



CITY OF FAIRVIEW HEIGHTS

10025 Bunkum Road ♦ Fairview Heights, Illinois 62208 ♦ Phone: (618) 489-2000 ♦ www.cofh.org

PLANNING COMMISSION PUBLIC HEARING NOTES CONSIDERATION OF THE DRAFT DEVELOPMENT CODE

OCTOBER 29, 2018

7:00 P.M.

FAIRVIEW HEIGHTS PUBLIC LIBRARY
10017 BUNKUM ROAD

1. **CALL TO ORDER** – Jim Bramstedt, Chairman of the Planning Commission, called the public hearing to order at 7:10 p.m. Other Planning Commission members in attendance at the time were Patrick McCarthy, Don McCarthy, and Larry Mensing.
2. **CITIZEN COMMENTS** - None
3. **MEETING PURPOSE AND INTRODUCTIONS** – Ms. Riganti, Director of Land Use and Development, provided an overview of the Development Code update process. The existing code has been modified over the years; however, to better address new trends, emerging issues and in keeping with a recommendation of the 2012 Comprehensive Plan, an entirely new code has been drafted. The process has been underway since 2014 and is now in the code adoption phase.
4. **OVERVIEW OF DRAFT DEVELOPMENT CODE** – *Note: please refer to the attached powerpoint for detailed information.*

Mr. Tim Tolliver, consultant, provided an overview of the draft development code. The code has been reorganized for ease of use. In addition, there are changes to residential zoning districts, business districts, site development standards, use standards, new construction appearance standards, off-street parking and loading, landscaping, sign regulations, and the creation of a planned development district.

BREAK: PARTICIPANTS VIEWED DISPLAY BOARDS PLACED AROUND THE ROOM

5. **PUBLIC COMMENTS** – Summary comments/questions from meeting attendees included:

Q: Provide clarification on the changes to the signage. Will an amortization schedule be applied to non-conforming signs? When does a sign need to

comply with the new code? What are regulations for political signs? What are regulations for electronic message signs?

A: There is no amortization schedule due to changes in state statutes. A sign must comply with the new codes when there is an expansion of the sign face, a sign has deteriorated and must be substantially repaired or an entirely new sign is proposed. Sign codes are now content neutral and regulate time, place, and size. Temporary political signs, and all other temporary signs, are limited to one sign per street frontage per message, up to 50 square feet total. Electronic message signs can change copy not more than every 5 seconds.

Q: Provide clarification on the changes to residential and commercial construction materials. Does all new residential construction and reconstruction need to comply with material requirements?

A: The intent was for all new residential developments and infill construction to comply with the material requirements. Existing residences that do not meet the requirements but that are damaged or destroyed may be reconstructed as previously designed and would be considered legal non-conforming. The language in the proposed code will be clarified to ensure this intent is included.

Q: Provide clarification on fence permit requirements and materials. Do Planning Commission and City Council have discretion to regulate fence materials between commercial and residential uses?

A: Permits will be required to ensure fences are constructed on property lines, outside of drainage easements, and in proper condition. There is some administrative discretion on fence materials in residential areas. Planning Commission and City Council have some discretionary authority to regulate fence materials when a Special Use Permit, Site Plan or other development application is submitted for legislative review and approval. The language in the proposed code will be clarified to ensure these intents are included.

6. NEXT STEPS – Ms. Riganti provided an overview of next steps. There will be a third public hearing on November 8, 2018 at 7:00 p.m. in the public library lower level. It will be the same format as this meeting. After all public comments have been received, the Development Code Committee will review the comments for possible inclusion. A draft code will then be presented to full Planning Commission at a study session. When deemed ready for consideration, the draft will be placed on a regular Planning Commission agenda for formal vote. The Planning Commission's recommendation will be forwarded to City Council's Community Committee for review, and then to City Council for final review and consideration. There are no set dates for these meetings.

7. ADJOURNMENT – The Public Hearing adjourned at 8:32 p.m.



PLANNING COMMISSION

OCTOBER 29, 2018, 7:00 P.M.

PUBLIC HEARING

DRAFT DEVELOPMENT CODE

AGENDA

1. **CALL TO ORDER**
 2. **CITIZEN COMMENTS** - *This is an opportunity for the public to address the Plan Commission on non-agenda related items. NOTE: comments made during this section of the agenda that require a response will be referred to the appropriate City staff member or official for follow-up at a later date.*
 3. **MEETING PURPOSE AND INTRODUCTIONS**
 4. **OVERVIEW OF DRAFT DEVELOPMENT CODE**
- BREAK: AT THIS TIME, PARTICIPANTS WILL HAVE AN OPPORTUNITY TO VIEW DISPLAY BOARDS PLACED AROUND THE ROOM, COMPLETE COMMENT FORMS, AND ASK QUESTIONS OF STAFF***
5. **PUBLIC COMMENTS**
 6. **NEXT STEPS**
 7. **ADJOURNMENT**

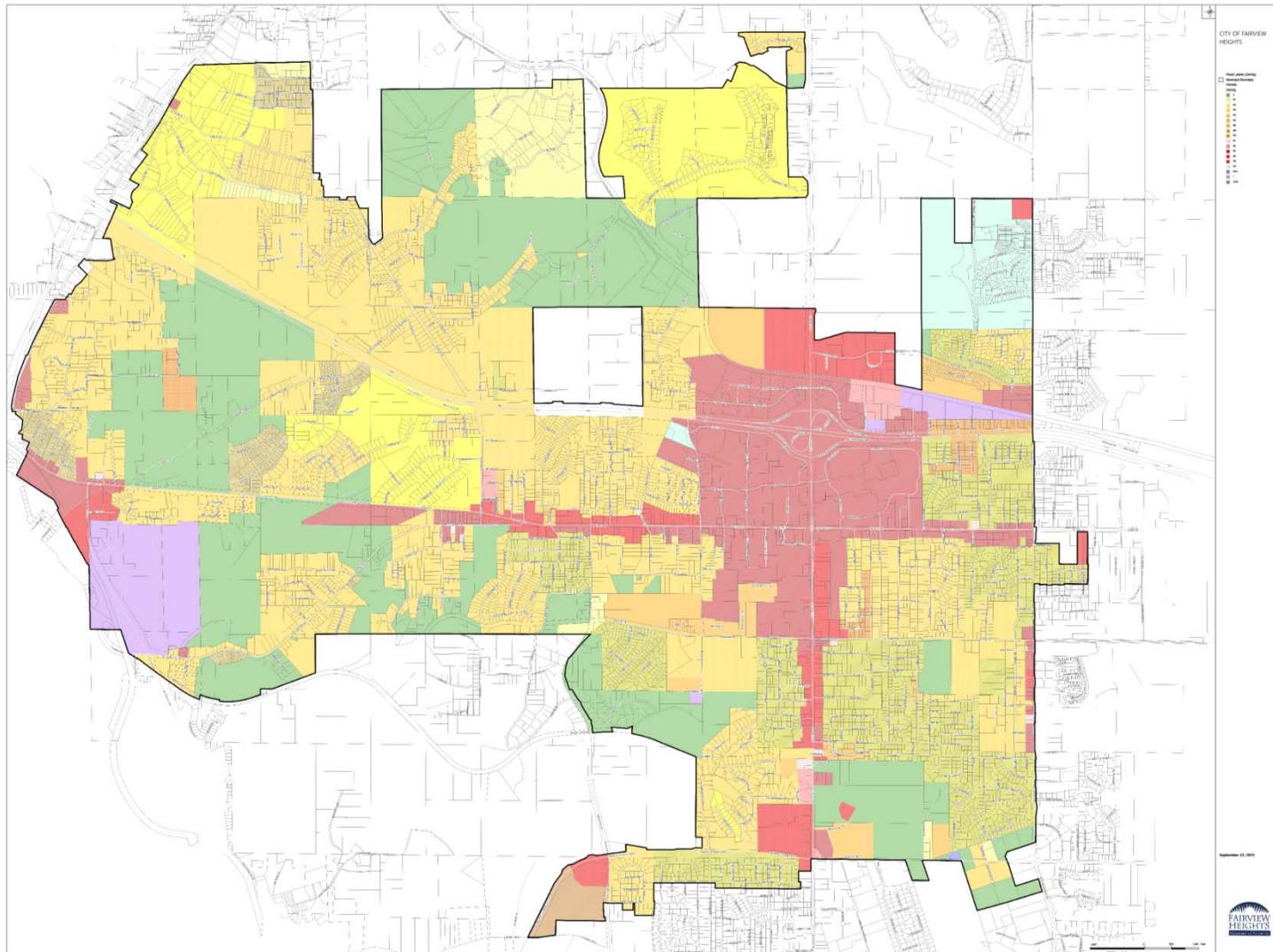
3. MEETING PURPOSE AND INTRODUCTIONS

Introductions

Meeting purpose - Zoning Code Update

- What is zoning? Purpose of the Zoning Code is to divide the city into zoning districts and regulate the land uses, building forms, site planning and more within each district.

3. cont'd



3. *cont'd*

- Existing code has been modified over the years, primarily as new issues arise or to address problems with administering the code.
- 2012 Comprehensive Plan – the City’s vision and strategy for land use and economic development – recommended a complete overhaul of the zoning code for multiple reasons.
- Process to update the code has been underway since 2014.
 - Code adoption phase

4. OVERVIEW OF DRAFT ZONING CODE

- What are the most significant changes between the existing Development Code (Chapter 14 of the Revised Code of Ordinances of Fairview Heights) and the Proposed Zoning Ordinance ?
- How do these changes relate to me?

CODE HAS BEEN REORGANIZED

The proposed Zoning Code is different in format from the existing Development Code. The reorganized zoning code will be more user friendly, group related regulations, and eliminate obsolete sections.

As an example, some sections recommended for removal from Chapter 14 to be placed in other appropriate chapters of the City Code of Ordinances include:

- International Conference Codes adopted by reference and with addendums, National Electric Code 2011 and Illinois State Plumbing Code will be placed in Chapter 15 Building Codes
- Building and zoning fees will be placed in Chapter 16 as Article III Building & Zoning Fees
- Adult Uses regulations are to be placed in Chapter 8 Business Regulations as Article 16. Adult Use land use regulations remain in zoning ordinance.

ARTICLE III: RESIDENTIAL ZONING DISTRICTS

PROPOSED

- R1: 20,000 sq. ft. *
- R2: 15,000 sq. ft.
- R3: 10,000 sq. ft.*
- R4: 8,000 sq. ft.
- R5: 6,000 sq. ft.*
- MF 10,000 sq. ft. - (4,356 sq. ft./unit)
- MF building height reduced to 2 ½ stories or 35 ft.
- ~~Planned Residential~~
Eliminated

CURRENT

- R1: 20,000 sq. ft.
- R2: 15,000 sq. ft.
- R3: 10,000 sq. ft.
- R4: 8,000 sq. ft.
- R5: 6,000 sq. ft.
- M2: 10,000 sq. ft. – (4,356 sq.ft./unit)
- M2: building height 45 feet or over by Special Use Permit
- Planned Residential

*Developments in legacy districts may not expand or create new areas

Some proposed and existing districts may have the same title.

ARTICLE IV: BUSINESS DISTRICTS (“BD”)

PROPOSED

- B-1: Neighborhood BD (2,500 sq. ft.)
- B-2: Regional BD (city core area)
- B-3: General BD (corridor)
- B-4: Office BD
- **MXD: Mixed Use Overlay District**
- ~~Plan BD eliminated~~
- ~~PPO eliminated converted to B-4~~
- ~~Planned DD Eliminated~~

CURRENT

- B-1: Neighborhood BD
- B-2: Office BD
- B-3: Community BD
- B-4: General BD
- Plan BD
- Planned DD
- PPO Planned Professional Office District

Some proposed and existing districts may have the same title.

ARTICLE IV – cont'd

NEW - MIXED USE OVERLAY DISTRICT: 14-04-04

The Mixed Use Overlay District is intended to allow greater flexibility of development alternatives, attractive higher density residential development and live-work buildings in appropriate commercial areas of the City.

Proposed Code

Credit: ULI Report, 2018



The District, a mixed-use development planned for Round Rock, Texas. Image courtesy of the City of Round Rock.



The West Farm Development, a mixed-use development planned for Omaha, Nebraska. Image courtesy of SB Architects.

ARTICLE IV – cont'd

NEW - MIXED USE OVERLAY DISTRICT: 14-04-04

- To encourage mixed use projects that combine residential with nonresidential uses in the same building or building site area as a means to create an active street life, enhance the vitality of businesses, and reduce the need for automobile travel;
- To provide a meaningful blend of residential and non-residential uses that enhances and builds upon the city's commercial base; the mixed use overlay zone is not intended to simply act as a loophole in the zoning code for residential development;
- To provide additional housing options for people, including but not limited to, young professionals and older people, who want to live near their workplace and/or near retail and other non-residential uses;
- To encourage consolidation of small parcels into viable, block-size mixed use development in designated areas;
- To ensure on-site compatibility of residential and non-residential uses; and
- To ensure compatibility of mixed use projects with surrounding uses and development patterns.

ARTICLE IV – cont’d

The proposed front setback requirements for the B-2: Regional District, B-3: General District and B-4: Office District have been reduced as indicated below. The current front setback requirements for business districts are 75 feet in the B-2, B-3 and B-4 Districts.

Figure 14-04(B): Business District Bulk and Yard Standards

BULK AND YARD	B-1	B-2	B-3	B-4	MXD
LOT STANDARDS					
Lot Area (min.)	10,000 sf	20,000 sf	20,000 sf	20,000 sf	
Lot Width (min.)	80 ft	100 ft	100 ft	100 ft	
Mean Lot Depth (min.)	100 ft	150 ft	150 ft	150 ft	
SETBACKS					
Front	25 ft min.	20 ft min.	10 ft min.	25 ft	12 ft min – 20 ft max
Rear Yard (min.)	20 ft	20 ft	20 ft	20 ft	20 ft*
Side Yard (min.)	5 ft	10 ft	10 ft	10 ft	Interior side yard adjacent to District - 10 ft MXD District - 0 ft ** Other: 5 ft
INTENSITY					
Building Height (max.)	25 ft	45 ft	35 ft	35 ft	55 ft
Floor Area Ratio (max.)	0.5	2.5	1.0	2.5	Mixed-use: 2.0
Intensity of Use (max.)	Floor area of unit not to exceed 2,500 sq ft	-	-	-	1 residential unit per 2,900

**Except within MXD, Mixed-use District, where the side lot line is adjacent to public right-of-way, the minimum side yard setback shall be 25 ft.

ARTICLE V: CONSERVATION DISTRICT

ARTICLE VI: INDUSTRIAL DISTRICT

- Conservation District remains substantially the same as the current regulations
- Industrial District remains substantially the same as the current regulations

ARTICLE VII: USE STANDARDS

PROPOSED

- Car Wash – additional regulations, including distance requirements from another stand alone car wash and residential areas
- Buffer standards – moved to Article X
- Landscaping
- Home occupations - restated and expanded
- Nursing Homes retitled -Assisted Supportive Living Facilities
- New – requirements for outdoor seating areas
- Telecommunication Services - moved to Article XII & added wireless
- Video Gaming Parlor regulations established

ELIMINATED

- Drive-in theatres - use
- Nursery Schools – term (antiquated)
- Sanitary Landfills and Hazardous Waste Dumps – use

ARTICLE VIII: SITE DEVELOPMENT STANDARDS

- Minimum Dwelling Size is computed as being the sum of the areas enclosed by the outside faces of all exterior walls surrounding each floor used for dwelling purposes, exclusive of any area used for an attached garage
- New Residential Development Appearance Standards: Front façade shall contain 40% brick, wood clapboard, stone/stone veneer in either natural or synthetic materials, and stucco
- Multi- Family Appearance Standards: Exterior siding of brick, stone/stone veneer or other masonry materials shall be required on 50% of exterior walls
- Commercial: All exterior walls shall consist of a minimum of fifty percent (50%) glass and/or masonry materials including brick, natural clay, natural stone and architectural concrete units (such as split faced or fluted), synthetic stone, architectural precast concrete, and wood, natural or composite.
- Fencing –expanded regulations and building permit requirement

ARTICLE VIII: cont'd

- 14-08-14. DWELLING, MINIMUM BUILDING SIZE
- For each residentially zoned district, the following minimum size of a detached single family dwelling unit's gross floor area [computed as being the sum of the areas enclosed by the outside faces of all exterior walls surrounding each floor used for dwelling purposes, exclusive of any area used for an attached garage] shall apply:
 - R-1 1,800 square feet
 - R-2: 1,800 square feet
 - R-3 1,500 square feet
 - R-4: 1,500 square feet
 - R-5: 1,400 square feet
 - MF: 1,200 square feet

ARTICLE VIII: cont'd

Appearance Standard Examples

Structure on upper right is constructed with vinyl siding. It does not meet requirement of 40% brick, wood clapboard, stone/stone veneer in either natural or synthetic materials, and stucco, the only stone appears at base of columns.



The structure on lower right has 40% stone veneer on façade with the balance of materials being vinyl siding.



ARTICLE IX: OFF-STREET PARKING & LOADING

PROPOSED

- 9 feet X 18 feet space
- 24 foot aisle
- Allow 10% compact spaces
8 feet X 16 feet
- Drive-through with detailed stacking lanes/spaces
- Retail sales 4 per 1,000 s.f. of gross floor area

CURRENT

- 10 feet X 20 feet space
- 22 foot aisle
- Compact Space not allowed
- Drive-through upon review and variable requirements
- Retail stores 5 spaces per 1,000 s.f. gross floor area

ARTICLE IX: cont'd

PROPOSED

- Restaurants- Sit down: 1.25 per 4 seats Drive-thru: 8 per 1,000 s.f. of gross floor area
- Daycare homes, children, 1 per 6 children
- Daycare centers , children, 2 per 1,000 s.f.
- Bicycle parking spaces required at rate of 1 per 20 vehicular spaces
- Overall more use breakdowns identifying parking requirements a lot of tweaks but very similar

CURRENT

- Restaurants/Taverns 1 per 4 seats plus 2 for every 3 employees
- Daycare homes, children no requirements
- Daycare Centers, children no requirements



There is an overabundance of parking at the site, little of which is used.

Existing Code

Photo Credit: ULI Report, 2018

ARTICLE X: LANDSCAPING

- Landscaping requirements have been consolidated into Article X for building foundation landscaping, parking areas, landscaping buffer yards and screening requirements.
- New requirements include; one island for every 15 parking spaces, one tree or two ornamentals for each 2,500 square feet of paved area.



Existing Code

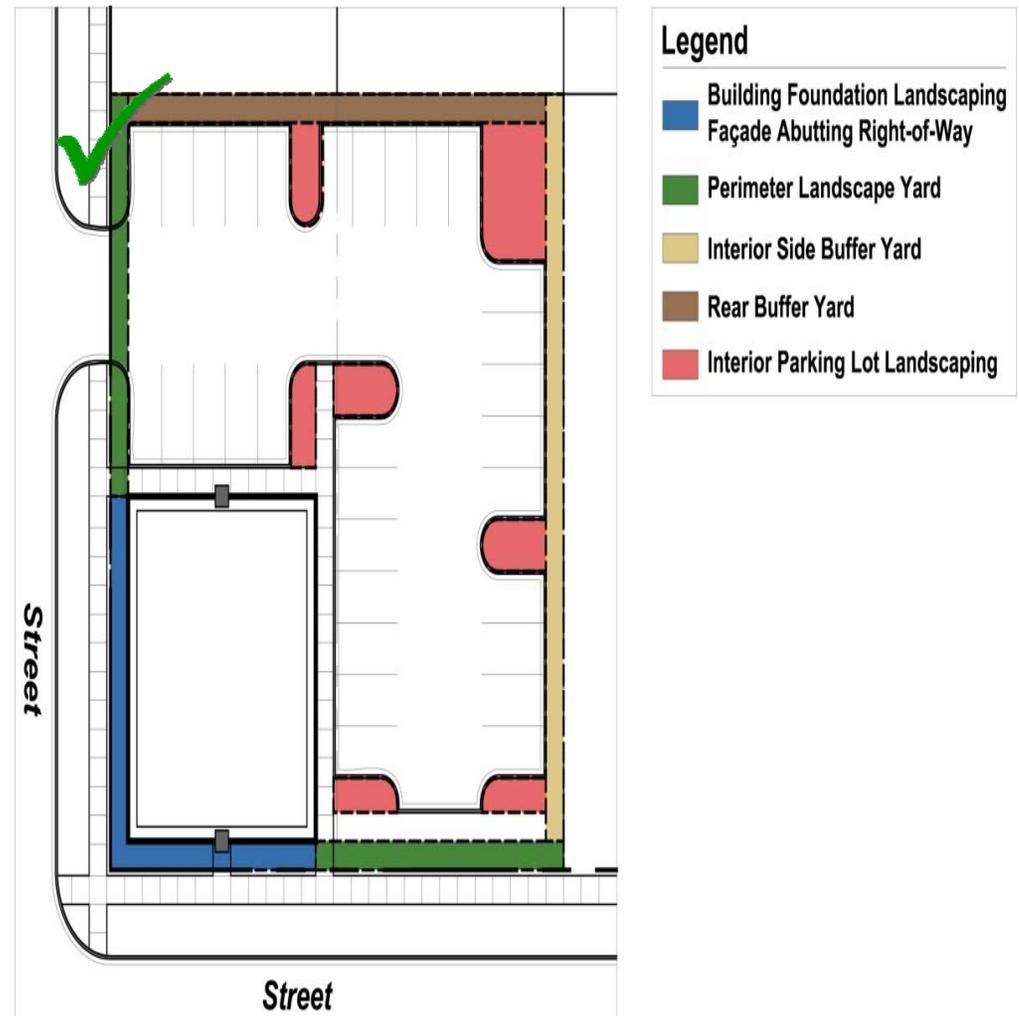
Photo Credit: ULI Report, 2018

ARTICLE X: cont'd

Landscaping Requirement Examples

Landscaping requirements have been consolidated into Article X specifying landscaping regulations for building foundations, parking areas, landscaping buffer yards and screening.

Proposed Code



ARTICLE XI: SIGN REGULATIONS

- Changes to sign regulations are necessary to comply with a 2015 U.S. Supreme Court ruling in the case of Reed vs. The Town of Gilbert, AZ. Governing bodies cannot regulate signs based on content. Sign ordinances must be content neutral but may regulate time, place and size of signs. For example, ordinances may establish periods during which any non-commercial sign may be displayed.
- Sign ordinances can no longer specifically regulate political signs, real estate or sign identified by the content.

ARTICLE XI: cont'd

PROPOSED

- Pylon sign area up to 150 square feet & shall not exceed .75 square foot per linear foot of zoning lot frontage
- Freestanding sign height determined by Zone District
 - B-1 & MXD - 8 feet
 - B-2 - 24 feet
 - B-3 - 12 feet

CURRENT

- Pylon sign area up to 225 square feet
- Freestanding sign height is 30' for pylon and 10' for monument

ARTICLE XI: cont'd

PROPOSED

- Monument sign gross area up to 120 square feet in B2 & B-3 80 square feet in B-1 & MXD
- Wall signs gross area up to 360 square feet or 10% of wall area (whichever is less) in B-2 & B-3 business District & 100 square feet or 5% of wall area in B-1 & MXD
- One freestanding signs per 500 linear feet of frontage plus one additional when more than 500 linear feet of frontage
- Pylon support structure(s) shall be at least 25% of width of sign face

CURRENT

- Monument sign gross area of 75 square feet in all districts
- Wall signs gross area up to 300 square feet based on 1 square foot per linear foot of wall length
- Only one freestanding sign per frontage
- Not regulated



**FOR
SALE or
LEASE**

*L.A.
HAIR DESIGN*

ARTICLE XI: cont'd

PROPOSED

- Sandwich board signs allowed in Business Districts
- Temporary Signs are limited to 32 square feet when attached to wall & 2 ground affixed signs up to 6 square feet each, one event per quarter
- Electronic message center allows change once every 5 seconds
- Signs are not regulated by content such as real estate or political but by time of event

CURRENT

- Sandwich board signs not allowed
- Temporary signs are not limited in number or size, only by frequency of event, one each quarter
- Electronic message center allows change every 10 seconds
- Real estate and political signs are regulated by the message

ARTICLE XV:

PLANNED DEVELOPMENT DISTRICT

- DEVELOPMENTS OF THREE (3) ACRES OR MORE AND DEVELOPMENTS WITHIN THE MXD DISTRICT SHALL BE REVIEWED AS A PLANNED DEVELOPMENT
- Planned Development requirements are similar to current Planned Business requirements but as indicated are triggered by the size of tract and in MXD district. Any property less than 3 acres may be developed without Plan Commission or City Council approval in accordance with district regulations through administrative review.

BREAK:

DURING THIS 30 MINUTE BREAK, PLEASE VISIT THE DISPLAY BOARD AREAS PLACED AROUND THE ROOM, COMPLETE COMMENT FORMS, AND ASK QUESTIONS OF STAFF.

5. PUBLIC COMMENTS

- Please complete a speaker card and return to the Planning Commission Chair. Speakers will be called in the order the speaker cards are turned in.

6. NEXT STEPS

- **First step: public hearings.** Begin with three public hearings, which includes the one being held this evening, similar in content and format. The remaining one will also be conducted at the Public Library at 7:00 p.m. on:

November 8, 2018

- **Second step: Planning Commission review and consideration.** DCC will consider all public comments to determine what changes are needed. The DCC will revise draft and present to full Planning Commission at a study session. Additional changes to the draft may be needed based on the study session. *The study session meeting date has not yet been set.*
- When deemed ready for consideration, the draft will be placed on a regular Planning Commission agenda for a formal vote. *This meeting date has not yet been set.*

6. NEXT STEPS – cont'd

- **Final step: Adoption.** Planning Commission's recommendation will be forwarded to the City Council's Community Committee for review. Subsequently, the draft will be submitted to the full City Council for final deliberation and action.
 - *These meeting dates have not yet been established.*
- **Questions?**

THANK YOU FOR YOUR PARTICIPATION!

7. ADJOURNMENT