	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>												
	Title:		Plan Commission Recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to Landscape Buffer Yards in the M-2 Limited Manufacturing District.										
	Presenter:		Russell Colby										
Please check appropriate box:													
	Government Operations				Government Services								
X	Planning & Development – (8/10/15)				City Council								
	Public Hearing												
<table border="1"> <tr> <td>Estimated Cost:</td> <td>N/A</td> <td>Budgeted:</td> <td>YES</td> <td></td> <td>NO</td> <td></td> </tr> </table>							Estimated Cost:	N/A	Budgeted:	YES		NO	
Estimated Cost:	N/A	Budgeted:	YES		NO								
If NO, please explain how item will be funded:													
<b>Executive Summary:</b>													
<p>Staff is proposing a change to the Landscape Buffer Yard requirements that apply to properties within the M-2 Limited Manufacturing District.</p> <p>The City adopted a new Zoning Ordinance in 2006 which introduced the concept of a Landscape Buffer Yard. The Landscape Buffer Yard is intended to provide a greater visual barrier and physical separation between incompatible land uses. Landscape Buffer Yards require substantial landscaping, full visual screening and a greater setback distance (for buildings and parking) be provided on the lot with the more intensive land use. In the case of the M-2 zoning district, a 100 ft. Landscape Buffer Yard requirement applies to any M-2 zoned lot that is directly adjacent to, or across the street from, a residentially zoned property.</p> <p>City staff has recently been receiving inquiries from potential developers of M-2 lots that are subject to the 100 ft. Landscape Buffer Yard requirement. The Buffer Yard requirement has created site planning challenges for developing these properties. Additionally, the 100 ft. buffer is inconsistent with the development pattern of the M-2 zoning district.</p> <p>Staff does not believe the full 100 ft. buffer yard setback is necessary to effectively screen and separate residential uses from the M-2 zoning district where there is a collector or arterial street separating the property. An amendment is being proposed to reduce the Buffer Yard distance in these situations. More information is provided in the staff report.</p> <p><b>Plan Commission Review</b> The Plan Commission held a public hearing for the General Amendment on 7/21/15. The Commission voted 9-0 to recommend approval of the General Amendment as presented.</p>													
<b>Attachments:</b> <i>(please list)</i>													
Plan Commission Resolution, Staff Report and Attachments, General Amendment Application													
<b>Recommendation / Suggested Action</b> <i>(briefly explain):</i>													
Plan Commission Recommendation to approve a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to Landscape Buffer Yards in the M-2 Limited Manufacturing District.													
For office use only:		Agenda Item Number: 4g											

**City of St. Charles, Illinois**  
**Plan Commission Resolution No. 9-2015**

**A Resolution Recommending Approval of a General Amendment to Chapter 17.16 “Office/Research, Manufacturing and Public Lands District”, Section 17.16.030 “Bulk Regulations” (Landscape buffer yards in M-2 Limited Manufacturing District)**

**Passed by Plan Commission on July 21, 2015**

WHEREAS, it is the responsibility of the St. Charles Plan Commission to hold public hearings and review requests for amendments to Title 17, “Zoning”; and

WHEREAS, the Plan Commission held a public hearing and has reviewed the petition for a General Amendment to Chapter 17.16 “Office/Research, Manufacturing and Public Lands District”, Section 17.16.030 “Bulk Regulations” (Landscape buffer yards in M-2 Limited Manufacturing District); and

WHEREAS, in accordance with Section 17.04.320.C, the Plan Commission has considered the following criteria for General Amendment:

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

The Comprehensive Plan recommends minimizing the potential negative impacts of industrial developments on adjacent residential areas through setbacks and screening. With the proposed amendment, the effectiveness of the Landscape Buffer Yard requirements will continue to be maintained, without requiring an excessive separation distance.

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

Landscape Buffer Yard screening will continue to be required where an M-2 property is adjacent to or across the street from a residential lot. The yard/setback distance is being reduced for certain properties to better match the already established development pattern and account for the separation distance already provided by the large right-of-way width of a collector or arterial street. Effective separation and buffering will occur without imposing onerous regulations that make M-2 properties more difficult to development.

**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 of policy.**

The amendment will provide more workable requirements for developing M-2 zoned

properties that are subject to the Landscape Buffer Yard requirement, and the requirement will reflect the existing conditions along Tyler and Kirk Roads.

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

This amendment has been proposed by the City in the interest of making the Landscape Buffer Yard regulations fairer and less onerous.

**5. The extent to which the proposed amendment creates non-conformities.**

The proposed amendment will reduce the number of existing non-conforming setbacks in the M-2 district that were lawfully established prior to the adoption of the 2006 Zoning Ordinance update.

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

This amendment will be applied equally across all M-2 zoned properties.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to City Council approval of a General Amendment to Chapter 17.16 "Office/Research, Manufacturing and Public Lands District", Section 17.16.030 "Bulk Regulations" (Landscape buffer yards in M-2 Limited Manufacturing District).

Roll Call Vote:

Ayes: Schuetz, Wallace, Kessler, Doyle, Holderfield, Pretz, Frio, Macklin-Purdy, Spruth

Nays:

Absent:

Motion Carried: 9-0

PASSED, this 21st day of July 2015.

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Chairman  
St. Charles Plan Commission

Community & Economic Development  
Planning Division

Phone: (630) 377-4443

Fax: (630) 377-4062



**STAFF REPORT**

**TO:** Chairman Todd Bancroft  
and Members of the Planning & Development Committee

**FROM:** Russell Colby, Planning Division Manager

**RE:** Application for a General Amendment to Title 17 of the City Code (Zoning Ordinance)  
regarding M-2 Landscape Buffer Yards

**DATE:** August 4, 2015

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**I. GENERAL INFORMATION**

Project Name: General Amendment for M-2 Landscape Buffer Yards

Applicant: City of St. Charles

Purpose: Modify the distance requirements for Landscape Buffer Yards in the M-2 district where the yard abuts a collector or arterial street

**II. BACKGROUND**

Development History of M-2 zoned areas

The M-2 Limited Manufacturing Zoning District covers the City's east side industrial park, which is generally located south of Main St., north and east of Tyler Rd., and east of Kirk Road (south of Tyler Road).

The industrial park was annexed in the City and subdivided into building lots in the 1950s and 1960s and has developed incrementally over time. A number of undeveloped or partially developed parcels still exist in the original industrial park. The last major industrial subdivision was the Legacy Business Park on Kirk Rd. in 2005.

Almost all of the City's industrial areas were developed under the City's old Zoning Ordinance (in effect from 1960-2006). This ordinance required a standard 40 ft. yard setback along all streets within the industrial zoned areas. Additionally, screening requirements applied to outdoor uses, such as outdoor storage, so that certain items were not visible from public streets or adjacent residential properties.

Current Zoning Ordinance

The City adopted a new Zoning Ordinance in 2006 which introduced the concept of a Landscape Buffer Yard. During the process of writing the ordinance, it was identified that the zoning setback requirements of non-residential zoning districts did not provide for a significant enough visual barrier or physical

separation between incompatible land uses. The Landscape Buffer Yard requires substantial landscaping, full visual screening and a greater setback distance (for both buildings and parking) be provided on the lot of the more intensive land use.

In the case of the M-2 zoning district, a 100 ft. Landscape Buffer Yard requirement applies to any lot in the M-2 district that is directly adjacent to or across the street from a residentially zoned property.

Relevant sections of the Zoning Ordinance:

M2 Zoning District Purpose Statement:

***17.16.010 Purpose Statements***

***C. M-2 Limited Manufacturing District***

*The purpose of the M-2 Limited Manufacturing District is to accommodate a wide range of manufacturing, assembly, processing, warehousing and office/research activities, both as individual users and in a business park setting. New development and redevelopment in this District shall focus on providing sufficient setbacks, and adequate landscaping and buffering from adjacent non-industrial uses and public rights-of-way. Outdoor storage and loading, and other outdoor activities, shall be adequately screened.*

M2 Zoning District Bulk Regulations Table: See attached

Definition of a Buffer Yard:

***17.30.030 General Definitions***

***Buffer Yard.*** *An area of a lot with landscape plantings and other components used to visibly separate one use from another or to shield or block noise, lights or other nuisances.*

Requirements within a Landscape Buffer Yard:

***17.26.070 Landscape Buffers***

*A. The Landscape Plan shall provide for Landscape Buffers to enhance privacy and provide screening between dissimilar uses, wherever the zoning district regulations require a Landscape Buffer Yard. Where Landscape Buffers overlap with other landscape requirements with respect to the same physical area on the lot, the requirement that yields more intensive landscaping shall apply, but the requirements need not be added together.*

*B. The Director of Community Development, in the case of Design Review, or the City Council, in the case of a Planned Unit Development, may reduce or waive the requirements of this Section where existing conditions make it impractical to provide the required Landscape Buffer, or where providing the Landscape Buffer would serve no practical purpose. Examples include, but are not limited to, instances where existing topography or structures effectively screen the more intensive use and provide a measure of privacy to the less intensive use.*

*C. Within required Landscape Buffers along common property lines, opaque, year-round screening shall be provided by means of berming, landscaping, fencing and/or decorative walls to a height of six feet (6') above the grade of the common property line.*

*D. Along right of way lines, where a Landscape Buffer of forty feet or more in width is required, opaque, year-round screening shall be provided by means of berming, landscaping, fencing and/or decorative walls, to a minimum height of six feet (6') above the grade of the right of way*

*line. Such opaque, year-round screening shall be designed so that the first twenty feet (20') of the Landscape Buffer abutting the right of way line is relatively open and consists primarily of landscaping, and the elements of screening that provide opacity are located twenty feet (20') or more from the right of way line. Opaque, year-round screening is not required within Landscape Buffers of less than 40 feet in width along right of way lines.*

*E. For each 400 square feet of required Landscape Buffer, there shall be at least one shade tree or two evergreen trees, plus ornamental trees, shrubs, ornamental grasses, or perennials as needed to soften the appearance of solid forms such as fences, walls and berms that may used to provide a visual screen.*

*F. If a new building or outdoor use is added on a lot where other buildings or uses exist, a Landscape Buffer, where required by the district regulations, shall be provided to buffer adjoining lots from the new building or use, but an additional Landscape Buffer beyond that which is required for the new building or use need not be provided to buffer adjoining lots from the existing buildings or uses.*

### III. ANALYSIS

Since the 2006 ordinance change, no new development activity has occurred on any M-2 zoned properties where the Landscape Buffer Yard would apply. City staff only recently began receiving inquiries from potential developers of lots in these areas. The 100 ft. Landscape Buffer Yard requirement has created site planning challenges for developing these properties. Attached are maps showing the location where the Landscape Buffer Yard requirement applies, along with information on existing building/parking setbacks and street right-of-way widths.

Staff has observed the following:

1. **The Buffer Yard setback does not account for the width of the street right-of-way that separates the M-2 property from the residential property.** In the case of properties along Tyler and Kirk Roads, the effective separation distance from an M-2 lot line to the nearest residential property ranges from 80 to 200 ft. If the standard 40 ft. front yard setback requirement is applied, the effective separation between the buildable portion of the M-2 property and the residential property, before application of any Landscape Buffer Yard, is 120 to 240 ft., which is in excess of the 100 ft. Buffer Yard requirement.
2. **The Buffer Yard requirements do not account for the traffic and activity that exists along multi-lane collector streets such as Tyler Road or arterial streets such as Kirk Road.** These roadways have a significant volume of fast moving traffic at all hours of the day, and in all likelihood, the noise/activity generated by the street would be in excess of a typical industrial building or parking lot.
3. **Much of the Tyler and Kirk Road frontage has already been developed at the City's old 40 ft. setback requirement.** The remaining infill parcels would be subject to a significantly greater setback requirement than exists in these areas and the resulting streetscape appearance would be inconsistent.

#### IV. PROPOSAL

Staff proposes the following:

1. **Reduce the Landscape Buffer Yard setback from 100 ft. to 40 ft. where the M-2 zoned property is separated from the residentially zoned property by a collector or arterial street with a right-of-way width of 80 ft.** The resulting separation of uses (from buildable area of M-2 lot to the lot line of the residential lot) would be a minimum of 120 ft.
2. **No change to the Buffer Yard distance where an M-2 zoned property is directly adjacent to a residentially zoned property, or where the properties are separated only by a local street.** The 100 ft. setback distance would continue to apply in these situations. Referring to the maps, this requirement would apply to the industrial properties located along South Ave. and S. 14<sup>th</sup> Ave.
3. **No changes to the actual screening requirements within a Landscape Buffer Yard.** The requirements listed in Section 17.26.070 would continue to apply, regardless of the size of the Landscape Buffer Yard. Note that this section of the ordinance provides for flexibility in the type of buffering/screening provided, subject to Plan Commission/City Council approval with a PUD or by staff with a Building Permit project.

#### **Amendment Text**

Within Table 17.16-2, “Office/Research, Manufacturing and Public Lands Bulk Regulations”, under the column for the M-2 district, in the row “Landscape Buffer Yard”, the text would be revised as follows:

*100 ft.; may be reduced to 40 ft. when abutting a collector or arterial street right-of-way of at least 80 ft. in width.*

#### IV. PLAN COMMISSION RECOMMENDATION

The Plan Commission held a public hearing to review the General Amendment on 7/21/15.

The Plan Commission voted 9-0 to recommend approval of the General Amendment as presented.

## **FINDINGS**

### **APPLICATION FOR GENERAL AMENDMENT**

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

The Comprehensive Plan recommends minimizing the potential negative impacts of industrial developments on adjacent residential areas through setbacks and screening. With the proposed amendment, the effectiveness of the Landscape Buffer Yard requirements will continue to be maintained, without requiring an excessive separation distance.

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

Landscape Buffer Yard screening will continue to be required where an M-2 property is adjacent to or across the street from a residential lot. The yard/setback distance is being reduced for certain properties to better match the already established development pattern and account for the separation distance already provided by the large right-of-way width of a collector or arterial street. Effective separation and buffering will occur without imposing onerous regulations that make M-2 properties more difficult to development.

**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 of policy.**

The amendment will provide more workable requirements for developing M-2 zoned properties that are subject to the Landscape Buffer Yard requirement, and the requirement will reflect the existing conditions along Tyler and Kirk Roads.

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

This amendment has been proposed by the City in the interest of making the Landscape Buffer Yard regulations fairer and less onerous.

**5. The extent to which the proposed amendment creates non-conformities.**

The proposed amendment will reduce the number of existing non-conforming setbacks in the M-2 district that were lawfully established prior to the adoption of the 2006 Zoning Ordinance update.

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

This amendment will be applied equally across all M-2 zoned properties.



**OFFICE/RESEARCH, MANUFACTURING AND PUBLIC LAND**

<p align="center"><b>TABLE 17.16-2</b>  <b>OFFICE RESEARCH, MANUFACTURING AND PUBLIC LANDS</b>  <b>BULK REGULATIONS</b></p>				
<p>ft = feet  sf = square feet  B = buildings and structures  P = parking lots</p>	ZONING DISTRICT			
	O-R	M-1	M-2	PL
Minimum Lot Area	20,000sf	None	None	None
Minimum Lot Width	100 ft	None	None	None
Maximum Building Coverage	50%	70%	60%	60%
Maximum Building Height	60 ft	40 ft	60 ft	50 ft
Front Yard (B, P)	30 ft	20 ft	40 ft	30 ft
Side Yards:				
Interior Side Yard	B: 10ft P: None	B: 10ft P: None	B: 20ft P: None	B: 10ft P: None
Exterior Side Yard (B, P)	30 ft	20 ft	40 ft	30 ft
Rear Yard	B: 30ft P: None	B: 20 ft; may be reduced to 10 ft when abutting a railroad right of way P: None	B: 20 ft; may be reduced to 10 ft when abutting a railroad right of way P: None	B: 30 ft.; may be reduced to 20 ft when abutting a lot in M-1 or M-2 or a railroad right of way P: None
Landscape Buffer Yard (B, P) <sup>1</sup>	30 ft., except on lots with a building over 150,000 sf of gross floor area: 80 ft.	30 ft.	100 ft.	30 ft.

(Ord. 2011-Z-1 § 13; Ord. 2008-Z-24 § 8; Ord. 1960-16 § IX (B) (3, 4).)

<sup>1</sup> Within the zoning districts specified, a landscape buffer yard shall be provided along any lot line that abuts or is across a street from property in any RE, RS, or RT District, and from property in an RM1 or RM2 District. See Chapter 17.26 for planting and screening requirements for landscape buffers. Landscape Buffer Yards may include or overlap with other required yards.



City of St. Charles, Illinois

Two East Main Street St. Charles, IL 60174-1984  
Phone: 630-377-4400 Fax: 630-377-4440 - www.stcharlesil.gov

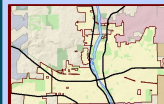
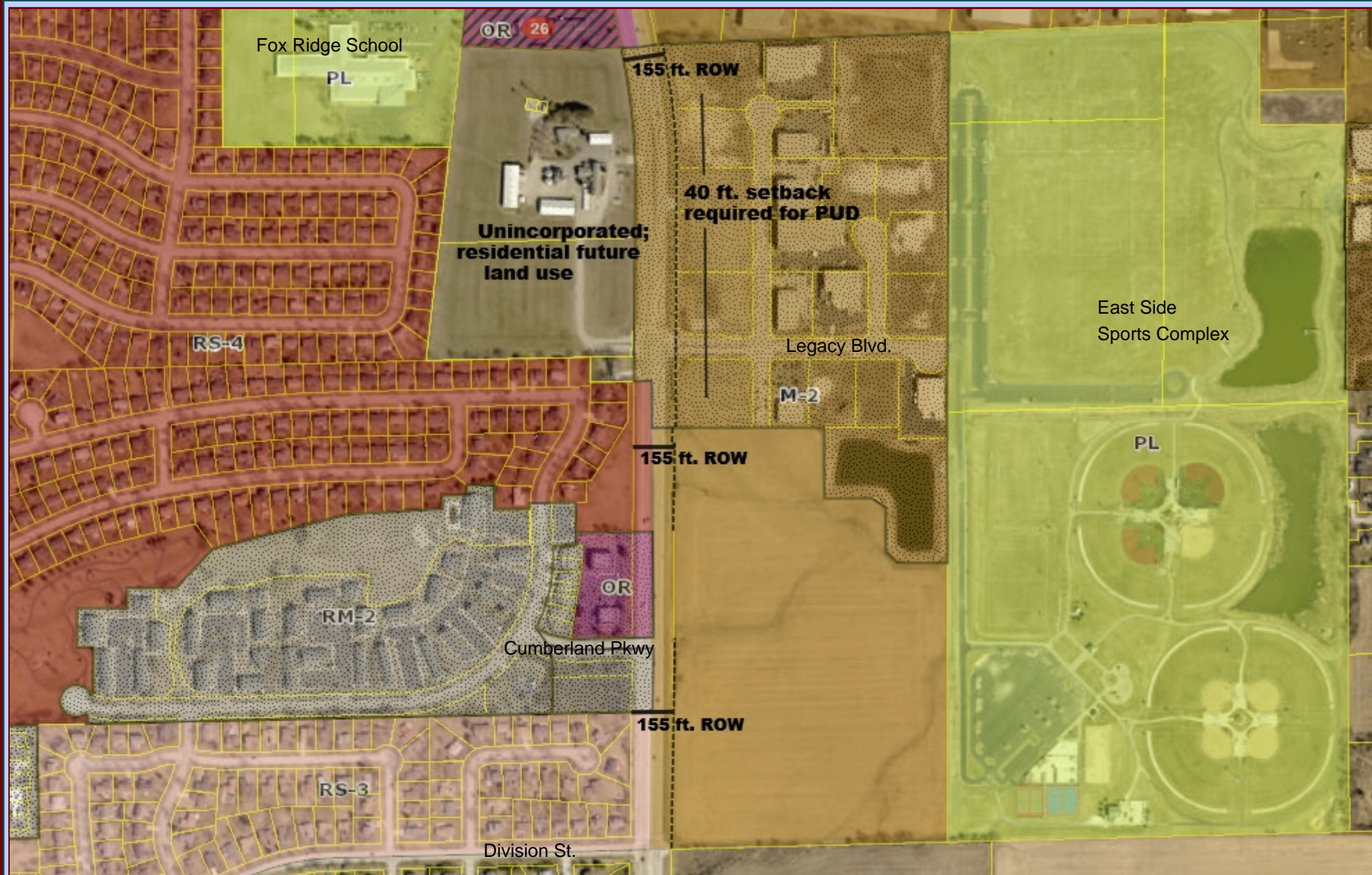
## Kirk Rd.- M-2 setbacks & ROW width

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:  
City of St. Charles, Illinois  
Kane County, Illinois  
DuPage County, Illinois  
Projection: Transverse Mercator  
Coordinate System: Illinois State Plane East  
North American Datum 1983  
Printed on: July 17, 2015 11:05 AM



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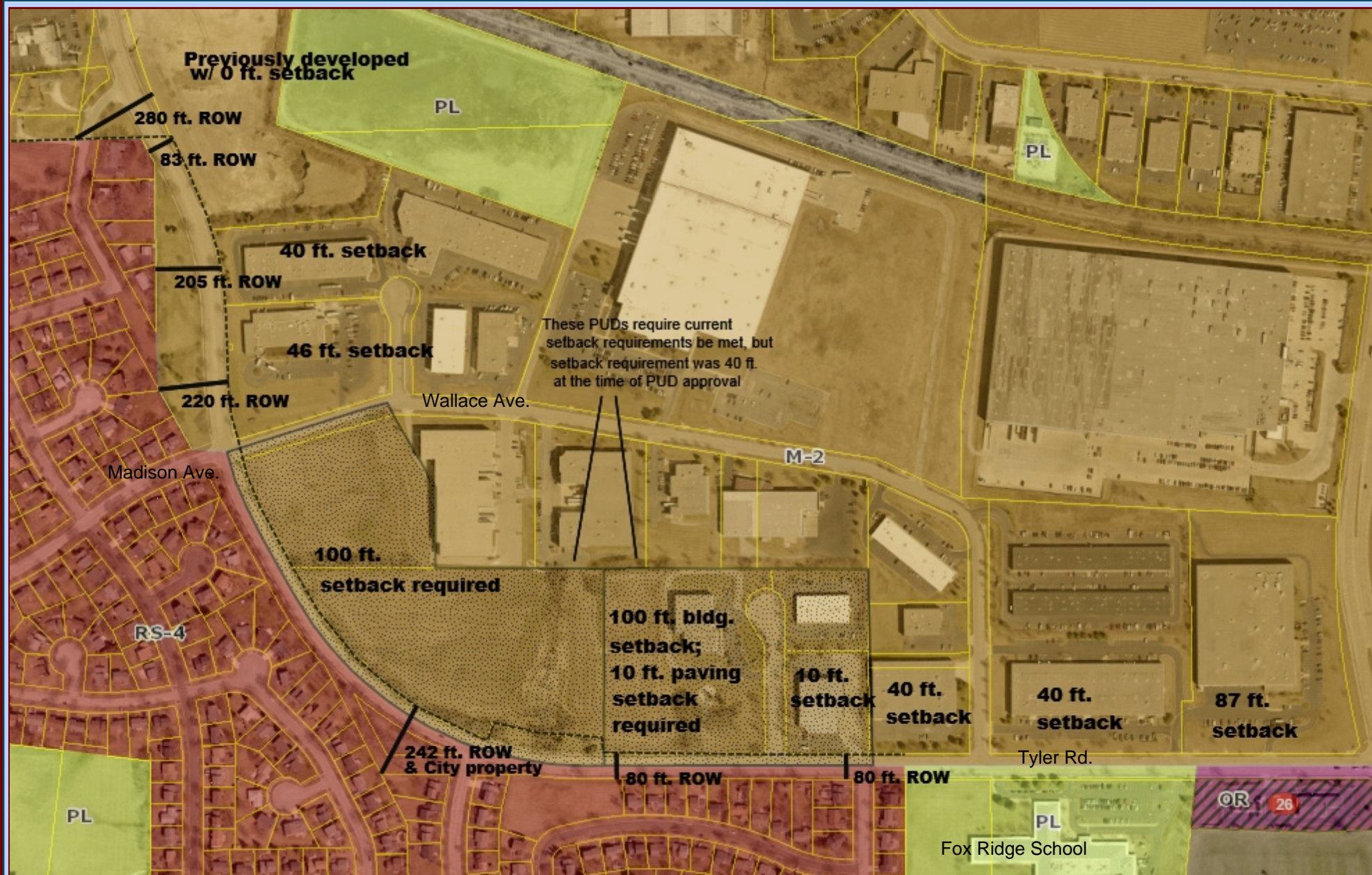
## Tyler Rd.- M-2 setbacks & ROW width

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:  
City of St. Charles, Illinois  
Kane County, Illinois  
DuPage County, Illinois  
Projection: Transverse Mercator  
Coordinate System: Illinois State Plane East  
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City of St. Charles, Illinois

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## S 14th St.- M-2 setbacks & ROW width

RAYMOND ROGINA

Mayor

MARK KOENEN

City Administrator



Data Source:  
City of St. Charles, Illinois  
Kane County, Illinois  
DuPage County, Illinois  
Projection: Transverse Mercator  
Coordinate System: Illinois State Plane East  
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# CITY OF ST. CHARLES

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



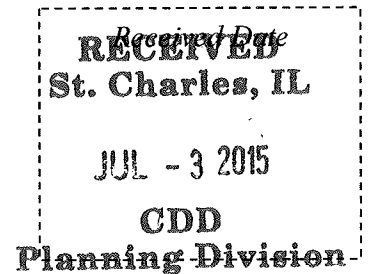
COMMUNITY & ECONOMIC DEV./PLANNING DIVISION

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

## GENERAL AMENDMENT APPLICATION

### CITYVIEW

Project Name: GA-M2 Landscape Buffer Yards  
Project Number: 2015 -PR- 012  
Application Number: 2015 -AP- 020



### Instructions:

To request an amendment to the text of the St. Charles Zoning Ordinance (City Code Title 17), complete this application and submit it with all required attachments to the Planning Division.

City staff 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 Division and we will be happy to assist you.

<b>Applicant:</b>	Name	City of St. Charles	Phone	630-377-4443
	Address	2 E. Main St. St. Charles, IL 60174	Fax	630-377-4062
			Email	rcolby@stcharlesil.gov

### Attachment Checklist

If multiple zoning or subdivision applications are being submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.

- ☐ **APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance (\$500)
- ☐ **REIMBURSEMENT OF FEES AGREEMENT:**  
An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.
- ☐ **REIMBURSEMENT OF FEES INITIAL DEPOSIT:**  
Deposit of funds in escrow with the City. (For a General Amendment application only: \$1,000 deposit.)
- ☐ **FINDINGS:** Fill out the attached form or submit responses on a separate sheet.

☐ **WORDING OF THE REQUESTED TEXT AMENDMENT**

**What is the amendment regarding?**

Landscape Buffer Yards in the M-2 Limited Manufacturing District

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**What sections are proposed for amendment?**

Chapters(s): 17.16 and ~~17.26~~

Section(s): Table 17.16-2 and ~~Section 17.26.070~~

**The wording of the proposed amendment:** Insert below or attached wording on a separate page.

See attached

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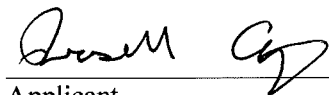
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**I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.**



Applicant

7/3/15

Date

17.16-2

M2

Landscape Buffer Yard (B,P)

100 ft.; may be reduced to 40 ft. when abutting a collector or arterial right-of-way of at least 80 ft. in width