



AGENDA ITEM EXECUTIVE SUMMARY

Title:	Recommendation to Approve a General Amendment to Title 17 of the City Code (Zoning Ordinance) Regarding Parking Lot Setbacks and Landscape Requirements for Existing Parking Lots and Public Street Frontage Landscaping Requirements
Staff:	Matthew O'Rourke, Planner

Please check appropriate box:

	Government Operations		Government Services
X	Planning & Development (11/11/13)		City Council

Estimated Cost:	N/A	Budgeted:	YES		NO	
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If NO, please explain how item will be funded:

Executive Summary:

Staff has routinely updated the current Zoning Ordinance since its adoption in 2006. As staff has applied the ordinance to review development proposals, ordinance sections are identified that are too restrictive discourage the redevelopment of existing facilities.

Staff is also reviewing Zoning Ordinance standards for conflicts with the recommendations stated in the recently updated Comprehensive Plan. Staff is presenting the following amendments based on these reviews.

Proposal:

- Amend **Section 17.24.010.A Existing Facilities, 17.26.020.3.C, and Table 17.14-2 Business and Mixed Use Districts Bulk Regulations** to modify the parking setback and landscaping standards as it relates to the resurfacing and reconstruction of existing parking lots to grant additional flexibility and encourage the installation of landscaping along the City's Commercial Corridors.
- Amend **Section 17.26.090.A Public Street Frontage Landscaping** to reduce the amount of landscaping required along commercial streets to align these standards with common practices and the recommendations of the recently adopted Comprehensive Plan.

Plan Commission Recommendation:

The Plan Commission held a public hearing and recommended approval of the proposed amendments on 11/5/2013. The vote was 6-aye to 0-nay.

The Plan Commission forwarded the following comment along with their recommendation:

That staff investigate methods of incentivizing interior parking lot landscaping while not specifically requiring it in existing parking lots. One existing method is to promote the Corridor Improvement Program. Corridor grants can be used for any landscaping between a roadway and the front of a building for properties with frontage on Main Street, Kirk Road, Randall Road, and Rt.38. This can include interior parking lot landscaping.

Attachments: *(please list)*

Staff Report; Application for General Amendment; Attachment A (Parking Lot Property Setbacks and Greenspace Analysis Table)

Recommendation / Suggested Action *(briefly explain):*

Recommend approval of the proposed application for a General Amendment to Title 17.

For office use only:

Agenda Item Number: 3c

CITY OF ST. CHARLES
TWO EAST MAIN STREET
ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY DEVELOPMENT/PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

GENERAL AMENDMENT APPLICATION (ZONING ORDINANCE)

CITYVIEW PROJECT NO: 2013PRO15
CITYVIEW APPLICATION NO: 2013AP024
PROJECT NAME: GA - Parking Set-backs

Received Date
RECEIVED
St. Charles, IL

OCT 17 2013

CDD
Planning Division

Instructions:

To request an amendment to the text of the St. Charles Zoning Ordinance, complete this application and submit it with all required attachments to the Planning Office.

We will review submittals for completeness and for compliance with applicable requirements prior to establishing a meeting or public hearing date for an application.

The information you provide must be complete and accurate. If you have a question please call the Planning Office and we will be happy to assist you.

1. Applicant Information:	Name City of St. Charles	Phone 630-377-4443
	Address 2 E. Main Street St. Charles IL, 60174	Fax 630-377-4062
		Email morourke@stcharlesil.gov

2. Billing: <i>To whom should costs for this application be billed?</i>	Name City of St. Charles	Phone 630-377-4443
	Address 2 E. Main Street St. Charles IL, 60174	Fax 630-377-4062
		Email morourke@stcharlesil.gov

Attachment Checklist

Application Fee (make checks payable to the City of St. Charles)

Chapter 17.14 “Business and Mixed Use Districts”
Chapter 17.24 “Off-Street Parking, Loading & Access”
Chapter 17.26 “Landscaping and Screening”

Pertaining to requirements for existing parking lots and requirements for public street frontage landscaping.

Community Development
Planning Division

Phone: (630) 377-4443

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ST. CHARLES
SINCE 1834

STAFF REPORT

TO: Chairman Daniel P. Stellato
And Members of the Planning & Development Committee

FROM: Matthew O'Rourke, AICP, Planner

RE: General Amendments to Tile 17 (Zoning Ordinance) Requirements for
Resurfacing/Reconstruction of Existing Parking Lots and Public Street Frontage
Landscaping

DATE: November 7, 2013

I. GENERAL INFORMATION

Project Name: General Amendments to Tile 17 (Zoning Ordinance) Requirements for
Resurfacing/Reconstruction of Existing Parking Lots and Public Street
Frontage Landscaping

Applicant: City of St. Charles, Planning Division

Purpose: Ordinance amendments to multiple sections of the Zoning Ordinance to
encourage the redevelopment of older parking facilities in need of
resurfacing/reconstruction and commercial corridor landscaping and to
created public street frontage landscaping requirements that are more
flexible and comply with the polices stated in the newly adopted St.
Charles Comprehensive Plan.

II. BACKGROUND

Staff has routinely updated the current Zoning Ordinance since its adoption in 2006. As staff has applied the ordinance to review development proposals, ordinance sections are identified that are too restrictive or do not encourage the redevelopment of existing facilities.

Staff is also reviewing Zoning Ordinance standards for conflicts with the recommendations stated in the recently updated Comprehensive Plan.

Staff is presenting the following amendments based on this review.

**III. AMENDMENTS TO MULTIPLE CHAPTERS REGARDING LANDSCAPING
AND PARKING SETBACKS FOR EXISTING PARKING LOTS**

A. BACKGROUND & ISSUES

Commercial property owners often submit building permit applications to resurface and replace their existing parking lots in the same location with the same layout. Typically, these parking lots are older and do not conform the current landscaping and setback standards contained in the Zoning Ordinance and are considered legal nonconforming. Separate provisions require that when an application to significantly rebuild these parking lots is filed, that these facilities be brought into compliance with the current zoning standards.

The combination of increased interior parking lot landscaping and increased parking setbacks cause the property to lose off-street parking spaces. In certain instances, this could require the property owner to reduce the number of onsite parking spaces below the minimum required in the Zoning Ordinance and create unanticipated expenses to install landscaping. Instead of reconstructing the parking facilities, property owners choose to patch and sealcoat their parking lots and retain their legal nonconforming status.

Chapter 17.08 “Nonconformities” of the Zoning Ordinance states that property owners who apply for a permit to repave more than 50% of their parking facility must bring that parking facility into compliance with all applicable requirements of the ordinance. In particular, **Section 17.26.020.C** in **Chapter 17.26 Landscaping and Screening** requires that 10% of the interior of a parking facility be converted to greenspace. The resurfaced/reconstructed parking facility will also be required to conform to the required parking facility setback of the underlying zoning district.

However, this requirement conflicts with **Section 17.24.010.A Existing Facilities** which requires the property owner to maintain the minimum number of off-street parking spaces required by ordinance.

B. STAFF ANALYSIS

Staff has included an analysis of a sample of properties on East and West Main Street developed before the current Zoning Ordinance was adopted (See Exhibit A). This analysis illustrates the results of nonconforming parking facilities being required to meet the setback and interior parking facility greenspace requirements. This analysis shows that conforming to these requirements typically reduce the number of off-street parking spaces below the minimum required by the Zoning Ordinance.

Comprehensive Plan

Chapter 4 Land Use Plan of the City’s newly adopted Comprehensive Plan states the following under Commercial Area Polices:

“Evaluate commercial landscaping requirements to ensure landscaping is appropriately used to enhance the appearance of a site and screen unsightly uses.

Requiring commercial development to install trees, shrubs and other landscaping at the time of their development serves to improve its appearance and the appearance of the community. Along corridors, parkway landscaping helps beautify the area, complementing site architecture, screening utilities and softening views to large fields of parking. The City of St. Charles is current facing two issues with its commercial landscaping: (1) in the older commercial areas that developed prior to landscaping requirements, the landscaping is too sparse and the areas are unattractive; and, (2) in the newer commercial areas some landscaping is screening commercial businesses and restricts their visibility and exposure.

The City should evaluate their current landscaping requirements to make sure requirements are not too excessive and detrimental to commercial visibility. Additionally, the City should consider an amortization schedule requirement nonconforming sites to become compliant with the City’s landscaping requirements within a specified time period to improve the appearance of the City’s older commercial areas.”

C. PROPOSED AMENDMENTS

Staff is proposing the following amendments to facilitate the reconstruction of deteriorated parking facilities and enhance the aesthetic appearance of the City’s commercial corridors through landscape improvements. These amendments will encourage property owners to reconstruct their parking facilities and install landscaping along commercial corridors while minimizing negative impacts by preserving existing off-street parking spaces.

1. **Section 17.24.010 A. Existing Facilities**

Staff is proposing the following amendments highlighted in *bold italics*:

Existing off-street parking and loading facilities shall not be reduced below the requirements of this Chapter with respect to the number of spaces provided or the design of such facilities. If an existing facility provides less than the required number of parking or loading spaces, no parking or loading spaces shall be removed. If an existing facility provides less than the dimensions, landscaping, or other characteristics regulated by this Chapter, no nonconforming dimension, landscaping or other characteristic regulated by this Chapter shall be further decreased. Existing off-street parking and loading facilities which do not conform to the requirements of this Title, but were lawfully existing when the parking or loading facilities were established or substantially modified, may be allowed to continue as legal nonconforming uses, subject to the limitations of the provisions of Chapter 17.08, “Nonconformities”. *Notwithstanding the previous sentence, if an existing parking lot is proposed to be resurfaced or reconstructed, and the parking lot does not meet the current parking setback requirement, the required setback may be reduced by fifty percent (50%). If the existing parking lot is setback at a distance greater than fifty percent (50%) of the required parking lot setback of the underlying Zoning District, the existing parking lot setback shall not be reduced further than the distance the existing parking lot is setback from the property line.*

2. **Section 17.24.030.A Permit Required**

Staff is proposing that the following be removed from the ordinance to clarify the difference between when a permit is required:

A Building Permit is required prior to any construction, alteration or addition of any parking facility providing five (5) or more parking spaces, and for any loading facility. For purposes of this Section, construction, alteration or addition shall include all paving of previously unpaved surfaces, replacement of pavement, binder and/or surface courses, construction of curbing, installation of new parking lot landscaping, and similar activities. Construction, alteration or addition shall not include maintenance activities such as replacement of existing landscaping, repair of existing curbing, pavement repairs, sealing, re-stripping, ~~or placement of surface course pavement over previously paved areas,~~ or other maintenance activities.

3. Section 17.26.020.C.3

To encourage the improvement of existing parking facilities and to facilitate landscape improvement between the existing parking facility and the property line Staff is proposing the Section 17.26.020.C.3 be removed and replaced with a new subsection D:

D. Resurfacing/Reconstruction of Existing Parking Facilities

- 1. When an existing parking facility or Drive-Through Facility is resurfaced or reconstructed such that: 1) the amount pavement to be resurfaced exceeds 50% of the parking facility, 2) the pavement is located within a required parking setback and/or within ten feet (10') of the required parking setback line, the resurfaced/reconstructed parking facility shall conform to the following:*
 - a. The setback of the parking facility shall conform to the standards established in Section 17.24.010.A Existing Facilities.*
 - b. The greenspace within the required setback area shall be landscaped in accordance with the standards established in Section 17.26.090.A Public Street Frontage Landscaping and Section 17.26.090.B Screening of Parking Lots, Motor Vehicle Displays, and Drive-Through Facilities.*
 - c. No existing landscaping shall be eliminated, unless it exceeds the minimum requirements of this chapter.*

4. Table 17.14-2 Business and Mixed Use Districts Bulk Regulations

Staff is proposing that a footnote be added to this Table 17.14-2 to highlight the parking setback exception as proposed in Section 17.24.010.A Existing Facilities. The note will read as follows:

If an existing parking facility is resurfaced or reconstructed, and the parking facility does not meet the current parking setback requirement, the required setback may be reduced by fifty percent (50%). If the existing parking facility is setback at a distance greater than fifty percent (50%) of the required parking facility setback of the underlying Zoning District, the existing parking facility setback shall not be reduced.

IV. SECTION 17.26.090.A “PUBLIC STREET FRONTAGE LANDSCAPING”

A. BACKGROUND & ISSUES

In 2010, staff presented amendments to the Chapter 17.26 Landscaping and Screening. These amendments created the standards established in **Section 17.26.090.A Public Street Frontage Landscaping**. After working with these requirements, staff has determined that they are too restrictive and require too much vegetation along public streets. The City’s recently adopted Comprehensive Plan also recommends that landscape standards be reviewed so commercial properties are not overly landscaped.

B. STAFF ANALYSIS

Section 17.26.090.A requires:

- One shade tree 40 lineal feet of public street frontage.

- Two ornamental or evergreen trees per every 40 lineal feet of public street frontage.
- 75% of the public street frontage is planted with a combination of ornamental shrubs, evergreen shrubs, and perennials.

Staff has reviewed the Zoning Ordinances of area communities to analyze typical tree requirements abutting public streets. The following table details that analysis:

City	Requirements
Geneva	One shade tree for each sixty feet (60') along the lot lines.
Batavia	Minimum tree size shall be planted in the quantity of 1 tree per 25 feet of lineal street frontage, exclusive of driveways.
Aurora	Provide 3 Canopy trees per every 100 lineal feet of lot abutting a right-of-way.
Naperville	Shall be spaced at the equivalent of not more than seventy (70) feet apart along all property lines, exclusive of access drives perpendicular to the lot lines.
South Elgin	Continuous landscaping shall be provided across not less than 60% of the parking lot frontage to a minimum height of three feet. Such landscaping shall consist of any combination of berms, shade and ornamental trees, evergreens, shrubbery, hedges, and/or other live planting material.

Comprehensive Plan

Chapter 4 Land Use Plan of the City’s newly adopted Comprehensive Plan states the following under Commercial Area Polices:

“Evaluate commercial landscaping requirements to ensure landscaping is appropriately used to enhance the appearance of a site and screen unsightly uses.

Requiring commercial development to install trees, shrubs and other landscaping at the time of their development serves to improve its appearance and the appearance of the community. Along corridors, parkway landscaping helps beautify the area, complementing site architecture, screening utilities and softening views to large fields of parking. The City of St. Charles is current facing two issues with its commercial landscaping: (1) in the older commercial areas that developed prior to landscaping requirements, the landscaping is too sparse and the areas are unattractive; and, (2) in the newer commercial areas some landscaping is screening commercial businesses and restricts their visibility and exposure. The City should evaluate their current landscaping requirements to make sure requirements are not too excessive and detrimental to commercial visibility. Additionally, the City should consider an amortization schedule requirement nonconforming sites to become compliant with the City’s landscaping requirements within a specified time period to improve the appearance of the City’s older commercial areas.”

“Improve the appearance of the public right-of-way through streetscape improvements.

The City should continue its installation of the streetscape program consisting of elements that strengthen the unified theme of commercial areas such as benches, bus shelters, trash cans, streetlights, way finding signage and other amenities. In coordination with IDOT and KDOT where appropriate, the City should facilitate desired right-of-way improvements including improved landscaping, lighting, and gateway signage consistent with the Sub Area Plans.

C. PROPOSED AMENDMENT

Staff is proposing the following amendments to align the Zoning Ordinance with practices observed in surrounding communities and to enact the commercial area policies stated in the Comprehensive Plan.

Staff is proposing the following amendments to Section 17.26.090.A.3 are identified in *bold italics*.

3. Required Landscape Materials
 - a. *One shade, ornamental, or evergreen tree is required per every 50 lineal feet of public street frontage.*
 - b. No less than 75% of the public street frontage as measured horizontally along the lot lines abutting the street shall be planted with a combination of ornamental shrubs, evergreen shrubs, and perennials. If a minimum of 50% of the street frontage is supplemented with decorative walls, ornamental fencing, or sculptured berming, *or the design includes permanent quasi-public usable open space or a visual focal feature is placed in the area abutting the right-of-way such as water features, public art, public seating areas complete with public benches, or a similar improvement of visual interest*, then the requirement for trees and shrubs shall be reduced to 40%, provided the landscaping is designed to enhance the aesthetics of the wall, fence or berm provided.”

V. **PLAN COMMISSION**

The Plan Commission held a public hearing and recommended approval of the proposed amendments on 11/5/2013. The vote was 6-aye to 0-nay.

The Plan Commission forwarded the following comment along with their recommendation: That staff investigate methods of incentivizing interior parking lot landscaping while not specifically requiring it in existing parking lots. One existing method is to promote the Corridor Improvement Program. Corridor grants can be used for any landscaping between a roadway and the front of a building for properties with frontage on Main Street, Kirk Road, Randall Road, and Rt.38. This can include interior parking lot landscaping.

VI. **RECOMMENDATION**

Staff recommends approval of the General Amendment Application and has provided the attached draft Findings of Fact to support that recommendation.

VII. ATTACHMENTS

1. Table: Parking Lot Property Setbacks and Greenspace Analysis

FINDINGS OF FACT
GENERAL AMENDMENT

(Amendments to the Requirements for Resurfacing/Reconstruction of Existing Parking Lots and Public Street Frontage Landscaping)

1. The consistency of the proposed amendment with the City’s Comprehensive Plan.

The proposed amendments are consistent with the policies stated in the “Commercial Area Policies” of Chapter 4 “Land Use Plan” in the City’s Comprehensive Plan. Specifically, amendments are directly related to the following Comprehensive Plan policies:

“Evaluate commercial landscaping requirement to ensure landscaping is appropriately used to enhance the appearance of a site and screen unsightly uses.”

“Improve the appearance of the public right-of-way through streetscape improvements.”

The proposed amendments to existing parking lot landscaping and setbacks will encourage property owners to reconstruct rather than repair dilapidated parking lots and create landscape areas along the City’s commercial corridors. Both improvements will increase the aesthetic appeal of these corridors through the increase of landscaping in sparse areas.

The proposed amendments to the public street frontage requirements will reduce excessive standards that may be detrimental the viability of the City’s commercial corridors and continue to require a sufficient amount of landscaping to create visual interest but not block the commercial properties completely from view.

2. The consistency of the proposed amendment with the intent and general regulations of this Title.

The proposed amendments fit within the structure and framework of the Zoning Ordinance and do not change the intent of the existing ordinance requirements. The changes to Chapter 17.26 Landscaping and Screening and 17.24 Off-Street Parking, Loading, & Access will promote the improvement of the City’s commercial corridors by enhancing its character and scenic beauty.

3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.

The proposed amendments reflect a change in policy as stated in the City’s newly adopted Comprehensive Plan. These amendments specifically reflect the following policies stated in the “Commercial Area Policies” of Chapter 4 “Land Use Plan” of the Comprehensive Plan.

“Evaluate commercial landscaping requirement to ensure landscaping is appropriately used to enhance the appearance of a site and screen unsightly uses.”

“Improve the appearance of the public right-of-way through streetscape improvements.”

4. The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.

The amendments will apply to all properties within the applicable zoning districts and will be applied to all existing parking lot resurfacing/reconstruction projects or projects that require landscaping abutting a public street.

5. The extent to which the proposed amendment creates nonconformities.

The proposed amendments will not create any new nonconformities. The proposed amendments for parking lot resurfacing/reconstruction only apply to existing parking lots that are legal nonconforming structures. These proposed amendments will only reduce the degree of nonconformity that currently exists.

The proposed amendments to public street landscaping will reduce the amount of landscaping required to a more sustainable amount and will require less than the current standards.

6. The implications of the proposed amendment on all similarly zoned property in the City.

These amendments will apply to all business, mixed-use, and manufacturing zoning districts. The amendments will be applied evenly to all existing parking lots in the process of resurfacing/reconstruction and developments that require public street frontage landscaping.

Parking Lot Property Setbacks and Greenspace Analysis

Address	Distance From Property Line to Parking Lot (Feet)	Total Off-Street Parking Spaces Onsite	Parking Requirement	# Of Off Street Parking Spaces Required	Parking Lot Area Square Feet	Existing Interior Green Space (SQFT)	Interior Green Space Required (SQFT)	Total Parking Spaces After Potential Parking Lot Reconstruction
2550 E. Main Street	18	147	10 Spaces per 1,000 GFA	192.35	66,522	5,721	6,652	130
2540 E. Main Street	0	17	10 Spaces per 1,000 GFA	16.43	9,596	0	960	10
2536 E. Main Street	0	24	10 Spaces per 1,000 GFA	11.48	9,060	0	906	17
2526 E. Main Street	13	44	10 Spaces per 1,000 GFA	26.15	26,789	783	2,678	26
2520 E. Main Street	0	73	10 Spaces per 1,000 GFA	49.07	28,618	0	2,862	47
1712 W. Main Street	13.5	13	4 Spaces per 1,000 GFA	9.936	5095	248	509	7