

MINUTES OF THE JOINT MEETING OF THE MAYOR AND BOARD OF TRUSTEES AND PLAN COMMISSION OF THE VILLAGE OF WILLOWBROOK TO BE HELD ON MONDAY, JANUARY 17, 2022, AT 6:30 P.M. AT THE WILLOWBROOK POLICE DEPARTMENT TRAINING ROOM, 7760 QUINCY STREET, WILLOWBROOK, DUPAGE COUNTY, ILLINOIS.

DUE TO THE COVID 19 PANDEMIC, THE VILLAGE WILL BE UTILIZING A ZOOM CONFERENCE CALL FOR THIS MEETING.

1. CALL TO ORDER

The meeting was called to order at 6:37 p.m. by Mayor Frank Trilla.

2. ROLL CALL

Those physically present at roll call were Village Clerk Deborah Hahn, Village Trustees Mark Astrella, Sue Berglund, Umberto Davi, Michael Mistele, Gayle Neal, and Greg Ruffolo, Village Administrator Brian Pabst and Assistant Village Administrator Sean Halloran.

Members of the Plan Commission physically present: Chairman Daniel Kopp, Vice-Chairman John Wagner and Commissioners Zoltan Baksay, Cathy Kaczmarek, Leonard Kaucky, Ron Kanaverskis and Mike Walec.

Also present were Reuben Shell, Planner and Jackie Wells, Project Manager, from Houseal Lavigne.

Present via conference call, due to the COVID-19 pandemic, was Mayor Frank A. Trilla.

Absent: None.

A QUORUM WAS DECLARED

3. MOTION - Motion to Allow Mayor Trilla to attend the meeting remotely.

Trustee Neal asked the Board to allow Mayor Trilla to attend the meeting remotely.

MOTION: Made by Trustee Davi and seconded by Trustee Astrella to allow Mayor Trilla to attend the meeting remotely.

ROLL CALL VOTE: AYES: Trustees Astrella, Berglund, Davi, Mistele, Neal and Ruffolo. NAYS: None. ABSENT: None.

MOTION DECLARED CARRIED

4. VISITOR'S BUSINESS

None presented and no written comments were received.

5. DISCUSSION - Zoning Code Update

Assistance Administrator Halloran introduced the topic and provided a recap of the progress to date and reminded everyone that this is just the beginning of the process and is asking for feedback and direction from the Trustees and Commissioners. He then turned the floor over to Mr. Shell and Ms. Wells from Houseal Lavigne.

Ms. Wells indicated that tonight would cover the existing community review, preliminary recommendations, existing zoning code conditions, as well as the preliminary recommendations of Houseal Lavigne. In reviewing the evening's agenda, she provided an introduction to herself and Mr. Shell and the rest of the project team at Houseal Lavigne.

Ms. Wells indicated that the project is in step three of the six step process, right there in the middle of our process. The bulk of the work will happen in the next step. After receiving the feedback this evening, the project will move into step four, actual writing of zoning code which will be delivered to the Trustees and Commissioners to again provide feedback to continue refining the code. After that step five, where everything is put together a draft of the final code. After again reviewing, discussing, and refining, step six is the drafting of the final code. So again, many more opportunities for feedback and review.

The proposed structure of the zoning ordinance includes, 11 chapters, beginning with the most general information on the zoning ordinance, and chapter one establishing the zoning districts and district standards. The presentation will go through the code chapter by chapter with Houseal Lavigne's recommendations for how to update each.

Chapter one, the general provision, has the responsibility defining of the zoning ordinance. No major changes are recommended here as currently both Title 9 and Title 10 include this language. It is recommended though that that information be combined as both Titles will be combined in the new unified development ordinance.

Chapter two establishes of the various zoning districts, the UDL/UDO relationship with the zoning maps, and the district purpose and intent statements. Houseal Lavigne recommends that the purpose and intent statements be updated to be a little more descriptive as to the type of development expected or desired; to include the density or range or development intensity depending on whether it is residential or non-

residential development, what the predominant land use is, and any distinguishing features.

The proposal is to realign the districts first and foremost to minimize non-conformities and encouraging investment in existing properties drivers. That's the primary driver to making the proposed changes to the residential districts.

In the primarily non-residential districts, add more focus on form and external impact rather than on use. Currently the existing districts are focusing on specific use types only and ignoring the development pattern seen in that area. The district will be streamlined to ensure that it provides the appearance of development rather than just the specific uses desired.

As you can see on the proposed [zoning] map, a lot of the streamlining is happening especially in the non-residential district along the highway and in the blue and purple office and industrial areas. In all 274 parcels were rezoned.

In district R-1, single family residence district the changes are proposed because of the nonconformities analysis performed by Houseal Lavigne.

In the R-2 zone, some of the parcels that are currently zoned R-1 are proposed to be rezoned to R-2. There are 15 parcels in the very northern portion of the community that are proposed to go from R-1 to R-3 zoning.

Zone B is the community shopping district. The proposal is that the Village consolidate nonresidential into a new B community shopping district. One of the benefits of rezoning to the B district is to streamline standards. All Zone B properties would need to meet the same standards and have very consistent developments in terms of appearance and as well as, landscaping, parking, and signage, etc. This would provide a more consistent appearance along those two corridors; encouraging desirable reinvestments.

If there are certain types of uses desired, certain types of developments, it is better with one district rather than dispersing those efforts amongst several zoning districts and allows for better regulation for specific uses.

Also proposed is the establishment of an institutional district, based on federal legislation called the Religious Land Use and Institutionalized

Persons Act (RLUIPA), disallowing discrimination against non-commercial uses of assembly or uses of portrait. With the proposed change, the Village makes it clear that these types of uses are welcome in residential districts and in the new institutional district but allows the Village to disallow those uses in the B business district and in other areas where it interferes with sales tax generating uses.

The proposal in the LOR district, Limited office Research, is that the LOR (Limited Office Research) or OP (Office Research) zones be rezoned to better define the office research district.

In the M-1, Light Manufacturing district, as in the LOR district, the proposal is that the office research zones contained within be rezoned to M-1, so that the full area would be M-1 Light Manufacturing.

Ms. Wells paused to call for questions.

The point was raised if the motivation behind the rezoning was because the current map was so scattered and disjointed.

Ms. Wells responded yes. The focus of the rezoning project is to figure out what appearance is wanted for future developments and then regulate within the same district to streamline things. This eliminates requests to property zoning if a change is desired from a retail use in a current office building or other changes within a district.

Vice Chairman Wagner asked to address residential zones R-1 through R-3 and wondered why the R-2 and R-3 zoning of properties within the same subdivisions, such as Waterford, were being rezoned.

Ms. Wells indicated that they were not being changed. In comparing the current and proposed maps, she indicated that no proposals were being made for any rezoning that wasn't considered critical. Ideally, all of the homes would be zoned R-2, but as they are currently zoned R-3, they are not nonconforming. The proposal is that they stay as they are so that there is not an excessive rezoning process.

Vice Chairman Wagner didn't understand why they would be different within the same subdivision and recommended that the zoning along Madison within the Waterford subdivision be consistent. Vice Chairman Wagner and Trustee Neal indicated several areas where inconsistencies existed with one or

two properties being zoned differently from their neighbors within the same subdivision, e.g. Waterford, Roger's Farm.

Vice Chairman Wagner also questioned why the parks were being zoned as residential rather than institutions. He felt that counting these lots within residential would throw off the lot counts as large number of lots in R-1 are park districts.

Ms. Wells agreed that it was a great point and that Assistant Administrator Halloran had mentioned previously that there were properties that should be institutional that weren't caught in the analysis. They will readjust the map for parks to institutional zoning and rerun the lot analysis for the R-1 district as necessary.

Vice Chairman Wagner wanted to discuss the properties west of Clarendon Hills Road on both the north and south sides of 63rd street. He wondered if, for consistency, do we want to place a single zoning district in that area, such as R-2, as many of the other lots in the area have been re-subdivided as R-2, to give the residents an opportunity if they decide to move out or acquire another lot next door, and to redevelop the area with a consistent standard rather than looking at them individually as they come in for rezoning.

Wells: I think that's a great idea, and I would love to hear what some of the other folks think about that. Typically, that is something that we would suggest in this process, but since the village doesn't have a recent comprehensive plan that would provide the policy direction, to make some of those recommendations, we would definitely want to look to you all, see if that's something that we wanted to do as a part of the zoning process. So those neighborhoods west of Clarendon, would we like to see redevelopment of those areas more consistent with the R-2 or R-3 zone districts?

Trustee Neal asked for clarification on an earlier area (west of Madison from Plainfield Road to the Village's north border) and whether the proposal was to get rid of the lots zoned R-3 along Madison and on the two blocks, to the east of the area, and make them all R-2.

Vice Chairman Wagner agreed and felt it would be consistent with the original subdivision.

Trustee Neal then returned the attention back to the area west of Clarendon Hills Road. Vice Chairman Wagner restated his reasoning for the changes. The area (north of 63rd) is consistent in lot sizes generally and suggested having that area redeveloped generally as R-2. The area south of 63rd is more diverse in its property sizes and leads to more zoning variations for subdividing the larger lots or combining multiple lots. He felt more consistency should be identified and the area rezoned a single district, perhaps R-2.

Ms. Wells asked for additional thoughts on the topic and Assistant Administrator Halloran asked for feedback from the room. The consensus was agreement with Vice Chairman Wagner and feeling that the project was overdue, and consistency was needed.

Trustee Davi asked Ms. Wells whether, at the beginning of the presentation, in the introduction to the residential presentation, that the intent was not to change the residential zoning designations?

Ms. Wells clarified that the basis of the recommendations to changes to the residential district was based on the nonconformities analysis that was conducted. The minimum standards for the residential areas and lot width that is in the zoning code currently was compared to the development currently on the ground. This identified lots that were subdivided and developed and identified as much smaller than what the zoning district would have otherwise allowed. These properties are considered nonconforming, which can cause issues with getting a mortgage or being able to reinvest. The goal was to minimize those nonconforming properties as much as possible.

Again, the goal was also to not overstep nor recommend too much rezoning without the direction from the Village, or from a comprehensive plan that clearly identified the goals for the residential zones. The recommendations presented are a bare minimum to reduce nonconforming properties wherever possible.

Trustee Davi asked for clarification of the difference between the R-2 and R-3 zoning. Ms. Wells clarified that it was lot size as well as the type of housing allowed in the area. R-1 is the largest lot size with the lots getting smaller as the zoning number gets larger.

Assistant Administrator Halloran reiterated the goal is to make sure that the new code reflects what's actually on the ground.

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Commissioner Kopp also felt that the area west of Clarendon Hills Road and south of 63rd should be rezoned to R-2 to provide opportunities for the residents to subdivide their properties without having to request a variance from the Village.

Trustee Neal questioned the designation of Sunrise Assisted Living at 63rd and Clarendon Hills Road as R-5 multi-family, yet the Chateau Center on Madison was not. She thought Vice Chairman Wagner had mentioned a PUD exception for the Chateau Center and wondered if this might be a problem with two different designations for similar uses.

Vice Chairman Wagner indicated that on the proposed updated zoning map, he believed the Chateau Center was also designated R-5.

Ms. Wells indicated that there was no proposal to change the R-5 multifamily designation and to carry that designation forward for Sunrise and Chateau.

Additional questions were raised on whether various condominiums, townhomes or apartments in the Village would be designated R-5.

Ms. Wells clarified that typically, a multi-family district will allow for the highest density housing in the Village but include other housing types as well. The zoning code itself can't differentiate between whether a multi-family unit is rented or whether it's owned. Condominiums are treated the same way as rented apartments in the zoning code.

Since both condos and townhomes are currently zoned R5, no changes were proposed. Since the Village only has the one multi-family district, it makes sense to keep them both in the R5 district. It's hard to accommodate different style of housing within one district.

Mayor Trilla asked if a hotel would be considered for R-5 zoning or whether there was a distinction between commercial and residential use.

Ms. Wells stated that a hotel would be a B community shopping district. The R5 would be for residential, multifamily, or lower density housing types.

The Mayor also asked why within one block, for example on the south side of 63rd Street, west of Clarendon Hills Road, why there would be one lot designated as an R-2 zoning code while all the other lots on the block were designated R-1.

Ms. Wells explained that they are not proposing any changes in the zoning in the residential areas in these map proposals because there was no direction from the Village to do so. However, this will be revisited based on the feedback at this meeting. There appears to be a consensus to have

more consistent zoning in this area and that the R2 district may be the most appropriate designation.

A question was asked regarding the coloring of the zoning map to better distinguish the various zones, particularly in the residential district colors.

Ms. Wells clarified that typical zoning colors are yellow for residential, red for commercial, blue for office, and purple for industrial. Particularly for yellow it is hard to distinguish as there are only so many shades of yellow. On this map more oranges and browns have been used.

Commissioner Baksay brought up the topic of the parcels adjacent to I55 in regard to consolidating all current business zones, B1, B2, B3 and B4 to zone B. He suggested consolidating other business into the B zone but keeping the B4 zone in order to restrict potentially undesirable end uses, particularly adult-use.

Ms. Wells indicated two approaches might be appropriate: 1) a separate district to segregate those businesses the village doesn't really want to have proliferate throughout the community, or 2) restrict undesired use to areas that the village would think appropriate if it were to be permitted. She also pointed out that adult-uses are protected by the First Amendment, to which Administrator Pabst indicated that they have to be allowed somewhere in the Village.

Ms. Wells continued that the approach most communities use is to allow adult-use in industrial areas so they're tucked away. There's typically less value in utilizing those properties for retail use.

The idea of consolidating the current area along I55 into a B district, Ms. Wells continued, is that in the area of the Compass Arena, this could be a catalyst for redevelopment in the area, further transitioning from the manufacturing to professionally mixed use that would really be more of a destination for visitors to the arena for sports, to be able to go to a restaurant, or do some shopping while they're in the area as well.

Expanding on Vice Chairman Wagner's comments, another commissioner suggested perhaps consolidating the B zone areas 1-3 but maintain the B4 zone and restrict the use within in the zoning code from adult-use or creating a new district like "interstate commercials".

Another Commissioner suggested also adding restrictions on signage visible from I55.

Mayor Trilla suggested an alternate approach to restrict adult-use properties to a more "secluded" area that would not be visible at Willowbrook's front door. He suggested the cul-de-sac on Plaza Drive off

of Executive Drive. He indicated he is working on a plan to revitalize the I55 corridor and would not want to see a strip club there.

Administrator Pabst indicated that the attorneys would need to be consulted as to what type of restrictions could be put in place. He, and several other Trustees, Commissioners and the Mayor related multiple experiences in the past and in other communities where the rights of adult-use business owners were protected.

Ms. Wells explained under the current zoning, adult-use is restricted to the industrial area, but that it could be further restricted by not allowing an adult-use facility within a certain distance of another, which would limit the number that could be added in the Village. Additionally, use can be restricted from the area around churches, schools, daycare, etc. She indicated that she would consult with the Village Attorney to see what suggestions would comply with any laws protecting adult-use.

In response to a new question regarding the daycare at 63rd and Route 83, and whether it would also be part of the new I, institutional, district, Ms. Wells indicated that daycare are typically commercial businesses. Only institutional uses, such as public schools, private schools, places of worship, village-owned property, would be placed within the I district. The idea behind the I district is to keep those types of uses out of the business districts where you want sales tax revenue generating uses.

Another question was raised about including the parks in the I district, and again Ms. Wells indicated that, if they were currently zoned residential, they were not changed to limit the number of changes being made. She said that they would review what was to be included in the I district with Assistant Administrator Halloran.

Commissioner Baksay had one additional comment on the topic of restricting adult-use developments, to perhaps restrict adult-use properties within a certain distance of institutional districts.

Ms. Wells continued the presentation with district-specific standards and the consolidation of all affirmative and special uses into a single table in the zoning code. This allows for a more user-friendly approach to be able compare and contrast the restrictions in various zoning districts.

The recommendation is also to have general use categories rather than listing every type of specific retail use, and differentiate standards based on scale or size. Those uses that require additional regulation would be listed separately rather than in the general use categories. This allows the Village to focus on sales tax-generating uses, to make it as easy as possible to get those new businesses into the Village.

An additional recommendation is to establish commercial and non-commercial places of assembly to better distinguish where those uses are allowed in the non-residential districts versus the residential and institutional district. Again, this helps preserve space in the business, light office, research, and manufacturing districts for sales tax-generating uses.

Modern uses would be a separate area to include microbreweries, wineries, and distillery, restaurants and brew pubs, indoor agriculture, or short-term rentals.

Trustee Neal began a discussion into short-term rentals indicating that a great deal of discussion has taken place on this topic within the Village and with surrounding communities, and the conclusion was that it was not a great idea to get into. Mayor Trilla agreed that almost all of the Trustees and Commissioners were against allowing short-term rentals.

Assistant Administrator Halloran asked for direction on defining the length of stay, minimums, and maximums, to be defined as a short-term rental. A discussion followed offering various suggestions, with the most popular being a one-year minimum stay to limit continual turnover such as found with Airbnb or Vrbo. Some participants proposed scenarios where a shorter maximum rental term might be appropriate, e.g., during home renovation or a resident spending part of the year in another state.

Ms. Wells suggested a better way to think about short-term rental versus traditional rental would be transiency. When looking at the difference between hotels and apartment buildings, it's the duration of stay.

Although the zoning code cannot restrict the number of people that occupy a building, this is generally addressed in the building code. Restricting it in the zoning code can lead to issues with fair housing laws.

The question was asked how you would enforce any rule changes being made.

Ms. Wells explained that enforcement was typically done through permits. An owner would apply for the permit, paying all applicable taxes. Enforcement would then be the same as enforcing any permit issued by the Village. She indicated that the zoning code cannot distinguish between renter or owner occupancy nor restrict short-term rentals.

Additional issues were raised to the short-term rental proposal including rental property blight, enforcement of permitting, incentive for property owners to apply for short-term rental permits.

Overall, the consensus was not to allow short-term rentals in the code.

The next topic raised was whether cannabis cultivation sites or tobacco or cannabis lounges would come under modern uses or whether those uses had been addressed.

Ms. Wells suggested that would be a great question for the group. In the proposal, the recommendation for indoor agriculture would not be for growth facilities for adult-use cannabis; adult-use cannabis is regulated separately.

The group indicated that the top had been discussed in the past with a consensus that, no, lounges or uses cannabis beyond a dispensary would not be allowed. With regard to drive-through cannabis dispensaries, currently not allowed in Illinois, that would come under an accessory use to an existing dispensary and would need to be decided if and when it became an allowable use.

The question of dispensary density was also raised. It would not be an issue because, in addition to location restrictions under Illinois law, the granting of licenses by the Village would be restricted for number and locations similar to gaming and liquor licensing.

Ms. Wells went on to the next section of the proposal to consolidate all the bulk regulations for the various districts. There are currently lot area and width minimum requirements in the B-LOR and R-1 districts. The proposal is to eliminate those and that development intensity in those areas be regulated through alternate requirements for parking, landscaping, and building height, etc.

The proposal also eliminates the maximum floor area ratio (FAR) and minimum habitable ground floor area requirements for residential districts, again regulating the size of homes through other means, for example through the setback height restrictions and establish maximum building coverage requirements for residential districts. Similar to the FAR requirements, this would establish a maximum amount of the lot that could be covered by the building, ensuring more consistency in the size of yards, versus with FAR.

It is also recommended to modernize the way that the bulk regulations are calculated, for instance in measuring building height. The current method can be kind of tricky depending on the grade of the parcel in question. An alternate method is to measure height based on the crown of the adjacent roadway.

The objection was raised that there are too many variations in height in the land around sloping lots and so forth. The speaker suggested maintaining the current method or possibly using the four-corner method. He felt relating the height to a street is a can of worms that would create variations like you've never seen before.

Ms. Wells agreed that that should be avoided. The suggestion was based off feedback received. An alternate method can be found that addresses the lot variability but still provides height consistency.

Ms. Wells outlined the non-conformities analysis that had been done. The analysis looked at minimum lot area and width standards for residential districts. In comparing developments, these are currently within those minimum standards for lot area and lot width are within the zoning codes. This process identified parcels that don't conform with the current standard, less than the minimum requirements and are therefore non-conforming to the current code.

The lot sizes were adjusted to see what fits that area the best, while ensuring that by lowering the lot area or lot lift minimums, new opportunities are not created for subdivision that would be out of character with the existing neighborhood. New opportunities for subdivision were also assessed to see if there would be something that could pop up that a resident could divide their lot and develop two homes where there's currently one or where there is currently a vacant piece of land.

In the R-1 district, the current lot area minimum is 30,000 square feet with a current lot width minimum of 100 feet. Sixty-three percent of the parcels don't conform with the lot area minimum, and 42% don't conform with the lot width minimum which is a pretty high number of non-conformities. During testing with new standards, to lower the number of non-conforming properties, the minimums become very low. Rather than change the minimums within the R-1 district to very low numbers, the decision was made to take a closer look at the zoning map.

In some neighborhoods the lot area was so much smaller than other R-1 areas which makes the non-conformity rate much, much higher. The proposal is to make rezone those neighborhoods to the R-2 district. When those areas are taken out of the equation, the rate of non-conformity goes down considerably.

The recommendation for the R-1 district is a new lot area minimum of 20,000 square feet and the lot width be 90 feet. This would create 14 new opportunities for subdivision to bring down the level of non-conformity to below 10%, which is desirable for residential districts.

The point was raised that nonconformity is a very important part of the ordinance that needs to be addressed. However, he would like the lot count in specific areas recalculated. He felt the R-1 statistics were off as they included park land. He also felt that lot frontage was more important than lot area.

Ms. Wells agreed that the assessment for the R-2 district could be rerun, including those neighborhoods west of Clarendon Road. Another approach to explore would be, instead of changing the R-2 district to accommodate what

could happen west of Clarendon Hills Road, rather than accommodating what's currently developed in the R-2 district, an option to add an R-2A district could be explored. That would better address what is needed in the area west of Clarendon Road. Both options can be explored while redoing the analysis for the R2 district.

Currently in both the R-2 and R-3 districts there is a lot area minimum of 13,000 square feet, and a lot width minimum of 75 feet. Typically, the standards are different as you get into your different residential districts. Based on the conformity analysis, there's a pretty high level of nonconformity, especially with the lot area minimum requirement.

Ms. Wells covered the next section covering specific the supplemental standards for specific uses. Currently there are many use standards. The recommendation is to consolidate and enhance or modernize those standards.

Drive-throughs: When adjacent to residential areas, there is a need for screening and other types of buffering standards.

Fuel sales, outdoor dining, outdoor displaying sales, merchandise, etc.: Again, adjacent to a residential area or a school, can create a nuisance. Any and all impact that might occur will be addressed.

The details of the recommendations on how these are to be addressed are outlined in the memo sent by Houseal Lavigne.

The next section covers the general development standards which apply to all development regardless of the district in which they are located.

Off-street parking and loading: The largest section. The recommendation

The recommendation is to only include standards for numbered dimension and allowable locations of off-street parking and loading areas. Additionally, will allow for administrative relief from the requirements for additional parking with new uses in existing buildings.

Parking dimensional standards: The standards will ensure that the Village isn't requiring parking spots that are too big or too small compared to peer communities. Ms. Wells presented a table graphic indicating the best practices, showing a typical 9 foot by 18-foot space. The recommendations also include eliminating the variable-based parking requirements. Typically, this is an enforcement measure that most municipalities don't undertake, so it can make the minimum requirement not really relevant over time. The goal is to not punish businesses for growing and thriving and adding more employees. The goal is to modernize the amount of parking required per use.

To make the Village a little more pedestrian and bicycle friendly, there is a recommendation for pedestrian walkways and bicycle parking to be required. An option is added to allow for a reduction in parking if shared parking is a possibility, e.g., day and night uses of the same parking spaces.

The elimination of the loading space requirement based on floor area is also suggested to be eliminated, but rather leave the needs to the discretion of the developer. Previously, the number of spaces required was based on the size of the building. It is now very difficult to anticipate the loading space demands. Rather than specifying a certain number of loading spaces, it is recommended to restrict the location of loading spaces and areas to avoid being visible or a nuisance to the public right-of-way or from adjacent residential areas.

Commissioner Kopp returned to the issue of pedestrian walkways. He mentioned implementing them in the past and they had been removed due to underutilization and to return the space for needed parking. He felt pedestrian and bike friendly was an admirable goal, but unrealistic at this point.

Vice Chairman Wagner felt that requirements for additional electric vehicle charging stations would be a more practical need. Ms. Wells agreed and noted that a lot of communities are moving in the direction of not necessarily requiring the installation of the charging station, but at the minimum, requiring the installation of the infrastructure needed to accommodate a charging station if one were to be installed in the future. Mayor Trilla agreed that additional charging stations would be a good idea, perhaps requiring it for new commercial construction but not for existing property owners.

The discussion returned to the topic of requiring pedestrian walkways. There was some confusion between sidewalks in residential and business areas and pedestrian walkways in parking lots of commercial properties. Trustee Davi felt that, for safety considerations, sidewalks should be encouraged on every street, but not necessarily be made a requirement. Ms. Wells indicated that sidewalks were required of new developments, even in the current code.

Trustee Neal agreed that pedestrian walkways, especially at Town Center, serve a purpose. She pointed out that CMAP (Chicago Metropolitan Agency for Planning) also rates towns on their walkability and that increases things like your real estate values.

The point was also raised to consider maintenance of sidewalks, particularly in snow shoveling in winter.

Ms. Wells summarized the discussion indicating there appeared to be mixed feelings on whether walkways would be required within development. She suggested discussing the issue again at the next meeting, looking over the proposed standards, then further refining those. In regard to bicycle parking, she felt the consensus was perhaps encouraging it but not having any types of minimum requirements.

Ms. Wells presented the recommendations for driveways. The proposal is to consolidate driveway-related standards that are currently located throughout the code. She noted that if HOA restrictions are greater than the Village's, the HOA rules would apply as applicable. The new standard would specify a limited width where the driveway meets the property line providing a more consistent curb cut to make it safer for folks if they're walking in their neighborhood. Secondly, for those properties with multi-car garages, the suggestion is to allow for a broad access drive that allows for access to all of the parking spaces. Lastly, for vehicles not parked in garages, or a boat or RV, to require a space to the side of the existing garage along the property line, but only if they have the side yard space to accommodate that. The side yard setback requirements would still apply, but this would provide a tucked-away parking area, a less visible space to park those types of additional vehicles.

For the code update on landscaping, Ms. Wells outlined the following points in establishing new landscape standards. After determining whether:

- a building fronts a right of way,
- the parking lot perimeter landscape zone where your parking lot fronts a right of way
- The parking lot interior landscape zone would be the inside of the parking lot.

the recommendation is that those standards be different whether the parking lot is located between the right of way and the building, or it's located to the side or the rear of the building. The proposal offers varying requirements for transition zones based on the adjacent uses. The standards and requirements would be lower if the parking lot is less visible from the street than if it is super visible from the street.

On the screening topic, Ms. Wells outlined the proposal to replace the current screening requirements and establish new, more straightforward standards for trash and recycling, receptacles, ground, and wall-mounted mechanical units, roof-mounted mechanical units, loading docks and service areas, and drive-throughs.

Questions were raised about soundproofing for mechanical units adjacent to residential areas and if the updated code would call for additional restrictions. Ms. Wells identified a difference between ground or wall mounted units and rooftop equipment, indicating it is much easier to soundproof rooftop units with a parapet wall and indicated that that area would be reviewed.

Ms. Wells indicated that the new proposals for fence standards would be to replace the current standards to establish general limitations on the locations of fences, regardless of the district it's being placed.

She continued with more specifics to allow fences and exterior side yards or street facing side yards, so currently considered a front yard to go up to six feet in height if the property set back was met. If a property abuts a major arterial or highway, the recommended height increases to eight feet.

Trustee Neal indicated that this topic has been a subject of discussion for the Village for some time. A maximum height of eight feet in a rear yard was allowed if the property line abuts a major arterial highway. However, not all the properties along Route 83 or Madison are rear yards, there are some that have a front yard along a major arterial.

Ms. Wells agreed that the language of the code could be updated, to ensure that even if it's a front yard, the height could increase to eight feet to ensure privacy and to attenuate the sound and still maintain the appearance desired by the Village in the residential areas.

Mayor Trilla asked if there would be different standards if the house backs up to a park or to a commercial use.

Vice Chairman Wagner indicated that he believed the fence ordinance was modified in the past year or so to allow for more variations. He felt more height could possibly be allowed if the property backed up to a commercial use or a highway.

Ms. Wells we can make revisions like we were talking about the yards and then also consider maybe other areas where that 8-foot fence may be appropriate as well. All right.

Ms. Wells stated that included in the recommendations is for the Village to consider establishing design standards for multi-family and non-residential design standards for exterior building materials, building orientation and building sightings. These standards would vary depending on the where the building is located, e.g., the business or manufacturing districts, or whether it is a façade which faces a primary street or neighboring property. Additional consideration could be made for whether it is a ground floor or upper floors of a building and whether the building is small or a much larger building like Pete's Market or Target. As an additional part of the design standards, there would also be multi-building development standards.

The updated code establishes new standards for outdoor lighting. The recommendation is for the Village to restrict fixtures to full cutoff to

prevent light pollution, limit color rendering and color temperature. The update also includes recommendations for the maximum height of poles, for mounted lighting and an allowance for wall-mounted lighting for nice architectural lighting highlights and maximum light levels along property lines.

There are two existing areas of the code that Houseal Lavigne proposes to forward as they current are. The current performance standards should be simplified except for the standards for hazardous materials, to be carried over exactly as they are currently. For floodplain and stormwater standards, the only change would be to update the dates and references to ensure they are cross referenced to the correct section of the code.

In the next section on sign standards, Ms. Wells indicated the current standards would need to be thoroughly overhauled based on a court decision from 2015 that clarified that sign copy is protected speech under the First Amendment.

What is being proposed is a new chapter organization that starts off with purpose and intent. The next section would be overall limits on sign area. The current standard is 1.5 square feet of allowed sign area per linear foot of frontage. The proposal is to increase that to 2 square feet based on feedback received from the Board and Commissioners.

The next sections would deal with sign measurement and how it is measured, standards for permanent signs and standards for temporary signs. There is also a section for prohibited signs and content. Although sign content is protected under the First Amendment rights, it does not limit municipalities from restricting messaging that would inhibit or be detrimental to public health, safety, and morals.

The last section would be general requirements for all signs standards, assigned maintenance requirements and electronic message boards or the LED signs. Text message signs are not addressed currently in the Village code but is something that is generating interest in the community.

The recommendation for areas to include in the updated code include:

- Limit text messaging to monument-style signs
- Text message signs free-standing only - not attached to buildings
- Limit the allowed sign area to 20-40 percent of the overall sign area
- Allow only static messages and images
- Limiting message transitions to once every 10-60 seconds

The point was raised that there are regulations in the current code as there are currently two messaging signs in the Village, at Pete's Fresh Market and at 63rd and Route 83. There may be considerations for timing in the ordinance that would need to be checked to ensure that any new code did not invalidate the current signage. Trustee Neal raised the point that

there may also be IDOT requirements for signage along Route 83. Ms. Wells indicated that the current code would be reviewed to ensure compliance.

Ms. Wells continued to the next section on subdivision standards and procedures. The first recommendation is to clearly update the standards to better accommodate smaller subdivisions, lot splits, and lot consolidations.

For future subdivisions, for major subdivisions or larger subdivisions in the community, the recommendation is to take a look at the street type requirements, where sidewalks are required, where parkway or street trees are required. In this way, with large residential developments in the future, you get the look and feel the Village wants in those neighborhoods.

Vice Chairman Wagner commented that the Plan Commission and the Village over the years have not, as a general rule, enforced all of the subdivision regulations on subdivisions, be it 1-lot or 2-lot subdivision or a 10-lot subdivision. Particularly in the instance of new developments, the Village would waive requirements for curb and guard, sidewalks, or parkway trees. The Village did not take advantage of the cost of those improvements even though they were waived. He suggested an option for the developer to provide the cost of those improvements which the Village could then use for those improvements down the line.

A discussion of the idea followed with comments from the Mayor and Village Administrator. Ms. Wells asked the group to provide feedback on the establishment of a fee in lieu option when waiving requirements.

In the next chapter, the planned unit development procedures, the suggestion is to modernize the standards of review and the required findings. Standards of review would be standards applied to appeal the application as a whole, to assess and justify the approval or denial of an application. Then modification standards would be on a higher standard and the modification standard would be used to justify the request for a site development allowance. And a site development allowance would be a deviation from any requirement from the underlying domain.

Chapter nine is zoning procedures. The current system appears to be working well. This section would be consolidated, reorganized and each step clarified to make it easier and more user-friendly to the users of the system. It is also recommended that more authority to approve things be shifted to the administrative level.

The next chapter covers nonconformities which will remain basically unchanged as these areas are mostly dependent on state statutes. This section will be reviewed for consistency.

The final section is for definitions. Houseal Lavigne will consolidate definitions and ensure that all terms used within the code are defined. Part of the goal is to eliminate multiple interpretations of the same term and to eliminate any specific measurements or quantifiable items in the definitions. Additionally, any items which may be regulated by changes to state or federal legislation will be examined, for example adult uses, religious institutions, families, signs, etc.

Trustee Neal brought up the topic of group homes. Ms. Wells indicated that group homes are regulated by the state, that they are regulated like single-family detached, with up to eight unrelated people living in them with up to two staff people allowed to live on premises. Group homes, whether for mentally disabled individuals, for folks coming out of jail, rehab, etc., the Village has to allow based on state requirements. Trustee Neal asked about the current group home in Hinsdale that has been a topic of discussion. Ms. Wells indicated that Hinsdale was restricting them differently than their single-family detached properties in violation of state requirements.

The question was raised of when a draft copy, chapter by chapter, of the updated zoning code would be available. Ms. Wells indicated that Houseal Lavigne would be working on that over the next few months starting with the first four chapters covering, general provisions, the establishment of strict district standards and the meeting of standards.

The documents would be sent to be reviewed to ensure that all of the items covered in this meeting were incorporated into the draft language.

A comment was made to ensure that definitions are included in the update and Ms. Wells reassured the committee that if there is a new use being proposed it would be included in the definitions along with the use and supplemental use standards.

The comment was made to include educational institutions, or for facilities primarily or exclusively serving minors, in the update, as it could pertain to potential location restrictions or for special use for other things to be taken into consideration.

The Mayor wrapped up the meeting by commending Ms. Wells on a great job and a great presentation. He also thanked those who had invested their time and energy in the project. He applauded the Commissioners for their dedication and willingness to be a part of the process.

The Mayor also reminded the group that the code has not been reviewed over 60 years and that we're going to want to take our time and not rush through the process.

He then called for a motion to adjourn.

6. ADJOURNMENT

MOTION: Made by Trustee Ruffolo and seconded by Commissioner Baksay to adjourn the Joint Meeting at the hour of 9:29 p.m.

ROLL CALL VOTE: AYES: Trustees Astrella, Berglund, Davi, Mistele, Neal and Ruffolo. NAYS: None. ABSENT: None.

MOTION DECLARED CARRIED

PRESENTED, READ, and APPROVED.

_____, 2022.

Frank A. Trilla, Mayor

Minutes transcribed by Deputy Clerk Christine Mardegan.