
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: WALTER MAGDZIARZ, COMMUNITY DEVELOPMENT DIRECTOR
DANIELLE MARION, PLANNING & ZONING ADMINISTRATOR
SUBJECT: ORDINANCE: ZONING ORDINANCE AMENDMENT (INDUSTRIAL USES)
AGENDA: APRIL 18, 2023 VILLAGE BOARD MEETING
DATE: APRIL 13, 2023

ISSUE

Shall the Village Board approve an Ordinance amending various sections of the Zoning Ordinance related to industrial uses.

DISCUSSION

The Village Board discussed this matter at its February 7, 2023 meeting and provided Village staff with a number of areas of concern or clarification.

As a refresher, this amendment was proposed in response to the increasing number of requests for industrial development in the Village. The proposed amendment is intended to provide certainty as to what is permitted in the Village. New terms and definitions to reflect changes that have occurred in the real estate industry over the past decade and performance standards with respect to the design and operation of these uses are added. It is hoped the new definitions will provide a common ground for discussing these uses as too often building typologies are misconstrued as uses, and vice versa. For example, a distribution center is a use, not a building type.

The Village Board may recall, Kimley-Horn performed a study for the Village a study of parking and trip generation for industrial uses and identified many of the current “industrial” uses that are in fashion in the real estate development industry. This study provided much useful information, including the prevalent use types and their respective descriptions. The proposed amendment uses the Kimley-Horn study as the starting point.

The revised amendment includes the following changes:

- Clarification of the screening requirement for dock doors and trailer parking and storage.
- Clarification of definitions for the new terms to be added to the Permitted Use Table
- Adding “cross-dock warehouse” to the Permitted Use Table
- Adding selected uses to the BP District (the District specifically includes warehouses in its description)

The Village Board asked staff to reconsider the option of making any dock doors and/or trailer storage adjacent a residential-zoned property a Special Use. Village staff is of the opinion that the proposed performance standards address the issue by requiring concealing, not merely screening, loading dock and trailer parking/storage areas from view from adjacent property.

The question about what uses, specifically hazardous materials, ought to be permitted in these uses was raised during the last discussion of this amendment. Regulating uses on the basis of the materials that are used or stored on the premises is problematic. Fortunately, there are regulations already in place to protect the public from dangerous or unwanted materials and substances. Village staff is confident the Village can rely upon such regulations enforced by other agencies to protect the public. The Planning Commission is currently considering a separate Zoning Ordinance amendment that explores this issue in more detail.

ATTACHMENTS

- Recommendation PC23-001
- Revised amendment (redline)
- Ordinance Amending Title 11, Zoning Regulations (Permitted Industrial Uses)

RECOMMENDATION

The Village Board approve an Ordinance amending the Village Code Title 11, Zoning Regulations to establish definitions and amend the permitted use table recommendations for specific industrial uses.

VILLAGE PRESIDENT

Jennifer Konen

VILLAGE CLERK

Alison Murphy



COMMUNITY DEVELOPMENT

VILLAGE TRUSTEES

Matthew Bonnie

Ted Koch

Heidi Lendi

Michael Schomas

Ryan Walter

James F. White

R E C O M M E N D A T I O N

PC23-001

TO: Village President and Board of Trustees
FROM: Planning Commission
DATE: Meeting of January 18, 2023
PETITION: 22-018 Text Amendment: Industrial Uses, Definitions, and Permitted Use Table

PROPOSAL

Amend the Zoning Ordinance to add various types of industrial uses and related definitions in section 11-4-22 and section 11-3-2.

BACKGROUND & HISTORY

The Village in the past year hired Kimley-Horn to perform a study on industrial typologies and the traffic each generates. This brought light to the need to further address different types of industrial uses in our zoning code. Over the years, the Village has been approached by different interested parties with interest in establishing a wide range of industrial uses some clearly permitted, others relying upon interpretation. The reliance on an individual's (the Zoning Administrator) interpretation is fraught with problems, including the high degree of uncertainty it creates in the development community and the community of residents in the Village. The proposed text amendment will address some of these uses and further define exactly what type of industrial uses the Village will accept within Village limits. There is a need to provide more certainty with respect to permitted uses in the industrial districts as it has a direct bearing on the Village's economic development efforts.

DISCUSSION

The Planning Commission discussed the proposed text amendment. One topic of discussion was the process of how and if there should be some regulations of the storage of hazardous materials. Commissioners came to the conclusion that for the purpose of this text amendment, that detail was not necessary at this time. Overall, there were no other concerns and Commissioners suggested minor edits to the proposed amendment and are included in the recommended amendment.

PUBLIC RESPONSE

After due notice, the Planning Commission held a public hearing on December 21, 2022. No objectors were present.

RECOMMENDATION

After careful consideration, the Planning Commission recommends the Village Board **approve** the proposed text amendment attached in Exhibit A.

AYES: Guddendorf, Wilson, Bieritz, Eckert, Ochsenschlager

NAYES: None

ABSENT: Sabo, Jones

Exhibit A

11-3-2: Definitions: *(Add the following terms and definitions)*

LOGISTICS: a term referring to the complex systems of flow and storage of materials from point of origin to point of consumption through a network of transport links and storage nodes.

TRUCK TERMINAL: a node in the logistics system where the premises are used for the transfer of goods primarily involving loading and unloading of freight-carrying trucks, and accordingly, involving the storing, parking, servicing and dispatching of freight-carrying trucks; goods and freight are not stored on the premises.

FULFILLMENT CENTER: A warehouse wherein goods and materials are stored, packed and dispatched to fulfill orders shipped directly to consumers

DISTRIBUTION CENTER: A warehouse wherein goods and materials are stored, packed and dispatched to fulfill orders usually not shipped directly to consumers

SORTING FACILITY: A warehouse wherein items such as parcels, boxes, cartons or parts are separated, routed, merged, identified, inducted and conveyed to specific destinations.

WAREHOUSE: A way station or storage node in the logistics system used for the storage of raw and/or finished material, goods and materials, but not including bulk storage of grain, beans, corn, wool and mohair.

CROSS-DOCK WAREHOUSE: A way station or storage node in the logistics system wherein premises are used for the transfer of goods or raw or finished materials primarily involving loading and unloading of freight-carrying trucks, and may involve the storing, parking, servicing and dispatching of freight-carrying trucks; finished goods and raw materials are stored on the premises. Also known as transload warehouse.

11-4-23: Additional Standards for Specific Uses:

Industrial uses located on 5 acres or more.

- A. Provide staging area for arrival of trucks to ensure trucks do not queue on public streets. If site has a controlled access point, there must be efficient queuing space on premise so no parking on public streets occurs
- B. Access to docks and loading areas shall be by forward motion, public streets shall not be used to maneuver into loading docks.
- C. Loading dock area and truck trailer parking shall be screened from public view by a wall with a minimum height of 10-feet or landscaping of same or greater height.
- D. Where dock doors face a residentially zoned lot a berm, landscaping, a wall or a combination thereof equal the height of a truck trailer must be provided to adequately conceal the dock doors from view from the residential property.
- E. Trailer parking/storage shall not exceed one trailer per dock door.

11-4-22: Table of permitted uses: *(Add the following)*

[illegible]

Revised Amendment

11-3-2: Definitions: *(Add the following terms and definitions)*

LOGISTICS: a term referring to the complex management systems of flow and storage of materials from point of origin to point of consumption through a network of transport links and storage nodes.

TRUCK TERMINAL: a node in the logistics system where the premises are used for the transfer of goods primarily involving loading and unloading of freight-carrying trucks, and accordingly, involving the storing, parking, servicing and dispatching of freight-carrying trucks and trailers; goods and freight are not stored on the premises.

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WAREHOUSE: A way station or storage node in the logistics system used for the storage of raw and/or finished material, goods and materials, but not including bulk storage of grain, beans, corn, wool and mohair.

WAREHOUSE, CROSS-DOCK: A ~~way station or storage node in the logistics system~~ warehouse wherein ~~the~~ premises are used for the transfer of goods or raw or finished materials primarily involving loading and unloading of freight-carrying trucks, and may involve the storing, parking, servicing and dispatching of freight-carrying trucks; finished goods and raw materials are stored and may be processed on the premises. Also known as transload warehouse.

11-4-23: Additional Standards for Specific Uses:

Industrial uses located on 5 acres or more.

- A. Provide staging area for arrival of trucks to ensure trucks do not queue on public streets. If ~~the premises have~~ site has a controlled access point, there must be ~~efficient~~ sufficient queuing space on ~~the premises~~ to prevent trucks from parking or queuing so no parking on public streets ~~occurs~~
- B. Access to docks and loading areas shall be by forward motion, public streets shall not be used to maneuver into loading docks.
- C. Loading dock area and truck trailer parking shall be screened from view from public streets ~~public view~~ by a wall having with a minimum height of 10-feet or landscaping of same or greater height, or a combination thereof.
- D. Where dock doors are adjacent ~~face~~ property that is zoned for residential ~~a residentially-zoned~~

~~let~~ a berm, landscaping, a wall, or a combination thereof equal **to** the height of a truck trailer **shall** ~~must~~ be provided to adequately conceal the dock doors **and truck trailers** from view from the residential property.

E. Trailer parking/storage shall not exceed one trailer per dock door.

11-4-22: Table of permitted uses: *(Add the following)*

Industrial uses:		A-1	E-1	R-1	R-2	R-3	SR	B-1	B-2	B-3	BP	OR-2	M-1	I-1
	Distribution Center										P*		P*	P*
	Fulfillment Center										S*		S*	
	Sorting Facility										S*		S*	
	Truck Terminal												S*	
	Warehouse										P*		P*	P*
	Warehouse, Cross-dock										P*		P	P
	Warehouse, refrigerated										P*		P*	P*



**VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS**

ORDINANCE NO. 2023-0418A

**AN ORDINANCE AMENDING THE VILLAGE CODE TITLE 11, ZONING REGULATIONS
(PERMITTED INDUSTRIAL USES)**

Adopted by the Board of Trustees and President of the Village of Sugar Grove
this 18th day of April 2023

Published in pamphlet form by authority of the Board of Trustees of the Village of Sugar Grove, Illinois,
this 18th day of April 2023

ORDINANCE NO. 2023-0418A

AN ORDINANCE AMENDING THE VILLAGE CODE TITLE 11, ZONING REGULATIONS (PERMITTED INDUSTRIAL USES)

WHEREAS, the Village of Sugar Grove is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ILCS 5/1-8 *et seq.*; and,

WHEREAS, the Village currently maintains zoning regulations governing the use and improvement of land within the Village; and,

WHEREAS, the Village finds that such restrictions provide for the safety and well-being of Village inhabitants and benefit the public welfare, safety and morals; and,

WHEREAS, the Village seeks to continue to promote these interests, and seeks to amend the Village Code to more fully protect and preserve the safety and well-being of such inhabitants; and,

WHEREAS, from time to time, it is necessary and desirable to modify the zoning regulations in response to changes in community attitudes, technology, development and the law; and,

WHEREAS, after due notice the Planning Commission held a public hearing concerning the proposed amendment on December 21, 2002 and continued to January 18, 2023, and no objectors were present; and

WHEREAS, the Planning Commission recommended in their Recommendation PC23-001 that the Village Board approve the Zoning Ordinance amendment.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

SECTION ONE: ZONING ORDINANCE AMENDMENT

Title 11 (Zoning Ordinance) of the Village Code of Ordinances be amended as provided in **Exhibit A**, attached hereto and made a part hereof by this reference.

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect on and after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois this 18th day of April 2023.

ATTEST:

Jennifer Konen,
President of the Board of Trustees

Alison Murphy,
Village Clerk

	Aye	Nay	Absent	Abstain
Trustee Matthew Bonnie	_____	_____	_____	_____
Trustee Sean Herron	_____	_____	_____	_____
Trustee Heidi Lendi	_____	_____	_____	_____
Trustee Michael Schomas	_____	_____	_____	_____
Trustee Ryan Walter	_____	_____	_____	_____
Trustee James White	_____	_____	_____	_____

Exhibit A

1. *Amend Section 11-3-2: Definitions by adding the following terms and definitions in alphabetical order:*

LOGISTICS: a term referring to the complex management systems of flow and storage of materials from point of origin to point of consumption through a network of transport links and storage nodes.

TRUCK TERMINAL: a node in the logistics system where the premises are used for the transfer of goods primarily involving loading and unloading of freight-carrying trucks, and accordingly, involving the storing, parking, servicing and dispatching of freight-carrying trucks and trailers; goods and freight are not stored on the premises.

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2. *Add the following to Section 11-4-23: Additional Standards for Specific Uses:*

Industrial uses located on 5 acres or more.

- A. Provide staging area for arrival of trucks to ensure trucks do not queue on public streets. If the premises have a controlled access point, there must be sufficient queuing space on the premises to prevent trucks from parking or queuing on public streets
- B. Access to docks and loading areas shall be by forward motion, public streets shall not be used to maneuver into loading docks.
- C. Loading dock area and truck trailer parking shall be screened from view from public streets by a wall having a minimum height of 10-feet or landscaping of same or greater height, or a combination thereof.
- D. Where dock doors are adjacent property that is zoned for residential a berm, landscaping, a wall, or a combination thereof equal to the height of a truck trailer shall be provided to adequately conceal the dock doors and truck trailers from view from

the residential property.

F. Trailer parking/storage shall not exceed one trailer per dock door.

3. Add to the industrial uses section of Section 11-4-22: Table of permitted uses the following uses, in alphabetical order:

Industrial uses:		A-1	E-1	R-1	R-2	R-3	SR	B-1	B-2	B-3	BP	OR-2	M-1	I-1
	Distribution Center										P*		P*	P*
	Fulfillment Center										S*		S*	
	Sorting Facility										S*		S*	
	Truck Terminal												S*	
	Warehouse										P*		P*	P*
	Warehouse, cross-dock										P*		P*	P*
	Warehouse, refrigerated										P*		P*	