
**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 (OFF-STREET PARKING, ET AL)
AGENDA: SEPTEMBER 19, 2023 VILLAGE BOARD MEETING
DATE: SEPTEMBER 11, 2023

ISSUE

Shall the Village Board approve an Ordinance amending various sections of the Zoning Ordinance.

DISCUSSION

The Village Board discussed the proposed amendments at the September 5, 2023 meeting. The Village Board generally agreed with the Planning Commission's recommendations but directed Village staff to make certain revisions to the recommended changes. Specifically, the Trustees requested a differentiation between indoor and outdoor dancing and live entertainemnt in restuarants (Section 11-4-22); and, to leave the time limitations for the Planning Commission/Zoning Board of Approvals unchanged (Sections 11-13-10-G-1, -11-G-1, and -12-G-1)

The proposed amendments are housekeeping items resulting from day-to-day administration and enforcement of the Zoning Ordinance.

ATTACHMENTS

- Proposed amendments redline
- Ordinance Amending Title 11, Zoning Regulations (Off-street Parking, *et al*)

RECOMMENDATION

The Village Board approve an Ordinance Amending Title 11, Zoning Regulations (Off-street Parking, *et al*).

Proposed Amendments, redlined

11-12-3: NUMBER OF PARKING SPACES REQUIRED:

	Restaurants, carryout	2.0 spaces per every 45 square feet of floor area devoted to customer waiting area.
	Restaurants, fast food	13.0 spaces per 1,000 square feet of floor area, plus 8 stacking spaces for each drive-up window through which food and drink is dispensed
	Restaurants, sit down, and banquet halls	13.0 spaces per 1,000 square feet of floor area
	Restaurants, with live entertainment and dancing	15.0 spaces per 1,000 square feet of floor area

11-12-2: GENERAL PROVISIONS:

H. Vehicle Restrictions/Storage Of Vehicles:

1. General Restrictions: General restrictions applicable to all zoning districts:

g. Restrictions on Parking in Commercial Districts: Recreational vehicles, trailers, commercial vehicles, or combinations of vehicles exceeding 21 feet in length shall not be parked or stored on any property zoned B1, B2, or B3, except for the purpose of loading or unloading. For the purpose of this paragraph, "storage" shall mean a vehicle parked on the zoning lot for more than forty-eight (48) hours in any seventy-two (72) hour period.

11-2-12: GENERAL PROVISIONS

E. Control Of Off-Site Off-Street Parking Facilities: When required off-street parking facilities are provided off-site, that is on land other than the zoning lot on which the building or use served by such off site facilities is located, they shall be and remain in the same possession or ownership as the zoning lot occupied by the building or use to which the off street parking facilities serve until and unless the ~~Planning Commission/Zoning Board of Appeals~~ Community Development Director has reviewed the plans and necessary documents and heard the applicant and made findings that the common ownership or possession of the zoning lot and the site of the off-site parking facilities are reasonably certain to continue and that the off-site parking facilities will be maintained at all times during the life of the proposed use of building.

F. Use Of Parking Facilities: Off street parking facilities, including off-site parking facilities, accessory to residential uses and developed in any residential district in accordance with the requirements of this section shall be used solely for the parking of passenger automobiles owned by occupants of the dwellings to which such facilities are accessory or by guests of said occupants. Required parking facilities accessory to residential structures shall not be used for the storage of commercial vehicles or the parking of automobiles belonging to employees, owners, tenants, visitors, or customers of business, office or manufacturing establishments. For the purpose of this paragraph, "storage" shall mean a vehicle parked on the zoning lot for more than forty-eight (48) hours in any seventy-two (72) hour

period. No motor vehicle work or service of any kind, other than temporary repairs, shall be permitted in any off-street parking facility.

G. Location: All required parking spaces, including off-site parking facilities, shall be not more than five hundred feet (500') from the use served, except for **parking** spaces accessory to dwelling units which shall be not more than three hundred feet (300') from the uses served. ~~However, no parking spaces to a use in a commercial or industrial district shall be located in a residential district, except that private, free, off-street parking accessory to and located not more than two hundred feet (200') from such uses and Municipal parking lots may be allowed by special use permit in accordance with the standards and procedures provided in section 11-13-12 of this title.~~

11-4-7: ACCESSORY USE, STRUCTURE, OR BUILDING PERMISSION LIST

	A-1	E-1	R-1	R-2	R-3	SR	B-1	B-2	B-3	BP	OR-2	M-1	I-1
Accessory uses:													
Off-site Parking		P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Valet Parking							P*	P*	P*	P*	P*	P*	

F. Additional Standards For Specific Accessory Uses, Accessory Buildings, And Accessory Structures:

24. VALET PARKING

- Valet parking shall not reduce the number of off-street parking spaces required or provided on the lot on which the valet parking is located.
- Queuing for valet parking shall not occur on public streets.
- The maximum number of spaces reserved for valet parking purposes shall not exceed 25% of the minimum number of required parking spaces for the use(s) being served by the valet parking.
- Areas designated for valet parking shall not interfere with vehicular circulation or emergency access on the property on which the valet parking is located.
- The location of the valet parking space shall not be more than 500 hundred feet from the use(s) served.

11-3-2: Definitions:

YARD, CORNER SIDE: A space located between a principal building line and the corner side lot line. Such corner side yard is unoccupied and unobstructed from the ground upward, except as may be permitted elsewhere in this title.

11-4-22: TABLE OF PERMITTED USES:

							B-1	B-2	B-3	BP				
Restaurant, indoor live entertainment, or dancing							S P	S P	S P	S P				
Restaurant, outdoor live entertainment, or dancing							S	S	S	S				

~~11-13-10-G-1:~~

~~G.—Decisions For Variations:~~

~~—1.—Statement: Within one hundred twenty (120) forty five (45) days after the close of the hearing on a proposed variation, the Planning Commission/Zoning Board of Appeals shall prepare a written statement of findings of fact and recommendations, and shall submit this statement to the Village Board. The findings of fact shall specify the reason or reasons for recommending approval, approval with conditions, or denial of the proposed variation, and shall address how the variation does, or does not comply with standards set forth in subsection F of this section, or in the case of a planned unit development, sections 11-11-5 and 11-16-7 of this title.~~

~~11-13-11-G-1~~

~~G.—Decision:~~

~~—1.—Within one hundred twenty (120) forty five (45) days after the close of the hearing on a proposed amendment, the Planning Commission/Zoning Board of Appeals shall prepare a written statement of findings of fact and recommendations and submit this statement to the Village Board. The findings of fact shall specify the reason or reasons for recommending approval, approval with conditions, or denial of the proposed text or map amendment.~~

~~11-13-12-G-1~~

~~G.—Decision:~~

~~—1.—Within one hundred twenty (120) forty five (45) days after the close of the hearing on a proposed special use, the Planning Commission/Zoning Board of Appeals shall prepare a written statement of findings of fact and recommendations and submit this statement to the Village Board. Said findings of fact shall address how the proposed special use does or does not comply with the standards set forth in this chapter.~~



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

ORDINANCE NO. 2023-0919B

**AN ORDINANCE AMENDING THE VILLAGE CODE TITLE 11, ZONING REGULATIONS
(OFF-STREET PARKING, *ET AL*)**

Adopted by the Board of Trustees and President of the Village of Sugar Grove
this 19th day of September 2023

Published in pamphlet form by authority of the Board of Trustees of the Village of Sugar Grove, Illinois,
this 19th day of September 2023

ORDINANCE NO. 2023-0919B

AN ORDINANCE AMENDING THE VILLAGE CODE TITLE 11, ZONING REGULATIONS (OFF-STREET PARKING, *ET AL*)

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 July 19, 2023 and no objectors were present; and

WHEREAS, the Planning Commission recommended in their Recommendation PC23-009 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 19th day of September 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 Sean Michels	_____	_____	_____	_____
Trustee Michael Schomas	_____	_____	_____	_____
Trustee James White	_____	_____	_____	_____

Exhibit A

1. Amend Section 11-2-12-E: to be and to read as follows:

- E. Control Of Off-Site Off-Street Parking Facilities: When required off-street parking facilities are provided off-site, that is on land other than the zoning lot on which the building or use served by such off site facilities is located, they shall be and remain in the same possession or ownership as the zoning lot occupied by the building or use to which the off street parking facilities serve until and unless the Community Development Director has reviewed the plans and necessary documents and made findings that the common ownership or possession of the zoning lot and the site of the off-site parking facilities are reasonably certain to continue and that the off-site parking facilities will be maintained at all times during the life of the proposed use of building.

2. Amend Section 11-2-12-F: to be and to read as follows:

- F. Use Of Parking Facilities: Off street parking facilities, including off-site parking facilities, accessory to residential uses and developed in any residential district in accordance with the requirements of this section shall be used solely for the parking of passenger automobiles owned by occupants of the dwellings to which such facilities are accessory or by guests of said occupants. Required parking facilities accessory to residential structures shall not be used for the storage of commercial vehicles or the parking of automobiles belonging to employees, owners, tenants, visitors, or customers of business, office or manufacturing establishments. For the purpose of this paragraph, "storage" shall mean a vehicle parked on the zoning lot for more than forty-eight (48) hours in any seventy-two (72) hour period. No motor vehicle work or service of any kind, other than temporary repairs, shall be permitted in any off-street parking facility.

3. Amend Section 11-2-12-G: to be and to read as follows:

- G. Location: All required parking spaces, including off-site parking facilities, shall be not more than five hundred feet (500') from the use served, except for parking spaces accessory to dwelling units which shall be not more than three hundred feet (300') from the uses served.

4. Amend Section 11-3-2, Definitions, by adding the following in correct alphabetical order:

YARD, CORNER SIDE: A space located between a principal building line and the corner side lot line. Such corner side yard is unoccupied and unobstructed from the ground upward, except as may be permitted elsewhere in this title.

5. Amend Section 11-4-7, *Accessory Use, Structure, or Building Permission List*, by adding thereto the following in alphabetical order:

	<i>A-1</i>	<i>E-1</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>SR</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>BP</i>	<i>OR-2</i>	<i>M-1</i>	<i>I-1</i>
Accessory uses:													
Off-site Parking		P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Valet Parking							P*	P*	P*	P*	P*	P*	

6. Amend Section 11-4-7-F, *Additional Standards for Specific Accessory Uses, Accessory Structures, and Accessory Buildings*, by adding the following:

24. VALET PARKING

- a. Valet parking shall not reduce the number of off-street parking spaces required or provided on the lot on which the valet parking is located.
- b. Queuing for valet parking shall not occur on public streets.
- c. The maximum number of spaces reserved for valet parking purposes shall not exceed 25% of the minimum number of required parking spaces for the use(s) being served by the valet parking.
- d. Areas designated for valet parking shall not interfere with vehicular circulation or emergency access on the property on which the valet parking is located.
- e. The location of the valet parking space shall not be more than 500 hundred feet from the use(s) served.

7. Amend Section 11-4-22, *Table of Permitted Uses*, by adding thereto the following in alphabetical order:

								B-1	B-2	B-3	BP				
Restaurant, indoor live entertainment, or dancing								P	P	P	P				
Restaurant, outdoor live entertainment, or dancing								S	S	S	S				

8. *Amend Section 11-12-2-H-1, General Provisions: by adding thereto the following, in alphabetical order:*

- g. Restrictions on Parking in Commercial Districts: Recreational vehicles, trailers, commercial vehicles, or combinations of vehicles exceeding 21 feet in length shall not be parked or stored on any property zoned B1, B2, or B3, except for the purpose of loading or unloading. For the purpose of this paragraph, "storage" shall mean a vehicle parked on the zoning lot for more than forty-eight (48) hours in any seventy-two (72) hour period.

9. *Amend Section 11-12-3, Number of Parking Spaces Required, by adding thereto the following in alphabetical order:*

	Restaurants, carryout	2.0 spaces per every 45 square feet of floor area devoted to customer waiting area.
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