parking area end caps shall be a minimum of nine (9) feet wide by eighteen (18) feet long and shall have a minimum soil depth of thirty-six (36) inches. Double rows of parking shall provide parking area end caps opposite one another to form a continuous single end cap.
- b. **Planting.** A minimum of one (1) canopy tree and three (3) shrubs or native grasses shall be provided for every parking area end cap. If the end cap extends the width of a double bay, then two (2) canopy trees shall be provided. The mature height of the shrubs or native grasses shall not exceed thirty-six (36) inches and all canopy trees shall not branch below eight (8) feet to preserve site lines and visibility within the parking lot.
- c. **Design.** Parking area end caps shall be protected with concrete curbing or other suitable barriers approved by the Zoning Administrator. Such end caps shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.

[INSERT PARKING AREA END CAP GRAPHIC]

5. **Parking Area Median Standards.**

- a. **Size.** Parking area medians shall have a minimum width of nine (9) feet and minimum soil depth of thirty-six (36) inches.

DRAFT FOR REVIEW

- b. **Planting.** A minimum of one (1) canopy tree and fifteen (15) shrubs or native grasses shall be planted for each fifty (50) linear feet of parking area median. The mature height of the shrubs or native grasses shall not exceed thirty-six (36) inches and all canopy trees shall not branch below eight (8) feet to preserve site lines and visibility within the parking lot.
- c. **Design.** Parking area medians shall be protected with concrete curbing unless the parking area median is designed to be utilized for stormwater management in which case the perimeter shall be protect by wheel stops, or other suitable barriers approved by the **Zoning Administrator**. Such medians shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.

[INSERT PARKING AREA MEDIAN GRAPHIC]

6. **Parking Area Island Standards.**

- a. **Requirements.** Parking are islands shall only be required for parking areas with twenty (20) or more contiguous spaces in a row.
- b. **Size.** Parking area islands shall be a minimum nine (9) feet wide by eighteen (18) feet long and shall have a minimum soil depth of thirty-six (36) inches. Double rows of parking shall provide parking area islands opposite one another to form continuous single islands.
- c. **Planting.** A minimum of one (1) canopy tree shall be provided for every parking area island. If the island extends the width of a double bay, then two (2) canopy trees shall be provided. Canopy trees shall not branch below eight (8) feet to preserve site lines and visibility within the parking lot.
- d. **Design.** Parking area islands shall be protected with concrete curbing or other suitable barriers approved by the **Zoning Administrator**. Such islands shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.

[INSERT PARKING AREA ISLAND GRAPHIC]

- 7. **Pedestrian Circulation Systems.** Pedestrian circulation systems, as required in the interior of off-street parking areas in **section 10-5-1(J)** shall be located along parking area medians. The **Zoning Administrator** may waive or modify this requirement on determining that locating pedestrian circulation systems along parking area medians is impractical due to site conditions or undesirable because it would create unsafe conditions.
- 8. **Pedestrian-Scale Lighting.** Pedestrian-scale lighting of an adequate height and design is encouraged to be provided at adequate intervals to illuminate the pedestrian circulation systems.
- 9. **Type of Landscape Material.** Except where areas are designed as vegetated stormwater management areas, canopy trees shall be the primary plant materials used in parking area islands and canopy trees and shrubs or native grasses shall be the primary plant materials used in parking area medians. Understory trees, **perennials**, groundcover, and other plant materials may be used to supplement the required plantings but shall not create visibility concerns for automobiles and pedestrians. If medians or islands are designed as stormwater management areas, deviations from required plantings may be approved by the **Zoning Administrator**.
- 10. **Groundcover.** A minimum of seventy-five (75) percent of the surface area of every parking area island and median shall be planted with living groundcover. The remainder of the surface area of every parking area island may consist of rocks, plant materials, or other materials approved by the **Zoning Administrator**.

- F. **Transition Zone Landscape Requirements.** Transition zone landscape shall be required along interior side and rear property lines of all nonresidential, mixed use, and multifamily development. It is not expected that the transition area will totally screen such uses but rather will minimize land use conflicts and enhance aesthetics. Landscape required by this section shall be in addition to landscape required under other sections of this title.

**Commented [TP14]:** Evergreen trees are usually discouraged in parking lot interiors because they create visibility issues

**Commented [TP15]:** Shrubs and native grasses already included

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1. **Applicability** - Transition zone landscaping is required as follows:

- a. The construction or installation of any new primary building or primary use; and
- b. The expansion of any existing primary building or primary use that results in an increase in gross floor area by more than five (5) percent or one thousand (1,000) square feet, whichever is greater. In the case of expansions that trigger compliance with transition zone requirements, transition zone landscaping is required only in proportion to the degree of expansion. The Zoning Administrator is authorized to allow the transition zone to be established adjacent to the area of expansion or to disperse transition zone landscaping along the entire site transition zone.

2. **Application of Transition Zone Types** - Transition zones shall be provided based on [Table 10-5-3\(F\)\(3\)](#), except where adjacent uses are of a similar nature, scale, and intensity as determined by the [Zoning Administrator](#). As per [Table 10-5-3\(F\)\(3\)](#), the type of required transition zone is dependent upon the land use type of the subject lot and the land use type of the adjacent lot(s).

**Table 10-5-3(F)(3) Application of Transition Zone Types**

Subject Lot Land Use	Adjacent Lot Land Use										
	Agricultural	Single-Unit Residential	All Other Residential	Public/Institutional	Retail	Service/Medical/Office	Lodging	Eating/Drinking	Entertainment	Vehicle Related	Industrial/Transportation
Agricultural	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Single-Unit Residential	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
All Other Residential	n/a	C	A	B	B	B	B	B	B	C	D
Public/Institutional	n/a	C	B	A	B	B	B	B	B	C	D
Retail	n/a	C	B	B	A	A	A	A	A	B	C
Service/Medical/Office	n/a	C	B	B	A	A	A	A	A	B	C
Lodging	n/a	C	B	B	A	A	A	A	A	B	C
Eating/Drinking	n/a	C	B	B	A	A	A	A	A	B	C
Entertainment	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Vehicle Related	n/a	C	B	B	A	A	A	A	A	B	C
Industrial/Transportation	n/a	D	D	D	D	D	D	D	D	D	D

3. **Transition Zone Types** - Four (4) transition zone types are established in recognition of the different contexts that may exist, as shown in [Table 10-5-3\(F\)\(2\)](#). Transition zones may include a combination of elements including setback distances for separation, planting types, solid fencing, green walls, vegetated stormwater management areas, living groundcover, or turf.

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**Table 10-5-3(F)(2) Transition Zone Types**

Specification		Type A	Type B	Type C	Type D
(a)	Minimum Zone Width (1)	5 feet	10 feet	15 feet	20 feet
(b)	Minimum Fence/Wall Height (2)	optional	optional	6 feet	6 feet
<i>Minimum Number of Landscape Elements per 100 Linear Feet</i>					
(c)	Understory Tree	optional	3	4	5
(d)	Canopy/Evergreen Tree	4	3	4	5
(e)	Shurbs/Native Grasses	optional	15	25	35
<b>Notes:</b>					
(1) Required yard setbacks may be utilized for transition zone landscape.					
(2) Fence or wall requirements may be satisfied by a solid evergreen hedge with a maximum height of six (6) feet, as approved by the Zoning Administrator.					

**Commented [TP16]:** Note (2) - Arborvitae is a specific species of evergreen so technically redundant

[INSERT TRANSITION ZONE TYPE GRAPHICS]

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**G. Species Diversity Requirements.** The following species diversity requirements shall be required for all developments, unless otherwise approved by the **Zoning Administrator** in conjunction with approval of vegetated stormwater management areas. As used herein, native vegetation is defined as plants identified as native to northeastern Illinois in commonly accepted references including "Flora of the Chicago Region" by Gerould Wilhelm and Laura Rericha (2017), the USDA Natural Resources Conservation Service PLANTS Database, or other reference acceptable to the Zoning Administrator.

1. As used herein, native vegetation is defined as plants identified as native to northeastern Illinois in commonly accepted references including "Flora of the Chicago Region" by Gerould Wilhelm and Laura Rericha (2017), the USDA Natural Resources Conservation Service PLANTS Database, or other reference acceptable to the Zoning Administrator. A minimum of fifty (50) percent of the plants, excluding turf grass used on a parcel that is less than one-half (0.5) acre shall be drought tolerant native species.
2. A minimum of sixty (60) percent of the plants, excluding turf grass used on a parcel that is between one-half (0.5) and five (5) acres shall be drought tolerant native species. Total landscape elements, excluding turf, shall not be comprised of more than thirty (30) percent of any single species or fifty (50) percent of any genus.
- 4.3. A minimum of seventy-five (75) percent of the plants, excluding turf grass used on a parcel that is greater than five (5) acres shall be drought tolerant native species. Total landscape elements, excluding turf, shall not be comprised of more than twenty (20) percent of any single species or twenty-five (25) percent of any genus.

**B-H. Tree Preservation and Removal.** No live tree(s) with a four (4) inch diameter at breast height may be removed without first applying for tree removal and receiving approval from the City as specified in Section ###.

1. **Tree preservation and removal guidelines.** Every reasonable effort shall be made to retain existing trees shown in the tree survey through the integration of those trees into the site and landscape plan for a proposed development.
  - a. Critical areas such as floodplains, steep slopes, and wetlands, should be left in their natural condition or only partially cleared.
  - b. Roadways, storage areas, and parking lots should be located away from valuable tree stands.
  - c. Cutting and filling in the vicinity of valuable trees should be minimal.
  - d. If more than one-third of the tree's root system is to be affected by construction, the tree should be part of the removal plan and replaced with the appropriate number of trees.
2. **Tree Replacement Standards.**
  - a. Any tree approved for removal shall be replaced with new trees in accordance with the following schedule:

Table 10-5-3(H)(2)(a) Tree Replacement Standards	
Caliper (Inches) of tree to be removed	Number of Replacement Trees
30 or greater	6
13-29	5
8-12	4
4-7	2

- b. In the event that a tree identified to be preserved is removed or damaged, such tree shall be replaced as follows:

**Commented [TP17]:** Suggest adding a definition of the term 'native' as it relates to plants. There can be a lot of controversy. For example, native could be interpreted as native to the continental US and thereby include palm trees and cacti. Need to decide whether cultivars (cultivated varieties) of native plants are acceptable. Might be too limiting to exclude them.

**Commented [RS18R17]:** Add definition for natives. Reference hardiness zone.

**Commented [TP19]:** Suggest adding a definition of the term 'native' as it relates to plants. There can be a lot of controversy. For example, native could be interpreted as native to the continental US and thereby include palm trees and cacti. Need to decide whether cultivars (cultivated varieties) of native plants are acceptable. Might be too limiting to exclude them.

**Commented [RS20R19]:** Add definition for natives. Reference hardiness zone.

**Commented [TP21]:** Not sure if this means 50% of the total quantity of plants or 50% of the specified species. Suggest clarifying so that it means 50% of the total quantity of all plants, excluding turf grass, utilized on a parcel. Could be of each planting type but that can get really complicated.

**Commented [TP22]:** See above comment. Suggest clarifying so that it means 60% of the total quantity of all plants.

**Commented [TP23]:** See above. Suggest clarifying so that it means 75% of the total quantity of all plants.

**Commented [TP24]:** Suggest adding that a tree survey be required for all developments. Tree survey to include location, species (botanic and common name), and diameter at breast height (DBH) of all trees 4" DBH and larger. Survey should indicate which trees are proposed to be removed and which are to be preserved. Require tree mitigation (i.e., replacement of trees removed for development)?

**Commented [RS25]:** Existing language from 8-12-2(H)(1)(b)(i) and (2)

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Table 10-5-3(H)(2)(a) Tree Replacement Standards	
Caliper (Inches) of tree to be removed	Number of Replacement Trees
30 or greater	12
13-29	10
8-12	8
4-7	4

- c. All replacement trees shall have a minimum caliper of two and one-half (2 ½) inches and shall consist of canopy and understory trees as deemed appropriate by Zoning Administrator.
  - d. If the tree(s) approved for removal is (are) dead from natural causes prior to the date of the tree removal permit, then no replacement tree(s) are required for them.
3. **Preservation of Existing Trees.** Preservation of existing high-quality trees within a new development or redevelopment site is highly encouraged. Preserved trees may fulfill a portion of the landscape requirements established in this section. Should the applicant propose to maintain existing high-quality trees to count toward satisfying certain landscape requirements of this title, the Zoning Administrator may, upon receipt of a tree preservation plan, waive certain landscape requirements if mature, high-quality trees on a lot are proposed to be preserved. If, upon inspection at the conclusion of the project, trees identified for preservation have been removed, damaged, or are otherwise in declining condition, all waived required landscape shall be installed.

**I. Installation and Maintenance of Landscape Areas.**

1. Immediately upon planting, all landscape shall conform to the American Standard for Nurserymen, published by the American Association of Nurserymen, Inc., as revised from time to time.
2. A development securities agreement as specified in **Section 7-##-###** shall be executed by the applicant for all required landscape improvements. Such agreement shall be executed prior to the issuance of any building permit. The security for landscaping improvements shall remain in place or be held by the City for a period of eighteen (18) months from the date of the last planting of the landscaping. At end of the eighteen (18) months, a letter of credit shall terminate, or any case held in escrow shall be returned to the applicant.
3. Dead plant materials shall be replaced within sixty (60) days upon notification from the City, taking into consideration the season of the year, and shall have at least the same quantity and quality of landscape elements as initially approved. If the particular project is constructed in more than one (1) phase, the sixty (60) day timeframe shall apply to each individual phase.
4. All landscape shall be maintained in a healthy, clean, and weed-free condition. The ground surface of landscape areas shall be covered with either turf and/or other types of pervious groundcover or mulch.

**10-5-4. Screening**

**A. Used ~~frying oil~~grease Traps, Trash, and Recycling Receptacles.** The following regulations shall apply to all nonresidential, mixed use, and multifamily ~~non-single-family~~ development.

1. Used ~~frying oil~~grease traps, trash, and recycling receptacles shall be screened on three (3) sides with a solid, opaque material with a minimum height of six (6) feet and a maximum height of eight (8) feet.
2. Materials used for screening shall complement the exterior building cladding materials of the primary building.
3. Materials and elevations for enclosures that are attached to buildings shall be designed to be integrated into the primary building.
4. If enclosures are to be attached to buildings, they shall comply with applicable fire and building codes.
5. Shrubs shall be installed every three (3) feet along the exterior of the enclosure, with the exception of enclosure openings, to provide a softening effect.
6. Enclosure openings shall be gated with an opaque material.
7. Enclosure openings shall be kept closed at all times except for when the receptacle is being accessed.
8. Property owners shall be responsible for ensuring that used ~~frying oil~~grease traps, trash, and recycling receptacles be placed in the enclosure at all times other than when it is being accessed.
9. Access drives shall be constructed of materials and to a thickness which accommodates truck loading. Year-round access to the enclosure area for service trucks shall be maintained by the property owner or tenant.
10. Enclosures shall be of an adequate size to accommodate expected containers. The enclosure shall be designed to be expandable to accommodate future additional containers.
11. Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may be provided by the use of barrier curbing, reinforced masonry walls, or other similar means.
12. Used ~~frying oil~~grease traps, trash, and recycling receptacle enclosures shall not occupy areas used for required parking spaces.

**Commented [JW26]:** Existing language from 10-17-3 proposed to be replaced

[INSERT GRAPHIC]



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**B. Ground/Wall Mounted Mechanical Units.** The following regulations shall apply to all ground/wall-mounted mechanical units, including but not limited to generators, air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment. Tanks and / or silos accessory to a brewery, winery, and/or distillery are exempt from these requirements.

1. Locating mechanical units within the primary building is strongly encouraged in order to minimize exterior visual impacts. Ground mounted mechanical units are prohibited within the front yard, regardless of whether screening is provided.
2. Ground/wall mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be screened from public view.
3. Materials used for screening shall be designed and established so that the area or element being screened is no more than twenty (20) percent visible through the screen. Evergreen hedges or non-transparent walls such as stone masonry shall be allowed.
4. Chain-link fence or slats in chain-link fence shall not be used to meet this requirement.

**Commented [TP27]:** Can landscape (e.g., evergreen hedge) be used to meet this requirement?

**Commented [RS28R27]:** Allow for evergreen hedge.

[INSERT GRAPHIC]

**C. Roof Mounted Mechanical Units.** The following regulations shall apply to all roof mounted mechanical units, including but not limited to air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment which service multifamily, non-residential, or mixed use developments.

1. Locating mechanical units within the primary building is strongly encouraged in order to minimize exterior visual impacts.
  2. Roof mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be completely screened from public view.
  3. Materials used for screening shall be architecturally integrated with the building and shall be continuous and permanent.
  4. Screening shall be required when new equipment is installed and shall be provided around both new and existing roof mounted mechanical units in order to provide visual continuity. Normal maintenance of roof mounted mechanical units shall not mandate the screening requirements.
- 2-5. Additional screening may be required due to topographic differences in the adjoining properties.

[INSERT GRAPHIC]

### 10-5-5. Fences

**Commented [JW29]:** Existing language from 10-17-2

#### A. Regulations for All Zoning Districts.

1. Fences ~~of more than~~ thirty-six (36) inches ~~or more~~ (36") in height require a building permit.
2. All fences must be erected so that the finished side of the fence faces outward or away from the lot on which the fence is erected.
3. No more than two (2) different types of fencing material are permitted per ~~fence~~ lot.
4. **Materials.** The materials listed below are acceptable for a fence in any district. These materials are an example of acceptable fencing. The ~~Community Development Director~~ Zoning Administrator has the right to approve similar materials not listed as long as they are consistent with the surrounding land use.
  - a. Stone.

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- b. Brick.
- c. Natural rot resistant wood (cedar, cyprus, redwood).
- d. Cast or wrought iron.
- e. Plastic.
- f. Aluminum.
- g. Composite wood and plastic.
- h. Vinyl coated chainlink (rear and side yard only).

### B. Placement.

1. Fences may be built up to the property line, but shall not extend beyond the front plane of the primary structure-building facade in residential and business districts, and must be located entirely on the property of the owner constructing it.
- 4-2. Fences may be constructed within an easement, though future work within the easement may result in the removal of the fence. Fences are not allowed in some types of restricted easements, such as those dedicated for landscape, sidewalks, trails, access or where otherwise limited by an easement document.
- 2-3. The property owner is responsible for locating property lines, prior to the installation of the fence.
- 3-4. Fences, walls, or hedges shall not encroach on any public right-of-way.
- 4-5. It shall be the responsibility of the property owner to ensure that a fence does not block or obstruct the flow of stormwater.
- 5-6. No All solid fences, walls, hedges, or shrubberies which exceeds three (3) feet (3') above the street grade shall be permitted within the sight distance triangle formed at the intersection of any two (2) street right-of-way lines comply with the vision clearance standards of section 10-5-6 of this title.
6. The intersection of any street right-of-way lines with any service entrance drive (both sides of such drive), by a line drawn between such right-of-way lines, and/or such right-of-way line and service entrance drive line, at a distance along such line of twenty-five (25) feet (25') from the point of intersection thereof.

### C. Maintenance.

1. It shall be the responsibility of the owner and/or occupant of the property where a fence is erected to maintain the fence in good repair at all times.
2. Missing boards, pickets or posts shall be replaced with material of the same type and quality.
3. Fences shall be maintained in an upright condition.

### D. Prohibited Fences.

1. Fences or enclosures charged with or designed to be charged with electrical current are prohibited except for electric dog fences.
2. Any fence made of, in whole or in part, cloth, canvas or other like material is prohibited.
3. No fence shall be constructed of used or discarded materials in disrepair, including, but not limited to, pallets, tree trunks, trash, tires, junk, or other similar items as determined by the Zoning Administrator.

### ~~E. Regulations For Residential Districts.~~

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**F.E. Height.** Except as otherwise permitted in this title, annexation agreements, planned unit developments or any other development related agreements or ordinances, fences shall not exceed the maximum height as listed in **Table 10-5-5(E)** of this section.

Table 10-5-5(E) Fence Height Standards				
District/Use	Maximum Height per Yard			
	Front Yard	Corner Side Yard	Interior Side Yard	Rear Yard
Residential Districts	3 feet <sup>1</sup>	4 feet <sup>2</sup>	6 feet <sup>3</sup>	6 feet <sup>3</sup>
Business Districts	3 feet <sup>1</sup>	4 feet <sup>2</sup>	6 feet <sup>3</sup>	6 feet <sup>3</sup>
Manufacturing District	8 feet	8 feet	8 feet	8 feet
Public Uses and Utilities	8 feet	8 feet	8 feet	8 feet
<b>Notes:</b>				
1. Fence may be a maximum of four (4) feet in height if opacity does not exceed fifty (50) percent.				
2. Fence may be a maximum of six (6) feet in height if located a minimum of ten (10) feet from the property line and if the area between the fence and property line is planted with one (1) shrub or native grass every five (5) feet of fence length.				
3. Fence may be a maximum of eight (8) feet in height if in a residential district and adjacent to a nonresidential use or in a business district and adjacent to a residential use.				

~~1. **Materials.** The following materials are acceptable for any residential district fence.~~

- ~~a. Stone;~~
- ~~b. Brick;~~
- ~~c. Natural rot resistant wood (cedar, cyprus, redwood);~~
- ~~d. Cast or wrought iron;~~
- ~~e. Plastic;~~
- ~~f. Aluminum;~~
- ~~g. Composite wood and plastic;~~
- ~~h. Vinyl-coated chainlink (rear and side yard only).~~

~~**Similar Materials.** These materials are an example of acceptable fencing. The Community Development Director has the right to approve similar materials not listed as long as they are consistent with the surrounding land use.~~

**G. Regulations For Business Districts.**

~~1. **Height.** Except as otherwise permitted in this title, annexation agreements, planned unit developments or any other development related agreements or ordinances, fences shall not exceed the maximum height as listed in **Table 10.17.02** of this section.~~

~~2. **Materials.** The following materials are acceptable for any business district fence.~~

- ~~a. Stone;~~
- ~~b. Brick;~~

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- c. ~~Natural rot resistant wood (cedar, cyprus, redwood);~~
- d. ~~Cast or wrought iron;~~
- e. ~~Plastic;~~
- f. ~~Aluminum;~~
- g. ~~Composite wood and plastic;~~
- h. ~~Vinyl coated chainlink (rear and side yard only);~~
- i. ~~**Similar Materials.** These materials are an example of acceptable fencing. The Community Development Director has the right to approve similar materials not listed as long as they are consistent with the surrounding land use.~~

~~H. Regulations For Industrial Manufacturing Districts~~

- 1. ~~**Height.** Except as otherwise permitted in this title, annexation agreements, planned unit developments or any other development related agreements or ordinances, fences shall not exceed the maximum height as listed in **Table 10-17.03** of this section.~~
- 2. ~~**Materials.** The following materials are acceptable for any manufacturing industrial district fence.~~
  - a. ~~Stone;~~
  - b. ~~Brick;~~
  - c. ~~Finished wood;~~
  - d. ~~Cast or wrought iron;~~
  - e. ~~Barbed wire (starting at a minimum elevation of six (6) feet above grade);~~
  - f. ~~Plastic;~~
  - g. ~~Aluminum;~~
  - h. ~~Composite wood and plastic;~~
  - i. ~~Chainlink;~~
  - j. ~~**Similar Materials.** These materials are an example of acceptable fencing. The Community Development Director has the right to approve similar materials not listed as long as they are consistent with the surrounding land use.~~

~~I. Regulations For Public Uses and Utilities.~~

- 1. ~~**Height.** Except as otherwise permitted in this title, annexation agreements, planned unit developments or any other development related agreements or ordinances, fences shall not exceed the maximum height as listed in **Table 10-17.04** of this section.~~
- 2. ~~**Materials.** The following materials are acceptable for any utility fence.~~
  - a. ~~Stone;~~
  - b. ~~Brick;~~
  - c. ~~Finished wood;~~
  - d. ~~Cast or wrought iron;~~

- e. ~~Barbed wire (starting at a minimum elevation of 6 feet above grade);~~
- f. ~~Plastic;~~
- g. ~~Aluminum;~~
- h. ~~Composite wood and plastic;~~
- i. ~~Chainlink.~~
- j. ~~**Similar Materials.** These materials are an example of acceptable fencing. The Community Development Director has the right to approve similar materials not listed as long as they are consistent with the surrounding land use.~~

### 10-5-6. Vision Clearance

Clear sight distance shall be required at the intersection of a driveway and any right-of-way or at the intersection of two (2) or more streets. No building or structure shall be permitted that creates a visual obstruction taller than three (3) feet in the area measured extending twenty (20) feet from the center of the intersection of the driveway and street, or from the center of the intersection of two (2) or more streets.

[INSERT GRAPHIC]

### 10-5-7. Outdoor Lighting

- A. **Fixture Classification.** All outdoor lighting fixtures, with the exception of wall mounted accent lighting and outdoor lighting in the A-1 District, shall either have a fixture cutoff classification of "Full Cutoff" or be fully shielded, unless otherwise expressly permitted in this UDO.
- B. **LED Fixtures.** All outdoor lighting shall utilizing a light-emitting diode (LED) fixture where possible meeting the following standards:
  - 1. **Color Rendering.** Outdoor LED fixtures shall be rated a minimum Color Rendering Index (CRI) value of seventy (70) or higher.
  - 2. **Color Temperature.** Outdoor LED fixtures shall have a correlated color temperature between four thousand (4,000) and five thousand (5,000) degrees Kelvin.
- C. **Pole Mounted Outdoor Lighting.**
  - 1. **Pole Placement.** Pole-mounted outdoor lighting shall be located outside of utility easements, designed in coordination with required landscape zones [\(Section 10-5-3\).](#)
  - 2. **Maximum Pole Height.** Pole-mounted fixtures shall be mounted at heights no greater than twenty (20) feet above grade.
- D. **Wall Mounted Accent Lighting.** Wall mounted accent lighting shall be integrated with the architectural character of the building and shall use low-luminosity lamps, with two thousand (2,000) source lumens or less. The illumination on any vertical surface shall not exceed one-half (0.5) maintained foot candle and shall not spill over roof lines or building edges.
- E. **Maximum Light Level at Property Line.** All outdoor lighting fixtures shall be designed and located so that the maximum light level shall be zero (0) maintained foot candles at any property line.
- F. **Fixtures.** All outdoor lighting must employ full cut-off or fully shielded fixtures.
- G. **Light Level Measurement.**
  - 1. **Location.** Light level measurements shall be made at the property line of the property upon which the light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements

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may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or at any other location on the property of the complainant. Measurements shall be made at finished grade (ground level), with the sensor in the horizontal position and not mounted more than six (6) inches above ground level, and with the light-registering portion of the meter held parallel to the ground and pointing upward.

2. **Light Meter Specifications.** Light levels shall be measured in foot candles with a direct-reading portable light meter. The meter shall:

- a. Have cosine and color correction.
- b. Have an accuracy tolerance of no greater than plus or minus five (5) percent, and
- c. Have been calibrated within the last two (2) years.

H. **Automatic Lighting Controls.** All outdoor lighting on non-residential lots must be controlled by a photo sensor, occupancy sensor, or timer to automatically reduce outdoor lighting when sufficient daylight is available, and to automatically extinguish lights no more than one hour following the close of business, excluding security lighting.

A-I. **Photometric Plan.** A photometric plan as specified in Section XX shall be required.

**Table 10-5-1(H)(1) Minimum Parking Requirements**

Use	Minimum Parking Requirement, less than	Minimum Parking Requirement, 8,000 sq ft or
<b>Agricultural Uses</b>		
Agricultural uses		
Apiaries	n/a	
Campground	1/campsite	
Commercial feeding of fish, poultry, livestock production		
Farming		
Forestation		
Grain elevators and storage	n/a	
Nursery/greenhouses	1/1,000 sqft	
Recreational camp - private	1/campsite	
Riding academies with stables	1/employee and 1/2 students at maximum capacity	
Roadside stand		
Stables or paddocks	n/a	
<b>Residential Uses</b>		
Dwelling, duplex		
Dwelling, multi-unit		
Dwelling, single-unit		
Dwelling, secondary		
Dwelling, townhouse	1/unit	
Senior housing, dependent	0.25/unit	
Senior housing, independent	0.5/unit	
<b>Lodging Uses</b>		
Bed and breakfast inn		
Hotel		
Motel		
Short-term rental	1/lodging unit	
<b>Commercial Retail Uses</b>		
Adult uses		
Building material sales		
Liquor store		
Pawnbrokers/pawnshops		
Retail store, general - less than one (1) acre		
Retail store, general greater than one (1) acre	3/1,000 sqft	
<b>Commercial Service Uses</b>		
Adult daycare facility		
Animal hospital		
Art galleries/art studio		
Auction house		
Bank		
Commercial laboratory		
Commercial/trade school		
Daycare facility and preschools		
Dry cleaning establishment		
Funeral home/mortuary		
Health and fitness club/center		
Indoor shooting gallery/range		

Kennel, commercial or private dog kennels		
Massage establishment		
Off track betting (OTB) establishments		
Post office/retail mail or package service	3/1,000 sqft	
Professional services/offices	2/1,000 sqft	
Public storage facilities/mini warehouse storage	1/45 storage units and 1/employee of largest shift	
Radio and television studios		
Tattoo and body piercing establishment		
Veterinary clinic	3/1,000 sqft	
<i>Commercial Entertainment Uses</i>		
Amphitheater		
Amusement park		
Commercial entertainment, indoor		
Commercial entertainment, outdoor		
Community / Recreation center		
Golf course, miniature		
Golf course		
Golf driving range		
Indoor Event/Recreation Conversion		
Outdoor music venues		
Skating rink		
Stadium		
Swimming pool - indoor		
Theater	1/2 persons at maximum capacity	
<i>Eating and Drinking Uses</i>		
Brewery/Winery/Distillery tasting room		
Microbrewery/brewpub, microdistillery and microwinery		
Restaurant		
Tavern - nightclub or lounge	3/1,000 sqft	
<i>Medical Uses</i>		
Hospital		
Medical clinic / office		
Treatment center	1/bed plus 1/employee of largest shift	
<i>Vehicle Related Uses</i>		
Automobile parts/accessories sales		
Automobile rental	1/1,000 sqft	
Automobile repair	1/service bay and 1/employee of largest shift	
Automobile sales and service/open sales lot		
Boat sales and rental		
Boat storage	1/1,000 sqft	
Car wash without mechanical repair	1/car wash bay and 1/employee of largest shift	
Gasoline service station	1/gas pump and 1/employee of largest shift	
Heavy machinery and equipment rental		
Recreational vehicle sales and service	1/1,000 sqft	
Semi-truck repair	1/service bay and 1/employee of largest shift	



Truck and trailer rental	1/1,000 sqft	
Truck, truck-tractor, truck trailer, car trailer or bus storage yard - not include motor freight terminal	n/a	
<b>Industrial Uses</b>		
Aggregate materials extraction, processing and site reclamation (stone and gravel quarries)	0.5/1,000 sqft if building less than or equal to 150,000 sqft, 0.3/1,000 sqft if building is greater than 150,000 sqft	
Assembly, production, manufacturing, testing, repairing, or processing		
Bakery (wholesale - retail component special use)		
Blacksmith or welding shop		
Brewery/winery/distillery		
Contractor facilities with outdoor storage		
Contractor offices		
Data Center		
Dry cleaning plant		
Manufacturer of firearms and ammunition		
Milk processing and distribution		
Newspaper publishing		
Research laboratories		
Wholesaling and warehousing - local cartage express facilities - not including motor freight terminal		
<b>Transportation Uses</b>		
Airport	City to send number	
Bus or truck garage or streetcar house		
Bus or truck storage yard		
Motor freight terminals		
Railroad passenger station		
Railroad repair shops, maintenance buildings and switching yards		
<b>Alternative Energy Uses</b>		
Solar farm	max of 2	
Building mounted solar energy systems	n/a	
Freestanding solar energy systems - accessory use		
Freestanding solar energy systems - principal use	max of 2	
Wind farm		
Building mounted wind energy system	n/a	
Freestanding wind energy system - accessory use		
Freestanding wind energy system - principal use	max of 2	
<b>Medical and Adult Cannabis Uses</b>		
Cannabis Craft Grower	n/a	
Cannabis Cultivation Center	1/1,000 sq ft	
Cannabis Dispensing Organization	3/1,000 sq ft	
Cannabis Infuser Organization	ng is greater than 150,000 sqft	
Cannabis Processing Organization		
Cannabis Transporting Organization		
<b>Institutional, Public, and Utility Uses</b>		
Cemetery	City to send number	
College, university or junior college	0.25/student and 1/staff	
Communications use		
Electric substation		
Filtration plant		
Fire station		

Library	as determined by parking demand study	
Other public utility facilities		
Parks		
Place of worship/assembly	1/6 seats	
Playground	City to send number	
Police station		
Public utility - electric substations and distribution centers, gas regulation centers and underground gas holder stations		
Radio and television towers - commercial		
Sanitary landfill		
School, public or private	in classroom for elementary and junior high schools, 0,25/student and 1/staff for	
Sewage treatment plant	City to send number	
Solid waste disposal site		
Utility company maintenance yard		
Utility service yard or garage		



## MEMORANDUM

**Date:** November 23, 2021

*SENT VIA EMAIL*

**To:** Krysti Barksdale-Noble, AICP  
Community Development Director  
United City of Yorkville, IL

**From:** Houseal Lavigne Associates  
Nik Davis, AICP  
Jackie Wells, AICP  
Ruben Shell, Planner

**Re: Tree Preservation Requirements in Jenks and Oak Creek  
Unified Development Ordinance Update**

The purpose of this memorandum is to portray the tree preservation requirements used in the updated Unified Development Ordinances in Jenks, Oklahoma, and Oak Creek, Wisconsin.

### Jenks UDO Section 16-6-3 Landscape

Landscape improvements required by this Section shall apply to all non-single-family development and consist of living plants in a combination of trees, shrubs, native grasses and/or groundcover. Unless otherwise stated in this Section, all size specifications for plant materials shall be based upon the time of planting. When caliper is specified for tree planting, the caliper of the tree trunk shall be measured at six (6) inches above the soil level. Any plant materials used to meet the requirements of this Section shall not include any plant material identified as a Regulated Invasive Plant by the Oklahoma Department of Agriculture, Food, and Forestry.

### Oak Creek, Wisconsin - Sec. 17.0505. Landscape

**(a) Tree Preservation.**

- (1) Existing viable trees of twelve (12) inches or greater DBH shall not be removed from lots within the City without a tree preservation and removal plan prepared by a certified landscape architect and approved by the Community Development Director or their designee. DBH is diameter at breast height measured at four and a half (4.5) feet off the ground or grade level.
- (2) The tree preservation and removal plan shall include an inventory of all trees of twelve (12) inches or greater DBH on a lot.
- (3) Every reasonable effort shall be made to incorporate trees identified in the inventory into the landscape required for the proposed development. The Community Development Director or their designee must determine that one of the following criteria apply prior to granting approval to remove a mature, high quality tree:
  - a. The tree is dead, dying, diseased, or a threat to public health or safety;

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- b. The tree interferes with the provision of public services or is a hazard to traffic;
  - c. The location of the tree prevents development or redevelopment that cannot be designed to protect the tree.
  - d. The tree is an identified invasive species.
- (4) Viable trees of twelve (12) inches or greater DBH to be removed shall be replaced in accordance with the following standards.
- a. The tree to be removed shall be replaced within one (1) year of the date of approval and guaranteed as detailed in Section 17.0504(e).
  - b. Any tree designated for removal on an approved tree preservation and removal plan shall be replaced at the rate specified in Table 17.0504(d)(4). Replacement trees shall not be considered as satisfying the landscape requirements of this Section.
  - c. In the event that a tree designated for preservation is destroyed, damaged, or removed during the construction process, such tree shall be replaced at three (3) times the applicable rate specified in Table 17.0504(d)(4).
  - d. The value of a tree shall be determined by the Community Development Director or their designee in accordance with the methods developed by the Council of Tree and Landscape Appraisers in the most recent Guide for Plant Appraisal.

<b>Table 17.0505(d)(4): Tree Replacement Rate</b>	
<b>Caliper of Tree to be Removed</b>	<b>Number of Replacement Trees Required</b>
<i>12-29 Inches</i>	3
<i>30 Inches or Greater</i>	4

# **UNIFIED DEVELOPMENT ORDINANCE**

## **CHAPTER 5**

Advisory Committee Meeting  
December 9, 2021

# **AGENDA**

- Review Major Topics from Chapter 5: Development Standards
- Next Steps Chapter 6: Signs Review
- Set Up Next Meeting Date

# **CHAPTER 5: DEVELOPMENT STANDARDS**

- Off-Street Parking and Loading
- Driveways
- Landscape
- Screening
- Fences
- Vision Clearance
- Outdoor Lighting



# Off-Street Parking and Loading

Table 10-5-1(D)(1) Standard Parking Stall and Aisle Dimensional Requirements						
Parking Angle (degrees)	Figure Reference					
	A	B	C	D	E	F
	Space Width	Space Depth	Aisle Width (2-Way)	Aisle Width (1-Way)	Depth of Interlocking Spaces	Overhang
0	8'	22'	18'	12'	n/a	n/a
45	8.5'	17'	18'	12'	28.25'	1.5'
60	8.5'	18'	18'	16'	32'	1.5'
90	9'	18'	24'	24'	36'	2'

Slightly reduced sizes in the angled parking section to reduce impervious surface

Perpendicular kept the same as existing regulations

- Addition of Compact Space Dimensions
- Additional Cross Access Language
- Added Maximum Parking Requirements for Nonresidential Developments
- Required Parking Reduction Table
- Pedestrian Circulation Standards



# Off-Street Parking and Loading

## Big Picture Questions:

1. Table 10-5-1(H) Thoughts on potentially adding different requirements for smaller/larger developments.

Certain sections need refinement (highlighted). Should discretion be given to the Zoning Administrator?

2. The required size and number of berths has been removed and will be dictated by private developments. Do you agree with this removal?

# Driveways

- More detailed language on driveways
- Added parking pad regulations
- Multiunit and Nonresidential Driveway Standards

## Big Picture Questions:

1. Should we permit Ribbon driveways?
2. Currently, the City does not permit parking in the required side yard. The parking pad regulations will allow this in the future. Do you agree with this addition?

# Landscape

- Complete overhaul and update of existing regulations
- Planting types, landscaping zones, foundation plantings, parking areas, transition zones
- Diversity requirements
- Tree preservation
- Maintenance and Removal

## Big Picture Questions:

1. Do you agree with the requirements of foundation landscaping? Is it too much or not enough?
2. Do you believe the parking island and end cap requirements are reasonable?
3. Is the transition zone table clear?
4. The current tree preservation ordinance is extensive. There is a slimmed down version in the draft ordinance. HL also provided examples of other communities. What are your thoughts on tree preservation regulations?



# Screening and Fences

## Screening

- Additional regulations for screening on trash receptacles
- Mechanical unit screening regulations

## Fencing

- Condensed fencing regulations for all districts

## Big Picture Questions:

1. The condensing of fencing regulations makes a more streamlined ordinance but it removed galvanized chain link from the manufacturing district. Should we remove or keep galvanized chain link from the permitted materials in the manufacturing districts?

# **Outdoor Lighting**

- Updated regulations which include LED requirements
- Kept 0 foot-candle regulation at property line
- Still require a photometric plan

## **Next Steps**

Next meeting will cover Chapter 6: Signs

Aiming for a potential January meeting. What days are best?