

VILLAGE OF BARTLETT

COMMITTEE AGENDA

NOVEMBER 5, 2019

BUILDING & ZONING, CHAIRMAN HOPKINS

1. Downtown Overlay District – Form Based Code
2. Zoning Text Amendment (Fence Height)

EXECUTIVE SESSION

To Discuss Collective Negotiation Matters
Pursuant to Section 2(c)2 of the Open Meetings Act

To Discuss Personnel
Pursuant to Section 2(c)1 of the Open Meetings Act



Agenda Item Executive Summary

Item Name Draft Downtown Overlay - Form Based Code Committee or Board Committee of the Whole

BUDGET IMPACT

Amount: N/A Budgeted N/A

List what fund N/A

EXECUTIVE SUMMARY

Attached is the following:

- Staff Memo
- Draft Document for the proposed Downtown Overlay District,
- Proposed Text Amendment language to amend the Zoning Ordinance, and
- Proposed Zoning Map Amendment

The draft document for the Downtown Overlay District was a result of a grant received by the Village from the RTA, their consultant Leslie Oberholtzer of Codametrics and a 12- member Steering Committee consisting of residents of the Village, the RTA, key area stakeholders, an elected official and Village Staff.

The Zoning Board of Appeals reviewed the Draft Document for the Downtown Overlay District along with the proposed Map Amendment and conducted the public hearing at their meeting on October 3, 2019. The **Zoning Board of Appeals** recommended **approval** of both items.

ATTACHMENTS (PLEASE LIST)

Memo, Draft Downtown Overlay Document, Proposed Text Amendment language, Proposed Map Amendment

ACTION REQUESTED

- For Discussion - to review and forward to the Village Board for a final vote
- Resolution
- Ordinance
- Motion

Staff: Roberta Grill, Planning & Dev Services Director Date: October 28, 2019

PLANNING & DEVELOPMENT SERVICES MEMORANDUM

19-162

DATE: October 28, 2019
TO: Paula Schumacher, Village Administrator
FROM: Roberta Grill, Planning & Dev Services Director *RBG*
RE: **(#19-02) Downtown Overlay Text Amendment**

The attached draft document for the Downtown Overlay District was a result of a grant received by the Village from the RTA, their consultant Leslie Oberholtzer of Codametrics and a 12-member Steering Committee consisting of residents of the Village, the RTA, key area stakeholders, an elected official and Village Staff.

The following are the proposed Amendments to the Municipal Code:

Amend Title 10: **Zoning**

Chapter 4: Establishment of Zoning Districts

10-4-1: Districts Established

10-4-1:C. Special Districts

P-1 Public Land

W-B West Bartlett Road Corridor Overlay

PD Planned Development

DT-O Downtown Overlay

10-4-2: Zoning Districts Described

10-4-2:C. Special Districts

10-4-2:C.4 Downtown Overlay

DT-O Downtown Overlay District: The DT-O Downtown Overlay district is intended to implement the vision of the Village of Bartlett Downtown TOD Plan, including but not limited to maintaining the scale and character of the village and specifically the downtown, with the goal of incorporating new walkable, connected, mixed-use development that establishes a sense of place in the downtown area.

Chapter 9 Planned Unit Developments

Article A: PD Planned Development District

Article B: Reserved

Article C: Downtown Overlay District

10-9C-1: Establishment of Overlay and Subareas

10-9C-1:A. Intent

10-9C-1:B. Purpose

10-9C-1:C. Subareas

10-9C-1:D. Regulating Map

10-9C-1:E. Illustrative Images

- 10-9C-2. Administration and Exceptions
 - 10-9C-2:A. Pre-submittal Conference
 - 10-9C-2:B. Planned Unit Development
 - 10-9C-2:C. Minor Design Exceptions
 - 10-9C-2:D. Major Design Exceptions

- 10-9C-3. Building Regulations
 - 10-9C-3.A. General
 - 10-9C-3.B. Building Regulations by Subarea
 - 10-9C-3.C. Building and Parking Siting
 - 10-9C-3.D. Height
 - 10-9C-3.E. Use
 - 10-9C-3.F. Façade Requirements
 - 10-9C-3.G. Cap Types

- 10-9C-4. Building Façade Design
 - 10-9C-4.A. Intent
 - 10-9C-4.B. Exceptions
 - 10-9C-4.C. Major Façade Materials
 - 10-9C-4.D. Minor Façade Materials
 - 10-9C-4.E. Pitched Roof Materials
 - 10-9C-4.F. Materials Installation and Quality
 - 10-9C-4.G. Windows
 - 10-9C-4.H. Shutters
 - 10-9C-4.I. Awnings, Canopies, and Light Shelves
 - 10-9C-4.J. Balconies
 - 10-9C-4.K. Principal Entryway
 - 10-9C-4.L. Building Articulation
 - 10-9C-4.M. Arcade Design
 - 10-9C-4.N. Vistas
 - 10-9C-4.O. Garage Doors
 - 10-9C-4.P. Mechanical Equipment and Appurtenances
 - 10-9C-4.Q. Parking Structures
 - 10-9C-4.R. Drive-Through Facilities

- 10-9C-5. General Site Design
 - 10-9C-5.A. Signs
 - 10-9C-5.B. Landscape
 - 10-9C-5.C. Streetscape
 - 10-9C-5.D. Parking

- 10-9C-6. Master Plan Sites
 - 10-9C-6.A. Intent
 - 10-9C-6.B. Approval Process
 - 10-9C-6.C. Subdivision
 - 10-9C-6.D. Blocks

- 10-9C-6.E. Streets
- 10-9C-6.F. Alleys, Lanes or Service Drives
- 10-9C-6.G. Primary Street Design
- 10-9C-6.H. Civic Space
- 10-9C-6.I. Layout and Location of Building Sites

- 10-9C-7. Definitions and Measuring
 - 10-9C-7.A. General Definitions
 - 10-9C-7.B. Measuring

Chapter 13: Administration and Enforcement

10-13-4-1: Major Design Exceptions

- A. Authority: The Zoning Board of Appeals shall hear and consider major design exceptions as part of a Site Plan or Administrative Site Plan review as determined by the Zoning Administrator and shall make a recommendation to the Village Board. Major design exceptions shall be authorized or denied by the Village Board by ordinance in accordance with the procedural provisions of this Title and the Downtown Overlay. No application for a major design exception shall be acted on by the Village Board until after a public hearing held before the Zoning Board of Appeals, and the findings and recommendations of the Zoning Board of Appeals have been reported to the Village Board.
- B. Initiation: An application for a major design exception may be made by any person, firm or corporation, or by any office, department, board, bureau or commission requesting or intending to request application for a Site Plan or Administrative Site Plan.
- C. Processing: An application for any major design exception shall accompany the associated Site Plan or Administrative Site Plan review application along with the associated fees and shall be filed with the Zoning Administrator. The application shall define the requested exception, reference the applicable code section, and provide supporting material for review by the staff. The Zoning Administrator shall forward such application to the Zoning Board of Appeals for processing in accordance with applicable statutes of the State of Illinois and the provisions of this Title.

The Zoning Board of Appeals shall make its recommendation after a public hearing, of which there shall be a notice indicating the time and place of such hearing published at least once, not more than thirty (30) nor less than fifteen (15) days before the hearing, in one or more newspapers published in the Village, or, if no newspaper is published in the Village, then in a newspaper of general circulation within the Village. In addition, at least fifteen (15) days prior to the date of the public hearing, the petitioner shall cause to be posted on the real estate which is the subject of such major exception the following notice:

Public Notice: Public Hearing for a major design exception from the Bartlett Zoning Ordinance and the Downtown Overlay for this site (insert date and

time), Bartlett Municipal Building, 228 South Main Street.

The Zoning Board of Appeals.

The procedure for posting the notice hereinbefore required shall be governed by Section 10-13-10 hereinafter set forth.

- D. Authorized Major Design Exceptions: Major design exceptions may include exceptions as outlined in Section 10-9C-2:D.5 hereinafter set forth.
- E. Conditions and Standards for Major Design Exceptions: The Zoning Board of Appeals shall hold the public hearing and forward its recommendations and findings of fact in the form of a written report to the Village Board within a reasonable time, usually within thirty (30) days following the date of public hearing on each application, unless it is withdrawn by the petitioner. Such findings of fact as to the conditions and standards for major design exceptions shall include all of the following:
 - 1. The exception fulfills the intent defined for this Article 10-9C of the zoning regulations. Refer to Section 10-9C-1.A.
 - 2. The resulting development is consistent or compatible with the surrounding context or the vision defined in the village's comprehensive plan, the downtown TOD master plan, and or other planning documents approved by the village.
 - 3. The requested exception results in a development of equal or higher quality and durability of design.
 - 4. The resulting development would not impede adjacent development from complying with the overlay district regulations.
 - 5. The requested exception results from conditions that are unique to the subject development and would not establish a precedent that would prevent the board from reasonably denying a similar exception for similarly situated properties.
- F. Decisions: The Village Board, upon receipt of the report and recommendation of the Zoning Board of Appeals, and without further public hearing, may grant by ordinance or deny any proposed major design exception in accordance with this title and the Downtown Overlay, or may refer it back to the body holding the Zoning Board of Appeals for further consideration.

10-13-10: Notices of Public Hearing

Each applicant for zoning amendments, variations, *major design exceptions*, or special uses shall provide notice of the public hearing as follows and present proof of such notice at the public hearing.

Minor Design Exception: \$150.00 + consultant fees
Major Design Exception: \$ 300.00 + consultant fees

In addition, the corresponding **Zoning Map Amendment**, contained on page 4 of the Draft Document, would be incorporated on the 2020 Zoning Map as part of the statutory annual update.

RECOMMENDATION

1. The Staff recommends **approval** of the proposed amendments to the Municipal Code and the Zoning Map.
2. The Zoning Board of Appeals reviewed the Draft Document for the Downtown Overlay District along with the proposed Map Amendment and conducted the public hearing at their meeting on October 3, 2019. **The Zoning Board recommended approval** of both items.
3. A draft Ordinance along with the proposed Map Amendment is attached for your review.

VILLAGE OF BARTLETT: DOWNTOWN ZONING OVERLAY

PUBLIC HEARING DRAFT



DRAFT SEPTEMBER 30, 2019

- 10-9C-1. ESTABLISHMENT OF OVERLAY AND SUBAREAS..... 5
 - A. Intent5
 - B. Purpose.....5
 - C. Subareas.....5
 - D. Regulating Map.....5
 - E. Illustrative images.....7
- 10-9C-2. ADMINISTRATION AND EXCEPTIONS9
 - A. Pre-Submittal Conference.....9
 - B. Planned Unit Development.....9
 - C. Minor Design Exceptions.....9
 - D. Major Design Exceptions.....10
- 10-9C-3. BUILDING REGULATIONS.....11
 - A. General.....11
 - B. Building Regulations by Subarea.....12
 - C. Building & Parking Siting12
 - D. Height12
 - E. Use12
 - F. Facade Requirements.....14
 - G. Cap Types.....16
- 10-9C-4. BUILDING FACADE DESIGN.....18
 - A. Intent18
 - B. Exceptions.....18
 - C. Major Facade Materials.....18
 - D. Minor Facade Materials.....18
 - E. Pitched Roof Materials21
 - F. Materials Installation Quality.....22
 - G. Windows.....23
 - H. Shutters.....23
 - I. Awnings, Canopies, & Light Shelves23
 - J. Balconies.....24
 - K. Principal Entryway25
 - L. Building Articulation26
 - M. Arcade Design26
 - N. Vistas27
 - O. Garage Doors28
 - P. Mechanical Equipment & Appurtenances28
 - Q. Parking Structures30
 - R. Drive-Through Facilities.....31

CONTENTS

- 10-9C-5. GENERAL SITE DESIGN32
 - A. Signs32
 - B. Landscape32
 - C. Streetscape.....32
 - D. Parking.....33
- 10-9C-6. MASTER PLAN SITES35
 - A. Intent35
 - B. Approval Process.....35
 - C. Subdivision35
 - D. Blocks35
 - E. Streets36
 - F. Alleys, Lanes, or Service Drives37
 - G. Primary Street Designation.....37
 - H. Civic Space37
 - I. Layout & Location of Building Sites39
- 10-9C-7. DEFINITIONS & MEASURING40
 - A. General Definitions40
 - B. Measuring.....43

CHAPTER 9, ARTICLE C

10-9C-1. ESTABLISHMENT OF OVERLAY AND SUBAREAS

The following applies to the areas designated on the Village zoning map as within the downtown overlay.

A. INTENT

The downtown overlay is intended to implement the vision of the Village of Bartlett Downtown TOD Plan, including but not limited to maintaining the scale and character of the village and specifically the downtown, with the goal of incorporating new walkable, connected, mixed-use development that establishes a sense of place in the downtown area.

B. PURPOSE

This overlay is established to define the building form and design standards within the downtown area in conjunction with the underlying zoning districts.

- 1. The underlying zoning districts establish the use regulations.
- 2. The downtown overlay establishes the building form, design, and other site development standards.

C. SUBAREAS

The following subareas are established for use with the downtown overlay regulations:

- 1. **Subarea 1: Downtown Core.** The downtown core for the village is intended to continue the character of the traditional buildings along Bartlett Avenue north of the railroad tracks and the character of the new development on Main Street just south of the station, prioritizing walkability and a mix of uses.
- 2. **Subarea 2: Downtown Edge.** The downtown edge for the village is intended to transition between the core and the residential neighborhoods adjacent to downtown, reflecting many characteristics of residential houses, such as pitched roofs and landscape yards, yet allowing for redevelopment at an appropriate scale.
- 3. **Subarea 3: Downtown Residential.** The downtown residential subarea is intended to allow a mix of residential buildings, including small apartment buildings, larger residential buildings, and townhouses.
- 4. **Subarea 4: Commercial Corridor.** The commercial corridor subarea is located adjacent to Devon Avenue and is intended to allow for a mix of commercial, mixed-use, with residential or office

buildings with both easy pedestrian and vehicular access.

D. REGULATING MAP

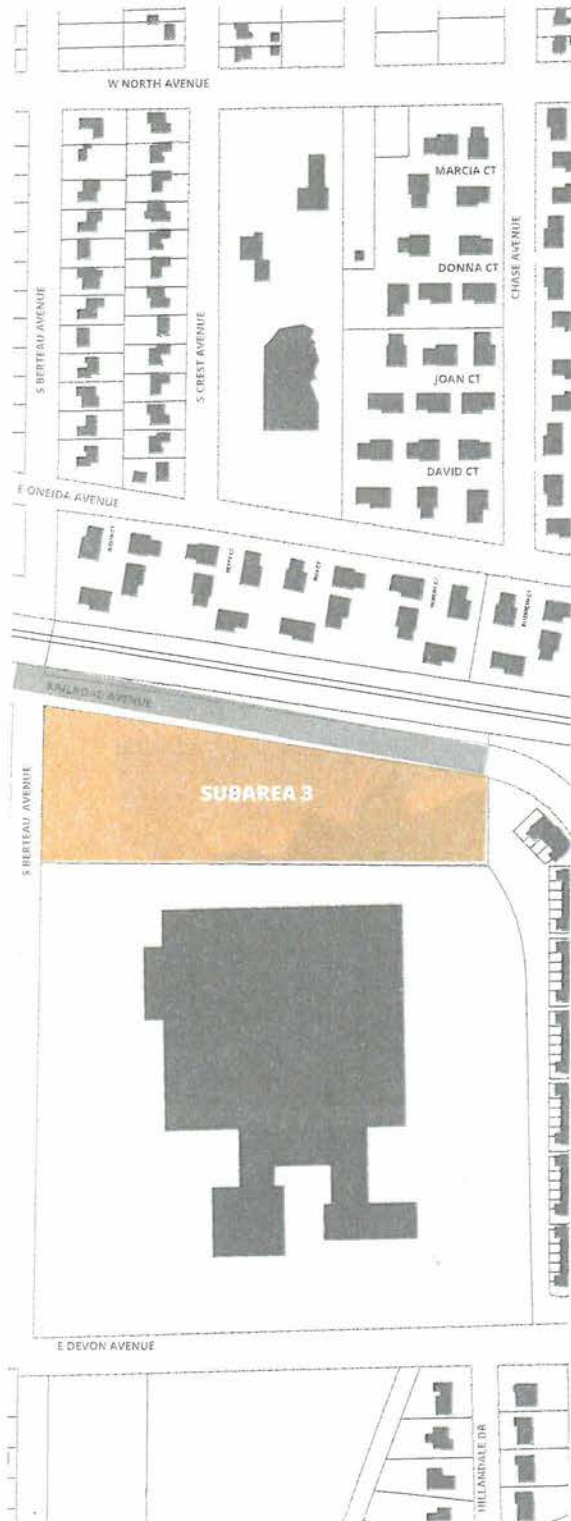
Refer to the regulating map in Figure 1.

- 1. **Subarea Boundaries.** The regulating map defines the boundaries of the overlay subareas.
- 2. **Master Plan Area.** The master plan area addresses the development of larger parcels with regulations associated with block size, new streets (public or private), and small civic spaces.
- 3. **Primary Streets Designations.** Primary streets are identified on the regulating maps. The front lot line and primary frontages are determined by the primary street designation. Some building regulations are specific to these frontages. For example, these designations prioritize the street frontages for locating the front facade of the building and limit vehicular access to parking off these streets.
 - a. **Non-Primary Streets.** All streets not designated as primary streets on the regulating map are non-primary, unless otherwise stated.
 - b. **Master Plan Site Primary Streets.** For areas designated on the regulating map for a master plan, refer to Sec.10-9C-6 for regulations for designating new primary streets in these developments.
 - c. **Two Primary Streets.** When multiple primary streets abut a parcel, the Zoning Administrator shall determine which frontages shall serve as the primary, unless otherwise specified. A minimum of 50 percent of lot frontage is required to be treated as primary frontage.
 - d. **Civic Space.** Frontages on civic open space shown on the regulating map or provided on a master plan site, or otherwise determined by the Zoning Administrator shall be treated as primary frontages.
 - e. **Other Public Ways.** Frontages on other public ways, such as pedestrianways or bicycle ways, may be treated as primary frontages, as determined by the Zoning Administrator.

10-9C-1. Establishment of Overlay and Subareas Illustrative images

E. ILLUSTRATIVE IMAGES

The following images provide conceptual illustrations of the types of buildings generally intended for each subarea. All potential building designs are not illustrated. Further, some aspects of these images may not be in compliance with the code.



SUBAREA 1: ILLUSTRATIVE BUILDINGS



SUBAREA 4: ILLUSTRATIVE BUILDINGS

10-9C-2. ADMINISTRATION AND EXCEPTIONS

Refer to Chapter 13 for Administration and enforcement. The following additional regulations apply.

A. PRE-SUBMITTAL CONFERENCE

A conference is required with the Zoning Administrator for any development or redevelopment within the downtown overlay. The Zoning Administrator may require additional applicable staff in attendance.

B. PLANNED UNIT DEVELOPMENT

The planned unit development district is not permitted for new development within the downtown overlay. Existing approved planned unit developments and planned developments will continue to be enforced, unless the owner submits a new application.

C. MINOR DESIGN EXCEPTIONS

A set of minor design exceptions from the regulations are defined and may be requested for approval by the Zoning Administrator during the administrative site plan review process.

1. **Application.** An application for any minor design exceptions shall accompany the associated administrative site plan application. A fee may apply per Sec. 10-13-11. The application shall define the requested exception, reference the applicable code section, and provide supporting material for approval.
2. **Conditions.** Exceptions, outlined below, are permitted under the following conditions:
 - a. The exception fulfills the intent defined for this article. Refer to Sec. 10-9C-1.A.
 - b. The resulting form is consistent or compatible with the surrounding context and the vision defined in the comprehensive plan, downtown TOD plan, and other planning documents approved by the village.
3. **Permitted Minor Design Exceptions.** The following are permitted minor design exceptions, if the above conditions are met.
 - a. The location of the building within up to 3 feet from any minimum yard requirement or build-to-district width/location.
 - b. ~~Up to 10 percent increase in total impervious coverage, not to exceed the total amount of permitted impervious plus semi-pervious coverage. (Compliance with stormwater regulations is required.)~~

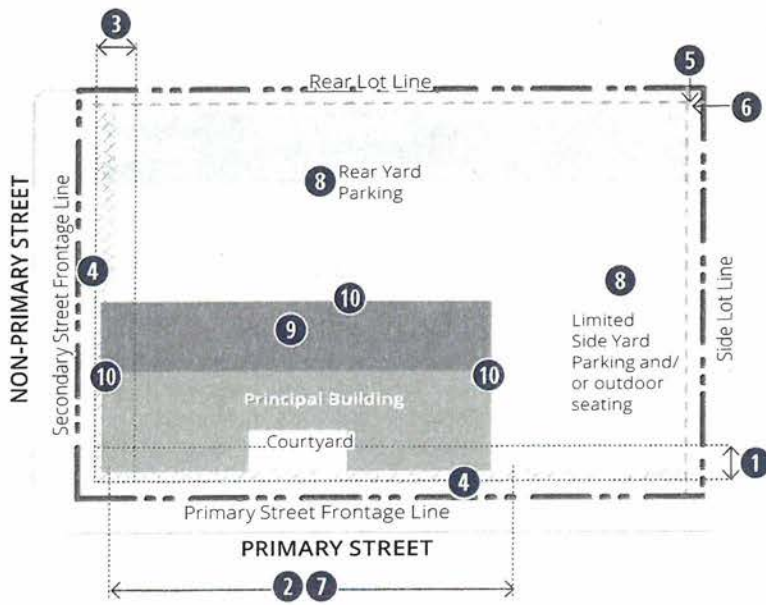
- (1) Upon request, the Applicant shall submit samples and examples of the material installed in a similar building form located locally as determined by the Zoning Administrator. The submittal shall be provided a minimum of 4 weeks prior to the review, to allow site visits to the location.
 - (2) The submitted application meets the intent of the materials requirements and the material will maintain its structure, color, and appearance for a minimum period of 20 years with little or no maintenance.
- c. Build-to Zone.** A major design exception may be requested to move the building back beyond the build-to zone, provided the following applies:
- (1) The setback is intended to be treated as patio or landscape area.
 - (2) The setback is not wider than 90 feet or deeper than 50 feet.
 - (3) The setback is not adjacent to another approved exception with an extended front setback.
- d. Other Major Design Exceptions.**
- (1) Additional major design exceptions are noted throughout this Article 10-9C.
 - (2) The applicant may request a major design exception for any regulations where no design exception is defined, provided the requested exception is consistent with the intent of these regulations.

10-9C-3. BUILDING REGULATIONS

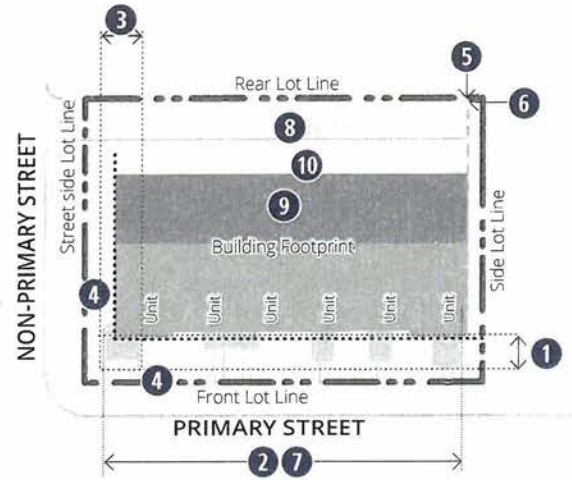
The regulations of this Sec. 10-9C-3 apply to all buildings in the downtown overlay.

A. GENERAL

- 1. Permanent Structures.** All buildings must be of permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise expressly stated in this section.
- 2. Accessory Structures.** Unless otherwise established in this article, accessory uses, buildings and structures are regulated in Chapter 3 of the zoning ordinance..
- 3. Treatment of Yards.** All yards, setbacks, and build-to zones must consist of landscape areas, patio space, or sidewalk space, unless parking areas and entrance drives are otherwise expressly stated.
 - a.** Where permitted as access to the lot by the building regulations, driveways may cross perpendicularly through the front or street side yards. Driveways may cross perpendicularly through the side and rear yards to connect to parking lots on adjacent lots.
 - b.** Side yard parking lots, where allowed, may not encroach into the front yard area or into the minimum required side setback.
 - c.** Minimum rear and side yard setbacks apply to parking lots located in the rear yard, unless otherwise stated.



Mixed-Use, Office, or Apartment Building



Rowhouse, Townhouse, Live-Work Building

Figure 2. Building & Parking Siting Diagram

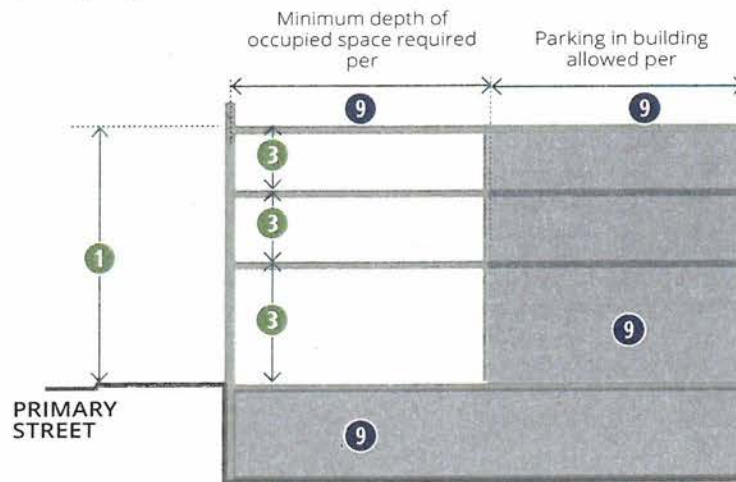
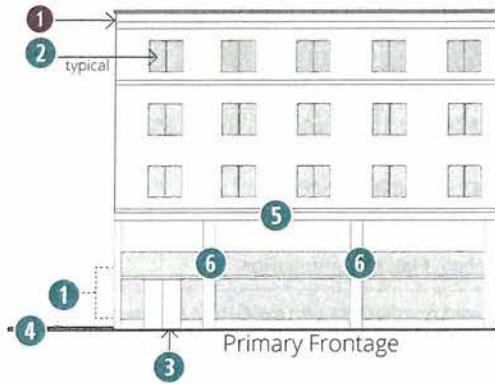


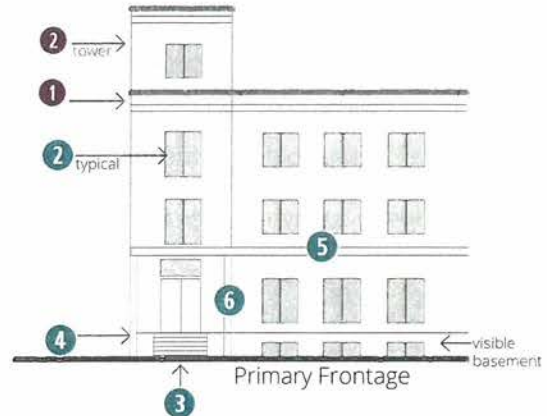
Figure 3. Height & Use Diagram



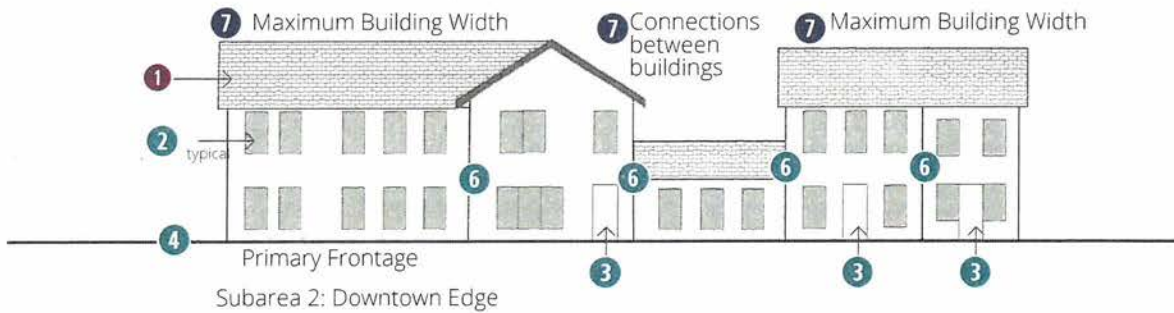
Figure 4. Upper Story Setback Diagram



Subarea 1: Downtown Core



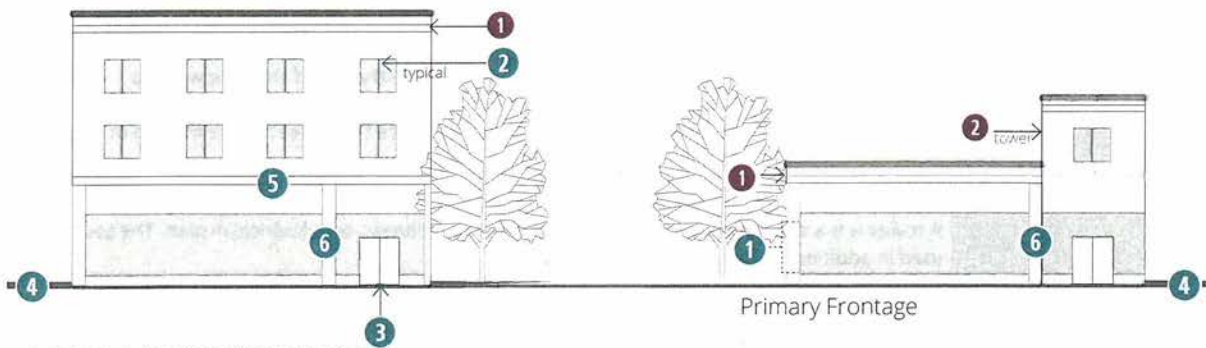
Subarea 3: Downtown Residential



Subarea 2: Downtown Edge



Subarea 2 and 3: Downtown Edge: Rowhouse/Townhouse Configurations



Subarea 4: Corridor Commercial

Figure 5. Facades Regulations

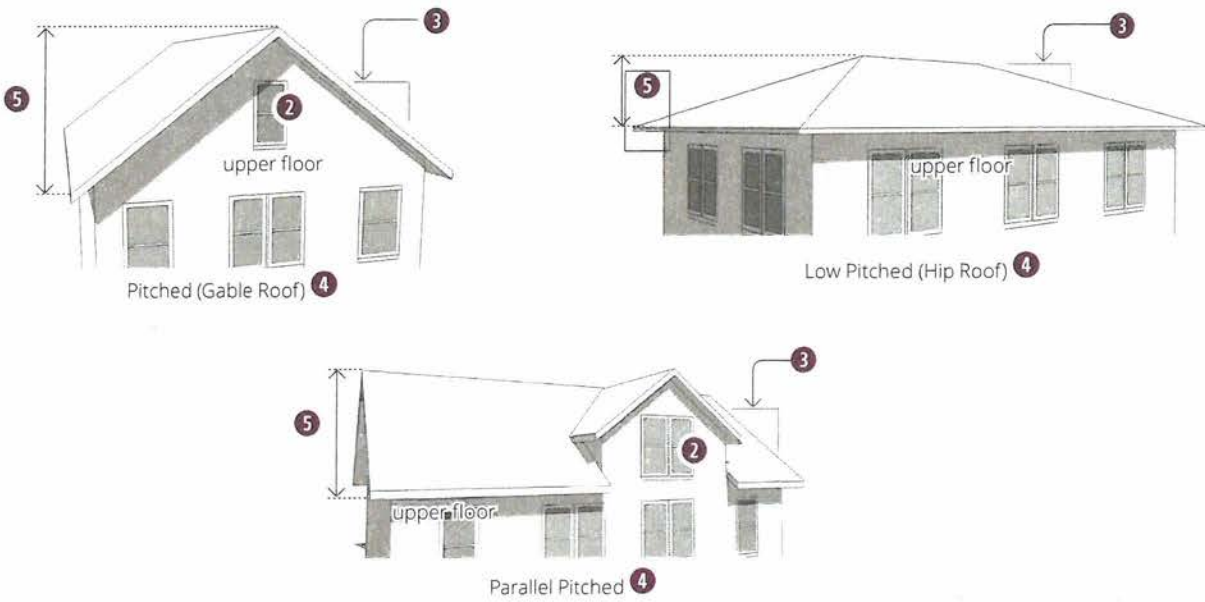


Figure 6. Pitched Caps

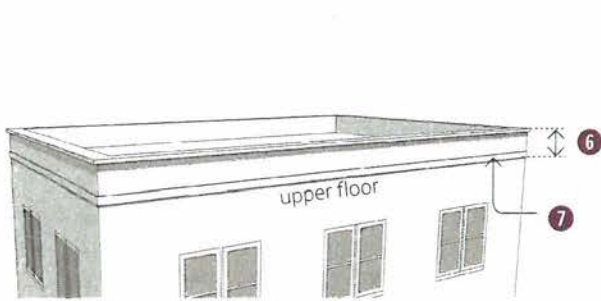


Figure 7. Parapet Cap

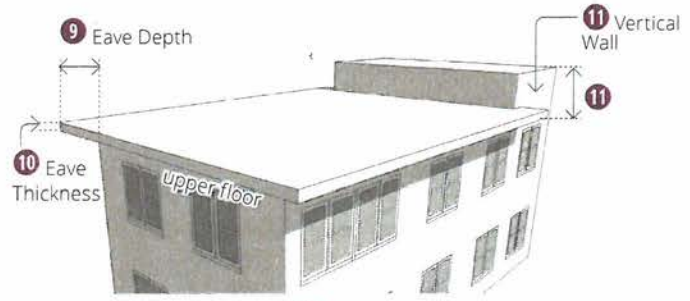


Figure 8. Flat Cap

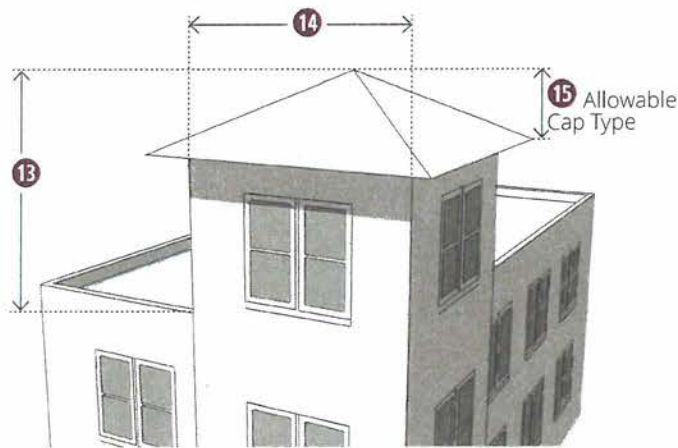


Figure 9. Tower

TABLE A. ALLOWED MAJOR FACADE MATERIALS

MAJOR FACADE MATERIAL (alphabetical)	SUBAREAS			
	1: DOWNTOWN CORE	2: DOWNTOWN EDGE	4: DOWNTOWN RESIDENTIAL	3: CORRIDOR COMMERCIAL
A Brick full dimensional, unit, face brick	●	●	●	●
B Concrete Masonry Units architectural, minimum 3" depth, "artisan stone" look, varied sizes, (Eschelon Masonry or approved equal), "stone" face, "hewn stone", rock cut	●	●	●	●
D Fiber Cement Board panels, finished lap siding or shingles		●		●
Stone natural, units	●	●	●	●
E Wood painted, stained, or treated lap siding, shingles		●	Limited to townhouse / rowhouse buildings	

KEY: ● = allowed



TABLE C. PROHIBITED MATERIALS

J Concrete, Unfinished untreated, unstained, unpainted
Fiberglass and Acrylic Panels all
K Glass Block
Metal Sheets corrugated or ribbed sheets as siding, aluminum composite (ACM or ACP)
Plastic Panels all, including high-density polyethylene and polycarbonate panels
Stucco Mouldings or Synthetic Stucco Mouldings trim, sills, cornices, banding, columns, pilasters or other 3 dimensional details
Wood Unfinished, untreated plywood and wood panels



2. **Accents and Details.** Additional materials are permitted for trim, accents, and details per Table D, not included in the maximum surface area.

E. PITCHED ROOF MATERIALS

Allowed pitched roof materials include dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. Engineered wood or slate may be approved through the major design exception process with an approved sample and documented examples of successful, high quality local installations.

TABLE D. ALLOWED DETAIL & ACCENT MATERIALS (all facades)

All permitted major and minor facade materials may be used for details, trim, and accents.

O Concrete Details precast stone ornamentation, lintels, sills, banding, columns, beams
Fiber Cement Details trim, soffits
P Metal Details trim, ornamentation, lintels, beams, columns
Wood and Wood Composite Details painted/treated trim, soffits, other approved details
Vinyl Details limited to soffits, window trim; minimum .04 inches thick





Figure 14. Vertically Oriented Windows with Expressed Lintels

G. WINDOWS

Windows on street and public way facades of all buildings shall be constructed consistent with the following requirements:

1. **Amount.** Each building shall meet the transparency requirements per the building regulations. See Sec. 10-9C-3.
2. **Recessed.** All windows, with the exception of ground story storefront systems and glass curtain wall systems, shall be recessed with the glass a minimum of 2 inches back, measured from the facade surface material or adjacent trim.
3. **Vertically Oriented.** All windows shall be vertically oriented unless the flat cap type is used. When the flat cap type is used, horizontally oriented windows may be used for up to 30 percent of the total transparency area of each upper story.
4. **Visibility Through Glass.** Reflective glass and glass block are prohibited on street and public way facades. Windows shall meet the transmittance and reflectance factors established in the transparency definition (see Sec. 10-9C-7.B.6).
5. **Expressed Lintels.** For masonry construction, the expression of lintels shall be included above all windows and doors by a change in brick coursing or by a separate detail or element. See Figure 14 for illustrations of expressed lintels.

H. SHUTTERS

When shutters, whether functional or not, are utilized on a street or public way facade of any building, the shutters shall meet the following requirements. See Figure 15 for examples of shutters.

1. **Size.** All shutters shall be sized for the windows, so that, if the shutters were to be closed, they would not be too small for complete coverage of the window.
2. **Materials.** Shutters shall be wood, metal, or fiber cement. Other synthetic and engineered woods may be approved through a major design exception provided that the applicant submits a sample and examples of high quality, local installations of the material, located within 100 miles of the site.

I. AWNINGS, CANOPIES, & LIGHT SHELVES

Awnings, canopies, and light shelves on all buildings shall be constructed consistent with the requirements of this section. See Figure 16 for examples of awnings.

1. **Encroachment.** Awnings, canopies, and light shelves shall not extend into a village right-of-way or easement except as otherwise approved by the



Inappropriately Scaled Shutters: **Not Permitted**



Appropriately Scaled Shutters: **Permitted**

Figure 15. Examples of Shutters

and 5 feet wide.

- 4. **Integrated Design.** Balconies are intended to be integrated with the design of the facade, avoiding tacking the balconies onto the facade after the elevation has been designed.
 - a. A minimum of 50 percent of the perimeter of each balcony shall abut an exterior wall of the building, partially enclosing the balcony.
 - b. The balcony support structure shall be integrated with the building facade; separate columns or posts supporting any balcony from the ground are prohibited.
- 5. **Platform.** The balcony platform shall be at least 3 inches thick and any underside of a balcony that is visible from any public way shall be finished.
- 6. **Facade Coverage.** A maximum of 35 percent of the public way frontage facades, calculated separately for each facade, may be covered by balconies. The balcony area is calculated by drawing a rectangle around the following: the platform or floor of the balcony; any rails, walls, columns or indentations; and any ceiling, roof, or upper balcony.
- 7. **Build-to Zone Requirement.** The portion of the facade occupied by an upper story balcony is exempt from meeting the build-to zone requirement.
- 8. **Right-of-Way.** Balconies shall not extend into any right-of-way or easements except as otherwise approved by the village.

K. PRINCIPAL ENTRYWAY

See Figure 18 for examples of defined principal entryways. Principal entrances to all buildings or units shall be clearly delineated through one or more of the following design features:

- 1. **Roof or Canopy.** The entryway is covered by a roof or canopy differentiating it from the overall building roof type.
- 2. **Porch.** The entryway is through a porch.
- 3. **Sidelights and Transom.** Sidelights or transom windows are included around the entryway.
- 4. **Extended Articulation.** The entryway is included in a separate bay of the building that extends up at least 2 stories.
- 5. **Other Design.** A design that does not meet the above standards may be approved with a major design exception if it is determined that the design adds emphasis and draws attention to the entryway.



Figure 17. Examples of Balconies

2. **Build-to Zone.** When the arcade is utilized, the outside face of the arcade shall be considered the front facade, located within the required build-to zone.
3. **Column Spacing.** Columns shall be spaced between 10 feet and 12 feet on center.
4. **Column Width.** Columns shall be a minimum of 1 foot 8 inches and a maximum 2 foot 4 inches in width.
5. **Arcade Openings.** Openings shall not be flush with interior arcade ceiling and may be arched or straight.
6. **Horizontal Facade Division.** A horizontal shadow line shall define the ground story facade from the upper stories.
7. **Visible Basement.** A visible basement is not permitted.
8. **Exception.** A major design exception may be submitted for approval of an alternate arcade design.

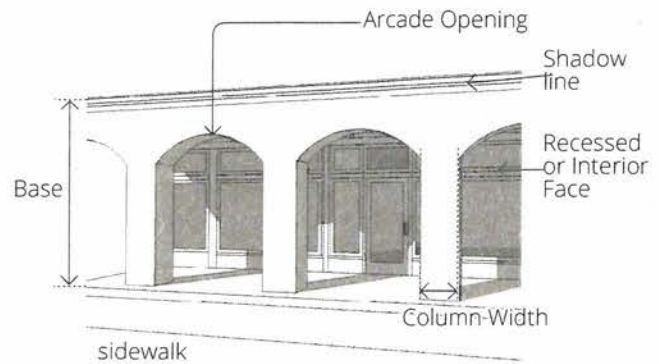


Figure 20. Illustration of Arcade

N. VISTAS

Views down streets shall be considered when laying out streets and locating open space, parking, and buildings. Refer to Figure 21.

1. **Rears of Buildings.** The location of open space and streets shall not create views of the rear of buildings or parking behind buildings.
2. **Parking.** Parking structures and surface parking lots are not permitted at the termination of a street vista.
3. **Street Termini.** When a street terminates at a parcel, the parcel shall be occupied by one of the following:
4. **Open Space.** If the parcel is open space, any open space type shall be utilized and a vertical element shall terminate the view. Acceptable vertical elements include, but are not limited to, a stand or group of trees, a sculpture, a gazebo or other public structure, or a fountain.
5. **Building.** If the parcel is not utilized as an open space, the facade of a building, whether fronting a primary street or not, shall terminate the view. The building shall incorporate one of the following treatments to terminate the view: a tower, a bay, or a courtyard.



Figure 21. Example of Terminated Views at buildings and civic open space.



Figure 22. Rooftop Utilities Screened from the Public Way by a Parapet on left and Pitched Cap on right



Figure 23. Utility Appurtenances located on Facades



Figure 24. Examples of Poorly Located Utility Appurtenances without Screening on Primary Streets: NOT PERMITTED

include a parapet or cap type along the street facades. Refer to cap types defined in Sec. 10-9C-2.G.

shall be repeated from the principal building design.

R. DRIVE-THROUGH FACILITIES

A drive-through facility is a structure or portion of a building that permits patrons to purchase goods or services while remaining in their vehicle. Refer to Figure 25 for one illustration of a compliant drive-through facility.

1. Location. The drive-through shall be located in the rear of the building or in the interior side yard. Drive-throughs are permitted in the corner-side yard with a major design exception approval, provided that the lot is not located in a highly pedestrian area of the downtown, stacking will not interfere with pedestrian or vehicular traffic, and screening is provided.
2. Stacking. Stacking of cars shall be accommodated in the rear or interior side yard.
3. Accessory Structures/Signs. The menu board and speaker shall be located in the rear or interior side yard.
4. Drive-through canopies and roofs shall match the roof of the principal building. Materials used for the drive through supports or other features

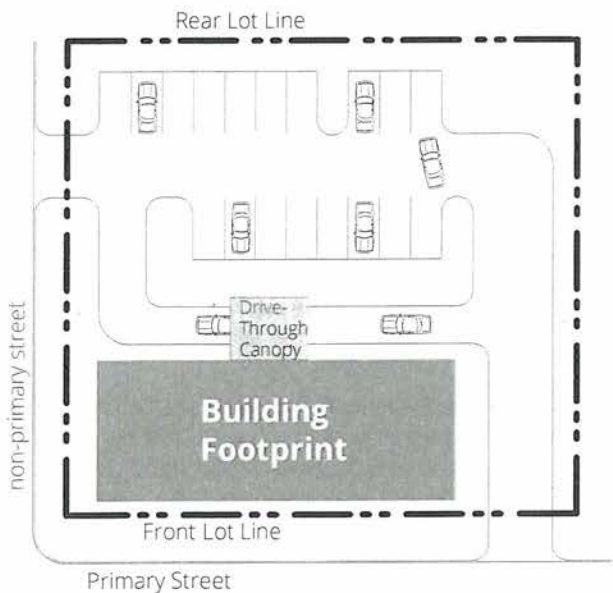


Figure 26. Example Drive-Through Facility

D. PARKING

Refer to Chapter 11 for off-street parking and loading requirements. The following additional parking regulations apply within the downtown overlay.

1. **Required Off-Street Parking Spaces.** Refer to Table E for the minimum number of off-street spaces required per use.
 - a. **Credits and Reductions.** Credits towards or reductions from the minimum required spaces may apply per this section, Sec. 10-9C-4.D.
 - b. **Multiple Uses.** For developments with more than one use, uses are calculated separately, then totalled. Refer to Sec. 10-9C-4.D.5, below for a multiple-use reduction.
2. **Off-Site Parking Agreement.** An agreement providing for shared use of off-site parking spaces or parking for different buildings on different lots, executed by the parties involved, shall be reviewed and may be approved by the Zoning Administrator during review of the site plan.
 - a. Off-site cooperative parking allowance shall be permitted on the site only as long as the agreement remains in force.
 - b. If the agreement is no longer in force, then parking must be provided as otherwise

required in this section.

3. **Alternate Parking Ratios.** The motor vehicle parking ratios of this section are not intended to be a barrier to development. In order to allow for flexibility in addressing the actual expected parking demand of specific uses, alternatives to the motor vehicle parking requirements of this section may be approved through a major design exception, provided that:
 - a. The required motor vehicle parking ratios do not accurately reflect the actual day-to-day parking demand that can reasonably be anticipated for the proposed use;
 - b. The allowed parking credits and reduction alternatives of this section are infeasible or do not apply; and
 - c. The reduced parking ratios proposed are not likely to cause adverse impacts on traffic safety or on the general welfare of property owners and residents in the area.
4. **On-Street Parking Credit.** Nonresidential uses may count on-street parking spaces on street rights-of-way abutting the subject property towards satisfying off-street motor vehicle parking requirements.

TABLE E. MINIMUM PARKING SPACES

Use	Minimum Motor Vehicle Spaces	Minimum Long-Term Bicycle Spaces	Minimum Short-Term Bicycle Spaces
Residential Dwelling with fewer than 4 units	1.25 per unit	No minimum	No minimum
Residential Dwelling with 4 or more units	1.25 per unit	1 per 2 dwelling units, except where a private garage is provided per unit	1 per 20 dwelling units, minimum 2
Group Living	1 per 3 residents	1 per 3 staff	1 per 4 beds
Assembly	1 per 6 seats	1 per 15,000 s.f.	1 per 5,000 s.f.
Higher Education, Trade School	1 per 3 students	1 per every 20,000 s.f. of building area	1 per every 5,000 s.f. of building area
Parks & Recreation	No minimum	No minimum	1 per every 15,000 s.f., with 15 minimum
All Other Civic & Institutional Uses	1 per 1000 sf	1 per 30,000 s.f.	1 per every 10,000 s.f., with 10 minimum
Hotel	1 per sleeping room	1 per every 60 sleeping rooms	1 per every 30 sleeping rooms, minimum 4
All Retail & Service Uses	1 per 400 sf	1 per 12,000 s.f.	1 per 3,500 s.f.
Office, Research & Laboratories	1 per 400 sf	1 per 10,000 s.f.	1 per every 20,000 s.f.
Child Care Center	1 per staff	1 per 4 staff	1 per 4 staff

2 double-loaded aisles.

- (3) Location. The pathway shall be centrally located within the parking area to serve a maximum number of parking stalls.
- (4) Pathways shall provide direct connections to the principal structure(s) entrances from the spaces furthest from the entrance.
- (5) Pathway Delineation. Pedestrian pathways should be clearly marked through the use of alternative materials, such as pavers.

9. Bicycle Parking. Minimum long-term and short-term bicycle parking spaces for specified land uses are set forth in Table E.

a. Bicycle Parking Design

- (1) Location. Bicycle parking should be located within 50 feet of the entrance of the use on the same zoning lot as the use.
- (2) Short-term bicycle parking may be indoors or outdoors.
- (3) Bicycle parking racks provided as part of the streetscape or provided by others as part of the streetscape, when located within 50 feet of the entrance may be counted towards the requirement for short-term bicycle parking.
- (4) Long-term bicycle spaces must be located in a limited-access enclosure protecting bicycles from precipitation and theft, such as: enclosed indoor bicycle rooms, bicycle sheds, bicycle lockers, and weather-protected bicycle parking spaces that are monitored by an attendant or security system, such as bike boxes.
- (5) Aisle. An aisle, minimum of 5 feet wide, shall be provided adjacent to any bicycle parking facilities to allow for maneuvering.
- (6) Racks. Racks shall be installed a minimum of 2 feet from any wall or other obstruction, except for wall-mounted bicycle racks, which may be mounted directly on a wall.
- (7) Spaces located within individual dwelling units may not be counted toward bicycle parking requirements.
- (8) Bicycle parking facilities shall be separated from vehicular parking areas to protect parked bicycles from damage. The separation may be accomplished through grade separation, distance or physical barrier, such as curbs, wheel stops, poles or other similar features.
- (9) Racks and Structures. Racks and structures

shall be provided for each unprotected parking space, and shall be designed to accommodate both chain and U-shaped locking devices supporting the bicycle frame at 2 points. Racks may be floor-mounted or wall-mounted, and they must be securely affixed or bolted to the floor or wall.

10-9C-6. MASTER PLAN SITES

For all sites designated on the regulating map (Figure 1) as master plan sites, the following regulations apply.

A. INTENT

These master plan site regulations are intended to extend the walkable street grid in the existing downtown area through larger adjacent parcels, providing a system of streets, smaller-scaled blocks and small civic, open spaces, while allowing a mix of buildings and uses within new, walkable developments.

B. APPROVAL PROCESS

1. An administrative site plan review may be approved for all master plan sites meeting these regulations.
2. The master plan shall include all areas within the outline on the regulating plan, Figure 1, whether under the same ownership or not. The intent is to anticipate connectivity and other interactions potential between adjacent sites. Coordinate with adjacent property owners.

C. SUBDIVISION

Refer to Title 11, Subdivision and Planned Unit Development Regulations, for all requirements related to new streets and subdivision and the processes for approval, modifications, and platting.

D. BLOCKS

An interconnected system of streets and blocks is required for all development sites. Refer to Figure 29 for an illustration of an example layout of these regulations. Note that other configurations that meet the regulations are possible.

1. **Block Size.** Block length shall be no more than 600 feet, with a maximum perimeter of 1800 feet. Deviations from these dimensions for sites with natural or existing constraints may be approved with a major design exception.
2. **Access Points.** A minimum of two access points shall be provided for the development, with a minimum of one per every 1,500 feet of boundary, except along rail corridors or limited

- (4) A minor exception may be approved by the Zoning Administrator for up to 2 feet less of any dimension.
- c. **Maximum Pavement Width.** The maximum pavement width for all streets internal to the development is 38 feet. Pavement widths wider must include a median in the middle to provide pedestrian refuge and/or bulb-outs to reduce the crossing widths to less than 38 feet.
 - d. **Medians.** Landscape medians are optional and permitted up to a maximum of 15 feet in width. Medians shall accommodate pedestrian crossings. Note that wider spaces within street configurations may be permitted by utilizing a civic space type per Sec. 10-9C-6.H.
 - e. **Reduced Minimum Pavement.** When only one lane of on-street parking is approved, the minimum pavement width for a two-way street is 28 feet and the minimum right-of-way width is 54 feet.
4. **Mid-Block Pedestrian Paths.** Mid-block pedestrian paths may be located on blocks within the development that are longer than the maximum block sizes, approved by the Zoning Administrator during the site plan approval process.
 5. **Street Crosswalks.** Crossings at all street intersections shall include a clear pedestrian path across streets (crosswalks) with accessibility ramps at curbs, demarcated by paint, stamped patterns, or pavers. Raised crosswalks are encouraged.
 6. **Curb Radii.** Intersections shall be designed for actual turning radius of the typical design vehicle as opposed to the maximum design vehicle. Small curb radii at intersections shorten pedestrian crossing distances and reduce vehicle turning speeds, increasing pedestrian safety
 - a. Where on-street parking is provided with no bulb-out, a radius no greater than 5 feet is required.
 - b. Where on-street parking is provided with a bulb-out or where no on-street parking is provided, a radius no greater than 10 feet is required.
 7. **Bicycle Accommodations.** New streets within the development shall accommodate bicycle access per the village's most recent complete streets policy and bike plan. Bicycle accommodations shall be included on through streets and higher activity streets. On non-commercial and lower activity streets, bicycles may share vehicular lanes.

F. ALLEYS, LANES, OR SERVICE DRIVES

Alleys, lanes, or service drives shall be provided through all blocks to provide vehicular access to all lots, except as follows:

1. Parking drives and parking structure drives may serve as alleys/lanes if the drive is continuous through the block with at least 2 access points and serves all lots on the block.
2. Exception. A major design exception may be approved per block with one of the following conditions:
 - a. A single point of access is all that is required and a non-primary street is available for access.
 - b. Natural or existing constraints limit the block depth and no more than 2 vehicular access points are required for the lots on the block.

G. PRIMARY STREET DESIGNATION

The orientation and location of buildings on lots is determined by the primary street designation. Some building regulations are specific to the primary street frontage. Primary street frontages are treated as the front of the building.

1. **Minimum Designation.** A minimum of 50 percent of a combination of the new streets on the master plan site and existing streets fronting the development shall be designated as primary streets. A major design exception may be approved for up to a 20 percent reduction in the minimum requirement for streets treated as primary.
2. **Building Frontage.** Primary streets shall be designated so that all building lots front at least one primary street, except for up to 20 percent of the lots may front a non-primary street.
3. **Open Space Frontage.** Where practicable, streets along open space shall be designated as primary streets to ensure buildings front the open space.
4. **Driveways and Alleys/Lanes.** Driveways and alleys/lanes to lots shall not be located off a primary street, except when the parcel is fronted by more than two primary streets and/or there is no other alternative access.

H. CIVIC SPACE

All developments where a master plan site is required shall provide the following open space.

1. **Required Amount.** The following minimum amount of open space shall be provided:
 - a. A minimum of 10% of the total master plan site shall be provided as one of the civic space

I. LAYOUT & LOCATION OF BUILDING SITES

The master plan shall define locations of buildings to meet the following requirements. Refer to Figure 29 for illustration of one potential site layout fulfilling these regulations.

1. **Permitted Buildings.**
 - a. Refer to the subarea type noted on the regulating map in Figure 1 for the buildings intended to front any existing primary streets.
 - b. Additionally, any other subarea may be used on the interior or existing non-primary frontages.
2. **Regulating Map.** The applicant shall develop a regulating map for the site, including the location of all subareas proposed, located by defining within boundary lines or lot lines on the plan.
3. **General Layout of Subareas.** The following general layout requirements apply:
 - a. The same subareas shall generally face each other across streets, including existing.
 - b. More intense buildings and uses located on blocks with less intense buildings and uses should be located on block ends.
 - c. Changes in subarea shall generally occur at a rear boundary line, at an alley, or at corner parcels.

KEY			
	EXISTING PRIMARY STREET		SUBAREA 2
	NEW PRIMARY STREET		SUBAREA 3
	NEW NON-PRIMARY STREET		SUBAREA 4
	PEDESTRIAN CONNECTIONS		OPEN SPACE



Figure 29. Illustration of One Potential Site Layout



Figure 30. Example of Courtyard

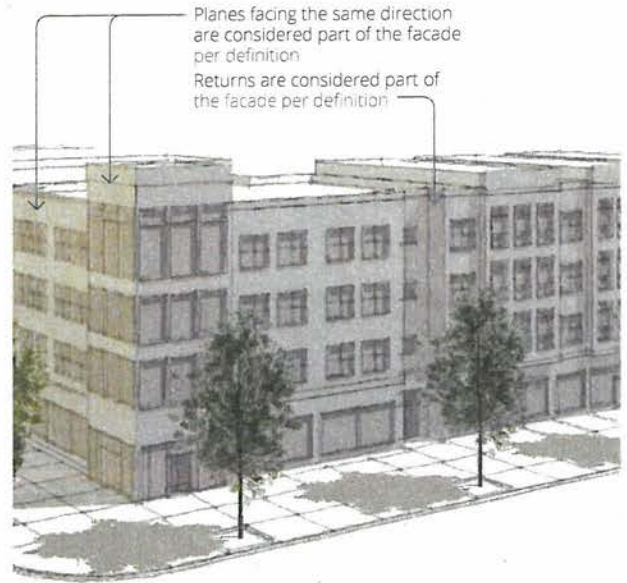


Figure 31. Illustration of Facade Definition



Figure 32. Examples of Pedestrianways between Buildings



Figure 33. Example of Occupied Space on Primary Frontage



Figure 34. Illustration of a Porch

B. MEASURING

The following defines the standards outlined on the building regulations tables, Sec. 10-9C-3.

1. **Build-to Zone.** The build-to zone is designated separately for each frontage on each building regulations table. Refer to Figure 38. Build-to Zones.
 - a. **Definition.** Build-to Zone is an area in which the front or corner side facade of a building shall be placed; it may or may not be located directly abutting a lot line. The zone dictates the minimum and maximum distance a structure may be placed from a lot line.
 - b. **Measurement.** The build-to zone for all frontages is measured from the lot line parallel to the frontage, unless otherwise noted.
 - (1) When additional streetscape area is required, the build-to zone is measured from the edge of the required streetscape onto the site.
 - (2) Refer to Sec. 10-9C-2.D for a major design exception to the build-to zone.
 - c. **Height.** The primary frontage facades for the minimum height of the building type must be located within the build-to zone. For example,

if the minimum height of the building is 2 stories, then, at a minimum, the first 2 stories of the building from the ground up must be located within the build-to zone on the same vertical plane.

- d. **Encroachments.** Awnings, balconies, and building mounted signage may extend up to 3 foot beyond the build-to zone into any yard area, but may not extend into the street right-of-way unless otherwise expressly approved by the village board.
2. **Minimum Primary Frontage Coverage.** The minimum percentage of building facade along the primary frontage of a lot is designated on the building regulations table.
 - a. **Measurement.** The width of the principal structures (as measured within the build-to zone along the frontage edge) is divided by the length of the frontage parallel to the property line following the street. Refer to Figure 39. Minimum Primary Frontage Coverage.
 - b. **Courtyards.**
 - (1) **Definition.** Refer to Sec. 10-9C-7.A for the definition and an illustration of a courtyard.
 - (2) **Applies to Coverage.** Where noted in the

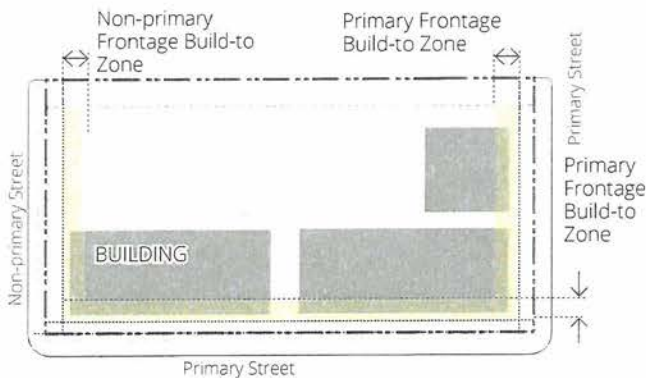


Figure 38. Build-to Zones

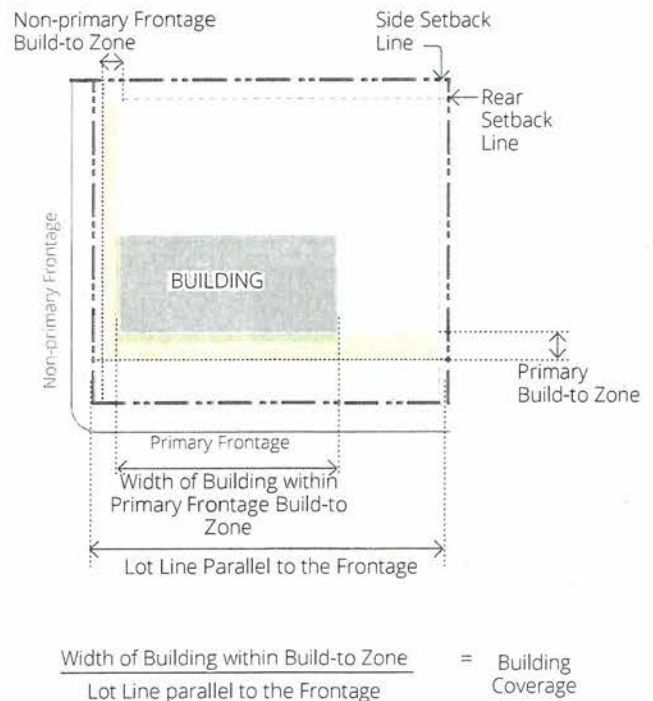


Figure 39. Minimum Primary Frontage Coverage

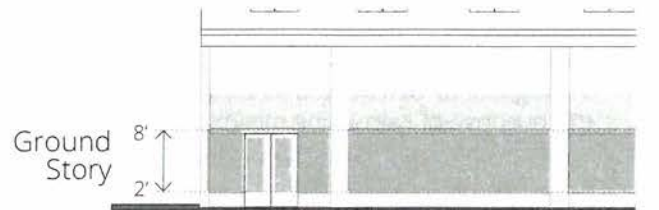
below grade and partially exposed above with required transparency on the street facade.

- b. **Minimum Overall Height.** Minimum heights require a minimum number of stories on the primary frontage facades of the building. The building must meet the minimum required height for the first 30 feet of occupied building space measured from the primary frontage facade into the building.
 - c. **Maximum Overall Height.** Maximum heights are specified in number of stories and apply to the entire building.
 - d. **Towers.** Where noted, towers may exceed the overall maximum height per Sec. 10-9C-2.G.
 - e. **Cap Type.** Where noted, certain cap types may allow additional height.
 - f. **Two Half Stories.** A building incorporating both a half story within the roof and a visible basement shall count the height of the two half stories as one full story.
5. **Minimum & Maximum Height per Story.** Each story is measured with a range of permitted floor-to-floor heights. Refer to Figure 41. Measuring Stories with Floor-to-Floor Height.
- a. **Measurement.** Floor height is measured in feet between the floor of a story to the floor of the story above it. Minimum and maximum floor-to-floor heights are required to be met on floors along all primary street facades. See 10-9C-7.B.6.d below for allowance for taller heights for such spaces as stairwells, mezzanines, and lobbies.
 - b. **Single Story Buildings & Top Floor Measurement.** For single story buildings and the uppermost story of a multiple story building, floor-to-floor height shall be one foot less than noted per building type and measured from the floor of the story to the ceiling, i.e. if the permitted floor-to-floor heights of an upper story range between 9 feet to 14 feet, the range for a single story or the topmost story of the building is 8 feet to 13 feet.
 - c. **Mezzanines.** Mezzanines may be included within the floor-to-floor height of any story, included in the calculation of stories. Mezzanines occupying more than 30 percent of the floor area below and extending above the story's allowable floor-to-floor height shall count as an additional story, including articulation of the story per Sec. 10-9C-4.L.

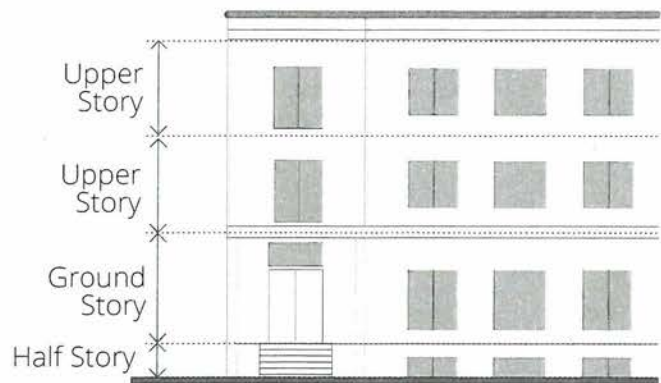
- d. **Taller Spaces.** Spaces exceeding the allowable floor-to-floor heights of the building are not permitted on primary frontage facades. These spaces are unlimited on interior facades and non-primary frontage facades, but shall be counted as the number of stories that would fit within their height.

6. **Minimum Required Transparency.** Per the requirements of each subarea, a minimum amount of transparency is required on designated facades.
- a. **Degree of Transparency.** Highly transparent, low reflectance windows means a minimum of 50 percent transmittance factor and a reflectance factor of not greater than 0.25.
 - b. **Measurement.** Minimum facade transparency is measured from floor-to-floor of each story

$$\frac{\text{Transparency included in Calculation (Numerator)}}{\text{Area of Overall Measurement (Denominator)}} = \text{Percent Transparency}$$



Ground Story Transparency



Transparency All Stories

Figure 42. Measuring Minimum Facade Transparency

ORDINANCE 2019 - _____

**AN ORDINANCE AMENDING THE BARTLETT MUNICIPAL CODE
TITLE 1 ADMINISTRATIVE AND TITLE 10 ZONING
TO ADD PROVISIONS FOR THE DOWNTOWN OVERLAY DISTRICT AND
AMENDING THE VILLAGE OF BARTLETT OFFICIAL ZONING MAP**

BE IT ORDAINED by the President and Board of Trustees of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, as follows:

SECTION ONE: That Title 1 of the Bartlett Municipal Code, entitled “ADMINISTRATIVE” is hereby amended to add new development fees to Chapter 10: Village Finances, Section 8: Development Fees as follows:

Minor Design Exception: \$150.00 + consultant fees

Major Design Exception: \$ 300.00 + consultant fees

SECTION TWO: That Title 10 of the Bartlett Municipal Code, entitled “ZONING” is hereby amended to add a new zoning district to Chapter 4, Section 1:C Special Districts as follows:

DT-O Downtown Overlay

SECTION THREE: That Title 10 of the Bartlett Municipal Code, entitled “ZONING” is also hereby amended to add a new Section 10-4-2:C.4 and new zoning description as follows:

10-4-2:C.4 Downtown Overlay

DT-O – Downtown Overlay District: The DT-O Downtown Overlay district is intended to implement the vision of the Village of Bartlett Downtown TOD Plan, including but not limited to maintaining the scale and character of the village and specifically the downtown, with the goal of incorporating new walkable, connected, mixed-use development that establishes a sense of place in the downtown area.

SECTION FOUR: That Title 10, is amended by adding the following new Articles to Chapter 9 Planned Unit Developments as follows:

Article B: Reserved

Article C: Downtown Overlay District ([Link to Document](#))

SECTION FIVE: That Title 10, is further amended by adding the following new Section to Chapter 13 Administration and Enforcement as follows:

10-13-4-1: Major Design Exceptions

- A. Authority: The Zoning Board of Appeals shall hear and consider major design exceptions as part of a Site Plan or Administrative Site Plan review as determined by the Zoning Administrator and shall make a recommendation to the Village Board. Major design exceptions shall be authorized or denied by the Village Board by ordinance in accordance with the procedural provisions of this Title and the Downtown Overlay. No application for a major design exception shall be acted on by the Village Board until after a public hearing held before the Zoning Board of Appeals, and the findings and recommendations of the Zoning Board of Appeals have been reported to the Village Board.
- B. Initiation: An application for a major design exception may be made by any person, firm or corporation, or by any office, department, board, bureau or commission requesting or intending to request application for a Site Plan or Administrative Site Plan.
- C. Processing: An application for any major design exception shall accompany the associated Site Plan or Administrative Site Plan review application along with the associated fees and shall be filed with the Zoning Administrator. The application shall define the requested exception, reference the applicable code section, and provide supporting material for review by the staff. The Zoning Administrator shall forward such application to the Zoning Board of Appeals for processing in accordance with applicable statutes of the State of Illinois and the provisions of this Title.

The Zoning Board of Appeals shall make its recommendation after a public hearing, of which there shall be a notice indicating the time and place of such hearing published at least once, not more than thirty (30) nor less than fifteen (15) days before the hearing, in one or more newspapers published in the Village, or, if no newspaper is published in the Village, then in a newspaper of general circulation within the Village. In addition, at least fifteen (15) days prior to the date of the public hearing, the petitioner shall cause to be posted on the real estate which is the subject of such major exception the following notice:

Public Notice: Public Hearing for major design exception from the Bartlett Zoning Ordinance and the Downtown Overlay for this site (insert date and time), Bartlett Municipal building, 228 South Main Street.

The Zoning Board of Appeals.

The procedure for posting the notice hereinbefore required shall be governed by Section 10-13-10 hereinafter set forth.

- D. Authorized Major Design Exceptions: Major design exceptions may include exceptions as outlined in Section 10-9C-2:D.5 hereinafter set forth.
- E. Conditions and Standards for Major Design Exceptions: The Zoning Board of Appeals shall hold the public hearing and forward its recommendations and findings of fact in the form of a written report to the Village Board within a reasonable time, usually within thirty (30) days following the date of public hearing on each application, unless it is withdrawn by the petitioner. Such findings of fact as to the conditions and standards for major design exceptions shall include all of the following:
 - 1. The exception fulfills the intent defined for this Article 10-9C of the zoning regulations. Refer to Section 10-9C-1.A.
 - 2. The resulting development is consistent or compatible with the surrounding context or the vision defined in the village's comprehensive plan, the downtown TOD master plan, and or other planning documents approved by the village.
 - 3. The requested exception results in a development of equal or higher quality and durability of design.
 - 4. The resulting development would not impede adjacent development from complying with the overlay district regulations.
 - 5. The requested exception results from conditions that are unique to the subject development and would not establish a precedent that would prevent the board from reasonably denying a similar exception for similarly situated properties.
- F. Decisions: The Village Board, upon receipt of the report and recommendation of the Zoning Board of Appeals, and without further public hearing, may grant by ordinance or deny any proposed major design exception in accordance with this title and the Downtown Overlay, or may refer it back to the body holding the Zoning Board of Appeals for further consideration.

SECTION SIX: That Section 10-13-10: Notices of Public Hearing is amended as follows:

10-13-10: Notices of Public Hearing

Each applicant for zoning amendments, variations, **major design exceptions**, or special uses shall provide notice of the public hearing as follows and present proof of such notice at the public hearing.

SECTION SEVEN: That the Village of Bartlett Official Zoning Map shall be amended to incorporate the limits of the Downtown Overlay District.

SECTION EIGHT: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION NINE: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION TEN: EFFECTIVE DATE. This Ordinance shall be in full force and effect upon its passage and approval.

ROLL CALL VOTE:

AYES:

NAYS:

ABSENT:

PASSED:

APPROVED:

Kevin Wallace, Village President

ATTEST:

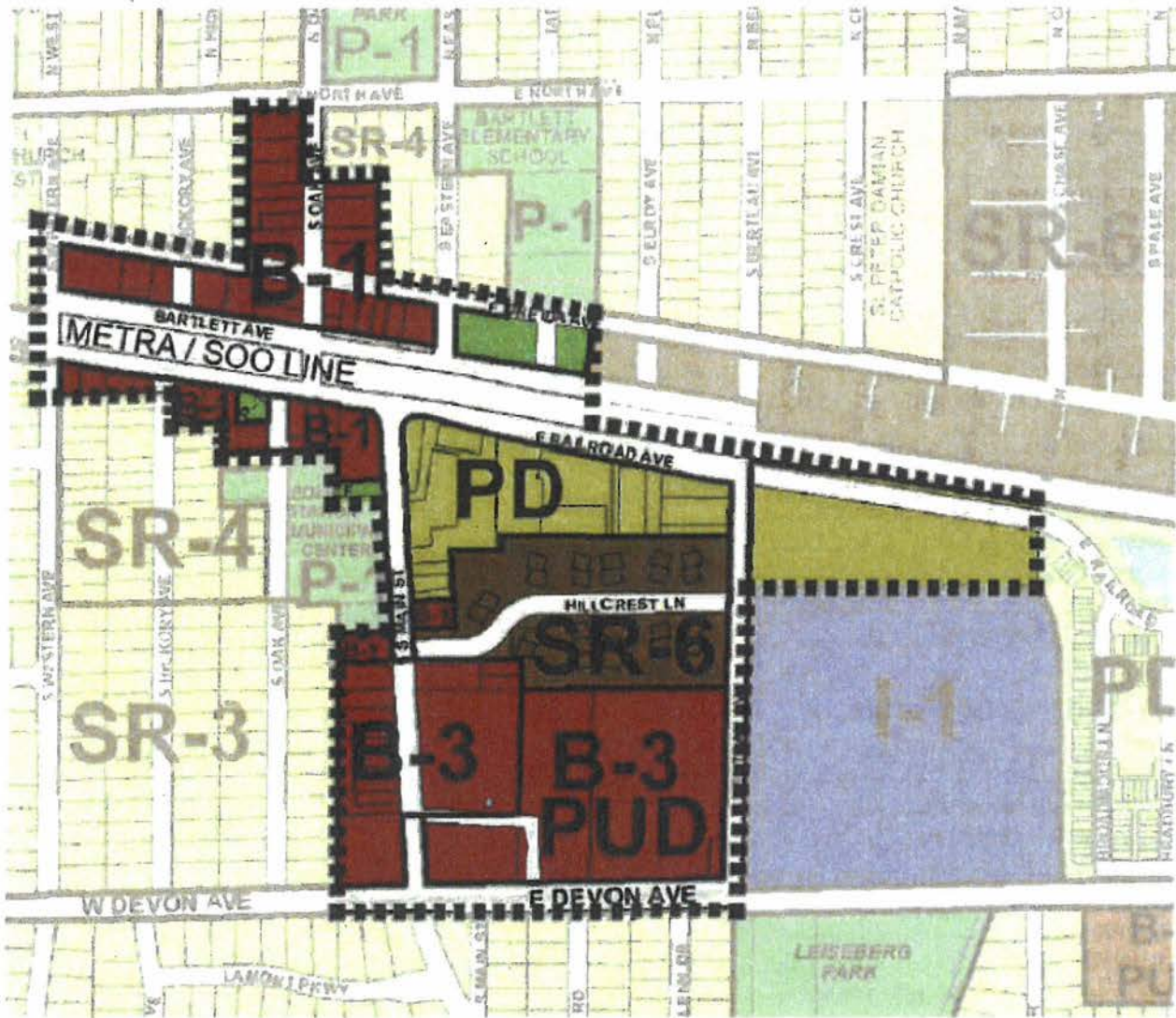
Lorna Gilles, Village Clerk

CERTIFICATION

I, Lorna Giles, do hereby certify that I am the Village Clerk of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 2019-_____ enacted on November 19, 2019 and approved on November 19, 2019 as the same appears from the official records of the Village of Bartlett.

Lorna Giles, Village Clerk

■ ■ ■ LIMITS OF DOWNTOWN OVERLAY





Agenda Item Executive Summary

Item Name Zoning Ordinance Text Amendment (Fence Height in Corner Side Yards) Committee or Board _____ Committee _____

BUDGET IMPACT

Amount: N/A Budgeted N/A
List what fund N/A

EXECUTIVE SUMMARY

At the July 16, 2019 Village Board meeting, the Board reviewed and approved a request to grant a variation to allow a 6-foot tall fence located approximately 25 feet off S. Bartlett Road (Minor Arterial) in the corner side yard for 114 Lamont Parkway. Staff was directed to look into modifying the fence height requirement in corner side yards when fences are setback from the property line, especially along major streets.

Staff has attached a list of all the previous variation requests to allow 5-foot and 6-foot tall fences in the corner side yard. Charts show the approval rate of fences based on the height and the distance from the corner side property line as well as by street type since 1991. **The Zoning Board of Appeals recommended approval and the Village Board approved two (2) variation requests for a 5-foot and 6-foot tall fence when it was located along a Major Arterial with the fence only being setback 6 inches. The Zoning Board of Appeals has generally recommended approval of fence variations for fences 5-6 feet tall along all other street designations when the fence is set back at least 10 feet from the corner side property line.**

Staff prepared a Text Amendment to the Zoning Ordinance which will increase the fence height in the required corner side yard from four feet (4') to six feet (6') provided the fence is setback at least six inches (6") from roads designated as Major Arterials on the Thoroughfare Plan (Lake Street, Route 59 and County Farm Road) and setback a minimum of ten feet (10') from all other road designations. The maximum fence height in the required front yard would remain four feet (4') and the maximum height in the vision clearance triangle would remain three feet (3').

The proposed Text Amendment will allow residents to apply for a building permit immediately rather than delaying the permitting process while going thru the 45-60 day variation process awaiting the Zoning Board of Appeals' and Village Board's review.

ATTACHMENTS (PLEASE LIST)

PDS Memo, Summary of Residential Fence Variations and Redline Zoning Ordinance Text Amendment

ACTION REQUESTED

- For Discussion Only – For review and forward to the Zoning Board of Appeals for further review and to conduct the required public hearing
- Resolution
- Ordinance
- Motion

Staff Roberta Grill, Planning & Development Services Director Date: 10/24/2019

COMMUNITY DEVELOPMENT MEMORANDUM
19-163

DATE: October 24, 2019

TO: Paula Schumacher, Village Administrator

FROM: Roberta B. Grill, Planning & Dev Services Director 

RE: (2019-14) Fences in Corner Side Yard Text Amendment

BACKGROUND

At the July 16, 2019 Village Board meeting, the Board reviewed and approved a request to grant a variation to allow a 6-foot tall fence located approximately 25 feet off S. Bartlett Road (Minor Arterial) in the corner side yard for 114 Lamont Parkway. Staff was directed to look into modifying the fence height requirement in corner side yards when fences are setback from the property line, especially along major streets.

Since 1990, there have been 57 residential corner side yard fence variation requests. The Zoning Ordinance previously restricted the maximum fence height to three (3) feet in the required front and corner side yards. In 2015, a text amendment was approved by Ordinance 2015-97 to increase the maximum height of fences in the front and corner side yards to four (4) feet. Nineteen (19) of the variation requests were for fences between 3.5 feet and 4 feet tall and would not have required a variation after the 2015 text amendment.

Staff has attached a list of all the previous variation requests to allow 5-foot and 6-foot tall fences in the corner side yard. The charts below show the approval rate of fences based on the height and the distance from the corner side property line as well as by street type since 1991. **The Zoning Board of Appeals recommended approval and the Village Board approved two (2) variation requests for a 5-foot and 6-foot tall fence when it was located along a Major Arterial with the fence only being setback 6 inches. The Zoning Board of Appeals has generally recommended approval of fence variations for fences 5-6 feet tall along all other street designations when the fence is set back at least 10 feet from the corner side property line.**

5-FOOT FENCES		
Distance from Property Line	Number of Requests	Approval rate
6 inches	3	100%
1-4 feet	1	100%
5-9 feet	7	43%
10-14 feet	5	60%
15-19 feet	1	100%
20 feet +	3	100%

6-FOOT FENCES		
Distance from Property Line	Number of Requests	Approval rate
6 inches	5	60%
1-4 feet	2	100%
5-9 feet	2	50%
10-14 feet	4	100%
15-19 feet	2	100%
20 feet +	3	66%

5-FOOT FENCES		
Type of Street	Number of Requests	Approval rate
Major Arterial	1	100%
Minor Arterial	3	66%
Collector	7	71%
Local	9	67%

6-FOOT FENCES		
Type of Street	Number of Requests	Approval rate
Major Arterial	1	100%
Minor Arterial	3	100%
Collector	10	80%
Local	4	50%

Planning Staff often have to explain the fence height restrictions to residents that submit a building permit application for fences exceeding four feet (4') in height in a corner side yard. Many residents have stated that having to install a taller fence at the building setback takes away the benefit of owning a corner lot and makes their corner side yard less usable.

Based on the above analysis of the Zoning Board of Appeals and Village Board's votes on fence variations, Staff has prepared a Text Amendment to the Zoning Ordinance which will increase the fence height in the required corner side yard from four feet (4') to six feet (6') provided the fence is setback at least six inches (6") from roads designated as Major Arterials on the Thoroughfare Plan (i.e. Lake Street, Route 59 and County Farm Road) and setback a minimum of ten feet (10') from all other road designations. The maximum fence height in the required front yard would remain four feet (4') and the maximum height in the vision clearance triangle would remain three feet (3').

The proposed Text Amendment will allow residents to apply for a building permit immediately rather than delaying the permitting process while going thru the 45-60 day variation process awaiting the Zoning Board of Appeals' and Village Board's review. If the proposed Text Amendment had been in effect in 1990 through today, 64% of the petitions for 5-foot and 6-foot tall fence height variations would have been eliminated.

If the Text Amendment to the Zoning Ordinance is approved, Chapter 16 of the Building Code regarding fences would also need to be updated.

RECOMMENDATION

1. Staff recommends forwarding the proposed text amendment to the Zoning Board of Appeals for their review and to conduct the public hearing.
2. A summary of the residential fence variation requests and the draft Text Amendment are attached.

Summary of 5-ft and 6-ft Fence Height Variation Requests

Case#	PROJECT NAME	Description	Status	Distance from Property Line	CSY Road	Road Classification
1991-29	Skelnik - 1198 Morning Glory	5'	Approved	6 inches	W. Struckman Blvd	Collector
1992-18	George - 630 Swinford	5'	Approved	6 inches	County Farm Rd	Major Arterial
1992-23	Massey - 1355 Mohawk	5'	Approved	5 feet	Mayflower Ln	Collector
1992-27	Smith - 405 Millwood Lane	6'	Approved	10 feet	Newport Blvd	Collector
1992-29	Marciniak - 747 Falmore	6'	Approved	6 feet	Newport Blvd	Collector
1992-33	Hardwick - 633 Swinford	6'	Approved	6 inches	County Farm Rd	Major Arterial
1993-26	Mogan - 1182 Princeton Drive	6'	Approved	1 foot	W. Struckman Blvd	Collector
1993-33	Rapinchuk - 380 E. Millwood	6'	Approved	10 feet	Newport Blvd	Collector
1993-34	Ordoqui - 1024 W. Maplewood	5'	Approved	6 inches	S. Park Place	Local
1994-14	Cozzi - 761 Bayberry	6'	Denied	29.5 feet	Terrace Dr	Local
1994-24	Harrison - 510 Orchards Pass	6'	Approved	6 inches	S. Bartlett Rd	Minor Arterial
1995-09	Caputo - 1196 Beechtree Lane	6'	Approved	6 inches	W. Struckman Blvd	Collector
1995-10	Giron - 1355 Marlboro Court	5'	Approved	6 feet	Mayflower Ln	Collector
1995-13	Shea - 717 Heather Lane	5'	Approved	5 feet	Morning Glory Ln	Local
1995-14	Golevich - 1304 Newcastle Lane	5'	Denied	5 feet	Mayflower Ln	Collector
1995-17	Rodriguez - 1301 Branden Lane	6'	Denied	5 feet	Mayflower Ln	Collector
1995-22	Wurster - 1333 Blackhawk Lane	5'	Denied	10 feet	Mayflower Ln	Collector
1997-05	Fedorowicz - 801 Kent Circle	5'	Denied	5 feet	W. Stearns Rd	Minor Arterial
1997-15	Findon - 993 Longstreet Drive	5'	Denied	7 feet	Jackson St	Local
1997-30	Montiel - 794 Voyager Drive	6'	Approved	21 feet	Harbor Ter	Local
1997-42	Sethi - 947 Longford	6'	Approved	1 foot	Newport Blvd	Collector
2002-21	Wages - 1797 Penny Lane	5'	Approved	20 feet	Fairfax Ln	Collector
2003-47	Dyer - 101 N Western	5'	Approved	12 feet	W. North Ave	Local
2004-28	Carr - 390 Pinoak	5'	Approved	38 feet	W. Devon Ave	Minor Arterial
2005-18	McCarty/Martinez-105 S. Berteau	5'	Denied	5 feet	E. North Ave	Local
2005-20	Zervas - 1041 Foster	5'	Approved	28 feet	Lakewood Dr	Local
2006-16	Hall - 300 Queens Parkway	6'	Denied	6 inches	N. Hickory Ave	Local
2009-22	Mann - 388 E. Woodhollow Ln.	6'	Approved	10 feet	S. Chippendale Dr	Local
2011-08	MacDonald - 292 Bragg St.	5'	Denied	10 feet	Grant St	Local
2012-05	Finnegan - 944 Surf	5'	Approved	14 feet	Shorewood Dr	Local
2012-17	Johnson - 225 Wilcox Drive	5'	Approved	19 feet	S. Bartlett Rd	Minor Arterial
2012-27	Kucia - 560 Vallyview Dr.	6'	Denied	6 inches	Newport Blvd	Collector
2014-10	Mackowiak - 511 Orchards Ps - 2nd Req.	6'	Approved	10 feet	S. Bartlett Rd	Minor Arterial
2014-16	Paladino - 250 Wilcox Ct	5'	Approved	1 foot	S. Prospect Ave	Collector
2015-07	Considine - 908 Shorewood Drive	5'	Approved	10 feet	Shorewood Dr	Local
2015-10	Pilasiewicz - 1200 Pinetree Lane 2nd Req.	6'	Approved	15 feet	W. Struckman Blvd	Collector
2017-21	Hashmi- 1180 Lexington Drive	6'	Approved	15 feet	W. Struckman Blvd	Collector
2019-10	Frank - 114 Lamont Pkwy	6'	Approved	25 feet	S. Bartlett Rd	Minor Arterial

VARIATION WAS DENIED

VARIATION WOULD NOT HAVE BEEN NECESSARY

**Zoning Ordinance Section 10-3-4:
PERMITTED OBSTRUCTIONS IN YARDS**
Table 3-1

Type Of Obstruction	Yards			
	Front	Corner Side	Side	Rear
Driveways and other access drives	F	C	S	R
Dumpster and trash enclosures, and shall be set back a minimum of 5 feet from any property line ¹			S	R
Eaves and gutters on principal buildings or attached accessory buildings projecting a maximum of 4 feet into a front and rear yard and a maximum of 24 inches into a side yard	F	C	S	R
Entrance structures, architectural, on a lot 2 acres or greater in area or at entrance roadways into subdivisions	F	C	S	R
Farms and garden crops and shall be set back a minimum of 15 feet from the front of the house and a minimum of 5 feet from a side property line, except in the SR-4 district, where it shall be set back a minimum of 3 feet from the side property line			S	R
Fences, a maximum of 4 feet in height ¹	F	C	S	R
Fences, a maximum of 6 feet in height in residential districts or 8 feet in nonresidential districts shall be setback from the corner side property line a minimum of 10 feet except if the corner side property line abuts a roadway designated as Major Arterial in the Comprehensive Plan's Thoroughfare Plan, where it shall be set back a minimum of 6 inches from the corner side property line ¹		C		
Fences, a maximum of 6 feet in height in residential districts, a maximum of 8 feet in height in nonresidential districts, and a maximum of 8 feet in height on property in any district used for schools or other public or quasi-public uses ¹			S	R
Fire escapes, open or enclosed, or fire towers may project into a front yard or corner side yard a maximum of 5 feet and into a side yard a maximum of 3 1/2 feet	F	C	S	R
Fireplaces, outdoor and shall be set back a minimum of 5 feet from any property line, except in the SR-4 district, where it shall be set back a minimum of 3 feet from any property line				R

Zoning Ordinance Section 10-3-4:
REGULATIONS FOR SPECIFIC STRUCTURES AND USES
And Figure 3-7
FENCES IN CORNER SIDE YARDS

c. Corner Side Yards: Fences shall not exceed a height of four feet (4') except when placed on or behind the corner side setback line as established by the zoning district in which the lot is located a minimum of six inches (6") from a corner side property line abutting a Major Arterial as defined in the Comprehensive Plan's Thoroughfare Plan or located a minimum of ten feet (10') from the corner side property line abutting a roadway with any other designation, then fences shall not exceed a height of six feet (6') in residential districts or eight feet (8') in nonresidential districts (see figure 3-7 of this section).

**FIGURE 3-7
FENCES IN CORNER SIDE YARDS**

