

Winnetka Village Council
STUDY SESSION
Village Hall
510 Green Bay Road
Tuesday, March 8
7:00 PM

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AGENDA

- 1) Call to Order
- 2) Stormwater Regulation Review – Impermeable Surface Limits and Detached Garage Regulations2
- 3) Public Comment
- 4) Executive Session
- 5) Adjournment

NOTICE

All agenda materials are available at villageofwinnetka.org (Government > Council Information > Agenda Packets & Minutes); the Reference Desk at the Winnetka Library; or in the Manager’s Office at Village Hall (2nd floor).

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Agenda Item Executive Summary

Title: Stormwater Regulation Review – Impermeable Surface Limits and Detached Garage Regulations

Presenter: Steven M. Saunders, Director of Public Works/Village Engineer

Agenda Date: 03/08/2016

Consent: YES NO

- Ordinance
- Resolution
- Bid Authorization/Award
- Policy Direction
- Informational Only

Item History:

Based on recommendations in the Village’s Stormwater Master Plan, the Village Council has requested that staff evaluate the Village’s zoning regulations to determine if there are areas where the zoning requirements encourage or create adverse stormwater impacts. Potential regulatory conditions identified with stormwater implications include 1) the maximum allowable impermeable surface that can be constructed on a lot, and 2) provisions in the current Zoning Ordinance that encourage construction of detached rear garages. The Village’s 2014 Citizen Survey also indicated that the Village would be studying development requirements for new home construction to control stormwater runoff, and 90% of respondents either strongly or somewhat supported evaluating and implementing additional stormwater requirements for new home construction.

Executive Summary:

The Village’s Zoning Ordinance contains provisions that limit the maximum amount of impermeable surface that can be constructed on a lot to 50% of the lot area, for each of the Village’s five single-family residential zoning districts. This limit on impermeable surface coverage has remained unchanged at 50% since its introduction to the Zoning Ordinance. Its original purpose was to limit development intensity in single-family lots. Because the degree of imperviousness is a very strong factor in how much stormwater runoff a property generates, this development regulation has significant implications for the Village’s stormwater management system. The purpose of this investigation is to examine whether current impermeable surface limits contained in the Zoning Ordinance should be modified.

Based on a thorough evaluation of both impermeable surface data and detached garage data, it appears that a combination of reducing the allowable impermeable surface coverage while easing restrictions against front-facing attached garages – on smaller lots not served by alleys – would produce the desired effect of reducing impermeable surface coverage, through reduced driveway construction. In addition to reducing runoff to the storm sewer system, limiting driveway construction will also reduce construction and grade changes in rear yards that can negatively impact trees, and reduce construction near rear and side lot lines that can affect neighboring properties and drainage patterns.

Consideration of garage regulations needs to be done in a manner that balances the desire to reduce construction of impermeable surfaces with other competing values such as aesthetics, tree protection, corner lot and alley considerations, and the like. For example, a review of permit activity for 2014-15 shows the construction of 18 new detached garages during that period. These projects included the removal of 22 trees on private property, with an average trunk diameter of 18 inches. In addition to tree removal, garage construction also affected other remaining trees on site due to not only the construction of the garage itself, but also due to root disruption from extended driveway construction, grading, and drainage/storm sewer construction. Root loss makes trees more vulnerable to disease, insects and droughts, and in many cases increases post-construction tree mortality.

If the Village Council desires to further develop proposed regulatory changes, staff recommends the following process:

1. Further evaluate and develop potential changes to garage regulations and impermeable surface limits;
2. Determine a means to communicate proposed regulation changes to the community for the purpose of soliciting comments and input;
3. Refine proposed changes and review before Zoning Board of Appeals;
4. Introduce possible changes and hold a public hearing;
5. Adopt regulatory changes

Recommendation:

Review analysis of existing impermeable surface and garage regulations and provide policy direction.

Attachments:

- Agenda Report
- Zoning Map
- Current Garage Regulations
- Wilmette Lot Coverage Table
- Zoning Ordinance Amendment Process

Agenda Report

Subject: **Stormwater Regulation Review – Stormwater Management Impacts of Impermeable Surface Limits and Detached Garage Regulations**

Prepared By: Steven M. Saunders, Director of Public Works/Village Engineer

Date: March 2, 2016

Based on recommendations in the Village’s Stormwater Master Plan, the Village Council has requested that staff evaluate the Village’s zoning regulations to determine if there are areas where the zoning requirements encourage or create adverse stormwater impacts. Potential regulatory conditions identified with stormwater implications include 1) the maximum allowable impermeable surface that can be constructed on a lot, and 2) provisions in the current Zoning Ordinance that encourage construction of detached rear garages. The Village’s 2014 citizen survey also indicated that the Village would be studying development requirements for new home construction to control stormwater runoff, and 90% of respondents either strongly or somewhat supported evaluating and implementing additional stormwater requirements for new home construction.

Evaluation of Impermeable Surface Limits

The Village’s Zoning Ordinance contains provisions that limit the maximum amount of impermeable surface that can be constructed on a lot to 50% of the lot area, for each of the Village’s five single-family residential zoning districts. This limit on impermeable surface coverage has remained unchanged at 50% since its introduction to the Zoning Ordinance. Its original purpose was to limit development intensity in single-family lots. Because the degree of imperviousness is a very strong factor in how much stormwater runoff a property generates, this development regulation has significant implications for the Village’s stormwater management system.

The purpose of this investigation is to examine whether current impermeable surface limits contained in the Zoning Ordinance should be modified. The first step in determining whether the existing regulations should be changed is to determine actual development patterns under the current regulations. To do this, staff identified 10 years of permit data from 317 new-construction permits issued between 2001 and 2010 and, using GIS data, determined the level of imperviousness on each property. The following table summarizes results of this evaluation by zoning district (see Attachment #1 for a current Zoning Map):

New Construction Permits 2001-2010

Zoning District	R-1	R-2	R-3	R-4	R-5	Total/Avg.
Permits 2001-2010	1	98	32	33	153	317
Avg. Impermeable	31.7%	36.4%	39.9%	41.1%	46.5%	42.1%
Max. Coverage (50+%) ¹	0	4	2	2	63	71
45-50% Coverage	0	5	2	7	23	37
40-45% Coverage	0	21	11	11	35	78
35-40% Coverage	0	30	12	7	22	71
<35% Coverage	1	38	5	6	10	60
Over 45% Coverage	0%	9.2%	12.5%	27.3%	56.2%	34.1%

One conclusion to be drawn from this data is that the common narrative (based on anecdotal observations communicated to staff) that builders are "pushing the envelope" and building up to the maximum allowable lot coverage is generally not the case, except in the R-5 zoning district. Village-wide, only about a third (108 out of 317) of new buildings exceeded 45% lot coverage. However, in the R-5 district, almost 60% (86 out of 153) of new buildings exceeded 45% lot coverage, and about 41% of these new buildings are constructed at or very close to the 50% impermeable coverage limit.

Staff reviewed data from these 317 properties to estimate the effect of modifying impermeable surface limits on total stormwater runoff. Each property was evaluated to determine how much impermeable surface would have been eliminated if impermeable surface had been capped at 45% and 40%. A calculation was then made to determine how much stormwater runoff would have been avoided for a 24-hour, 100-year storm (7.58 inches of precipitation) under each scenario. The results are shown in the following tables:

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¹ Based on GIS data. GIS measures roofline, including gutter overhang. Zoning calculations are made based on actual foundation measurements and exclude gutter overhangs less than 18". GIS data measures pavers as impermeable surface, while zoning calculations treat pavers as 80% impermeable surface. **GIS data can therefore produce impermeable coverages that exceed those calculated for zoning purposes.**

Evaluation of Reducing Impermeable Coverage Limit to 45%

Lot Size	Number of Permits Issued	Total Impermeable Constructed	Square feet “saved” if impermeable limit 45%	100-year storm runoff avoided if 45% (cu-ft)
>50,000	9	184,289 total 20,477/permit	0	0
40,000 – 50,000	6	84,725 total 14,121/permit	0	0
30,000 – 40,000	8	93,692 total 11,712/permit	0	0
25,000 – 30,000	22	215,522 total 9,796/permit	945 total 43/permit	597 total 27/permit
20,000 – 25,000	54	459,381 total 8,507/permit	2,543 total 47/permit	1,606 total 30/permit
15,000 – 20,000	28	193,264 total 6,902/permit	763 total 27/permit	482 total 17/permit
10,000 – 15,000	55	283,664 total 5,157/permit	9,728 total 177/permit	6,145 total 112/permit
5,000 – 10,000	135	557,330 total 4,128/permit	55,211 total 409/permit	34,875 total 258/permit
TOTAL	317	2,071,871 total 6,536/permit	66,188 total 209/permit	41,809 cu-ft (0.96 ac-ft)

Evaluation of Reducing Impermeable Coverage Limit to 40%

Lot Size	Number of Permits Issued	Total Impermeable Constructed	Square feet “saved” if impermeable limit 40%	100-year storm runoff avoided if 40% (cu-ft)
>50,000	9	184,289 total 20,477/permit	0	0
40,000 – 50,000	6	84,725 total 14,121/permit	1,825 total 304/permit	1,153 total 192/permit
30,000 – 40,000	8	93,692 total 11,712/permit	1,246 total 156/permit	787 total 99/permit
25,000 – 30,000	22	215,522 total 9,796/permit	4,371 total 199/permit	2,761 total 126/permit
20,000 – 25,000	54	459,381 total 8,507/permit	13,534 total 251/permit	8,549 total 159/permit
15,000 – 20,000	28	193,264 total 6,902/permit	7,454 total 266/permit	4,708 total 168/permit
10,000 – 15,000	55	283,664 total 5,157/permit	24,729 total 450/permit	15,620 total 284/permit
5,000 – 10,000	135	557,330 total 4,128/permit	94,871 total 703/permit	59,927 total 444/permit
TOTAL	317	2,071,871 total 6,536/permit	148,030 total 467/permit	93,506 cu-ft (2.15 ac-ft)

Two things are immediately apparent. First, while reduced impermeable surface will reduce localized stormwater problems, reducing impermeable surface limits will not materially reduce the amount of stormwater storage needed to provide significant Village-wide flood risk reduction. Assuming similar permit activity going forward, if the Village changes the maximum impermeable surface limit to 40%, the Village could expect to realize a reduction in total runoff volume from a 100-year 24-hour storm of about 2.15 acre-feet, **by the end of 10 years**. Put in perspective, this is about **1.4 percent** of the 150 to 160 acre-feet of storage volume necessary to provide flood risk reduction for a 100-year storm for western and southwestern Winnetka, as calculated by Christopher Burke Engineering.

Second, reducing the impermeable surface limits to either 45% or 40% would disproportionately affect smaller lots, those less than 10,000 square feet. From the tables above, reducing the impermeable surface limit to 45% would reduce impermeable coverage by about 409 square feet per permit for lots less than 10,000 square feet, but only by about 177 square feet per permit for lots between 10,000 and 15,000 square feet. Similarly, reducing the limit to 40% would reduce coverage by 703 square feet and 450 square feet per permit.

It appears that by simply modifying zoning restrictions across the board to reduce permitted impermeable surfaces, smaller lots would experience a more restrictive environment than larger lots. Further evaluation reveals the reason: smaller lots are *narrower*, and narrower lots face significant hurdles related to garage design, as will be explored below. As a result, staff believes that impermeable surface limits must be evaluated *in conjunction with* garage regulations.

Evaluation of Garage Regulations

The Village has a complicated regulatory relationship with garages that has evolved in its expression via the Zoning Ordinance over the years. The Village's current zoning provisions for garages are shown in **Attachment #2**. Many of these provisions are aimed at managing the aesthetic curb appearance of new homes by limiting the number and width of front-facing garage doors. The following provision from Section 17.30.110 of the Village Code is one example:

Front-Facing Garage Doors. Garage door widths may not exceed 33% of the lot width or 18 feet, whichever is less; provided that, no individual garage door shall extend more than 9 feet when facing the front yard.

The minimum practical width for a single bay garage door is 9 feet, meaning that a two-car garage would contain 18 feet of door width. Using the calculation in the above provision, the minimum lot width required to accommodate two 9-foot garage doors is 54 feet (18 feet ÷ 33%). The typical lot depth in the R-5 zoning district is between 180 and 190 feet, meaning that it is nearly impossible to construct a two-car, front-facing attached garage on a lot smaller than about 10,000 square feet (54 feet x 185 feet = 9,990 square feet). This is starkly illustrated in the following table:

New Construction Permits 2001-2010 – Attached vs. Detached Garages

Lot Area	Total Permits	Detached Garages	Attached Garages
>50,000 s.f.	9	0	9
40,000 – 50,000 s.f.	6	0	6
30,000 – 40,000 s.f.	8	0	8
25,000 – 30,000 s.f.	22	1 (5%)	21
20,000 – 25,000 s.f.	54	8 (15%)	46
15,000 – 20,000 s.f.	28	9 (32%)	19
10,000 – 15,000 s.f.	55	30 (55%)	25
5,000 – 10,000 s.f.	135	131 (97%)	4
TOTAL	317	179	138

Note that for lots less than 10,000 square feet, 97 percent of new-home construction permits issued over a 10-year period were for homes with detached garages, but on larger lots, where lot width does not affect garage design, the proportion is significantly lower. While individual preferences vary, anecdotal experience suggests that attached garages are generally desired by most modern homeowners. Yet, on smaller lots, the vast majority of homes are constructed with detached garages, suggesting that these are being regulatorily encouraged, with great success.

As shown in the following table, the data also illustrate that development with detached garages creates more impermeable surface, on average, than development with attached garages, primarily because of the additional driveway pavement needed to service detached garages (except when detached garages are accessed from alleys). Intensity of coverage as a percentage of lot size increases sharply for properties less than 10,000 square feet with detached garages, especially on properties that are not served by alleys.

New Construction Permits 2001-2010 – Impermeable Coverage by Garage Type

Lot Area	Average Impermeable Detached Garages	Average Impermeable Attached Garages
>50,000 s.f.	N/A (no permits)	20,477 s.f. (25.8% covg.)
40,000 – 50,000 s.f.	N/A (no permits)	14,121 s.f. (31.7% covg.)
30,000 – 40,000 s.f.	N/A (no permits)	11,712 s.f. (34.5% covg.)
25,000 – 30,000 s.f.	9,228 s.f. (30.9% covg.)	9,824 s.f. (35.8% covg.)
20,000 – 25,000 s.f.	8,847 s.f. (38.9% covg.)	8,517 s.f. (37.7% covg.)
15,000 – 20,000 s.f.	7,518 s.f. (42.7% covg.)	6,610 s.f. (36.5% covg.)
10,000 – 15,000 s.f.	5,216 s.f. (43.8% covg.)	5,088 s.f. (39.9% covg.)
5,000 – 10,000 s.f. (w/alleys)	3,607 s.f. (41.0% covg.)	N/A (no permits)
5,000 – 10,000 s.f. (w/o alleys)	4,331 s.f. (50.3% covg.)	3,628 s.f. (41.3% covg.)
All Permits	4,713 s.f. (46.4% covg.)	8,899 s.f. (36.5% covg.)

Conclusions

Based on a thorough evaluation of both impermeable surface data and detached garage data, it appears that a combination of reducing the allowable impermeable surface coverage while easing restrictions against front-facing attached garages – on smaller lots

not served by alleys – would produce the desired effect of reducing impermeable surface coverage, through reduced driveway construction. In addition to reducing runoff to the storm sewer system, limiting driveway construction will also reduce construction and grade changes in rear yards that can negatively impact trees, and reduce construction near rear and side lot lines that can affect neighboring properties and drainage patterns.

Staff has researched impermeable surface regulations in several other similar communities, which are summarized in the following table:

Community	Impermeable Coverage Formula
Kenilworth	<ul style="list-style-type: none"> • 55% of lot area for lots 5,715 sq. ft. or less • 800 + 41% of lot area for lots between 5,715 and 20,000 sq. ft. • 45% of lot area for lots over 20,000 sq. ft.
Northfield	50% of lot area
Northbrook	50% of lot area
Highland Park	50% of lot area
Hinsdale	50% of lot area
Glenview	<ul style="list-style-type: none"> • 45% of lot area for lots up to 10,000 s.f. • Complex sliding scale for larger lots, falling to approximately 18% for a lot of 100,000 sq. ft.
Wilmette	Varies by front/side/rear yard – see Attachment #3
Lake Forest	N/A – no total impermeable lot coverage regulation
Deerfield	N/A – no total impermeable lot coverage regulation
Glencoe	Caps buildings at 30% coverage (35% for corner lots and an additional 6% for accessory buildings. No total impermeable lot coverage regulation.

Based on these results, there does not appear to be a significant difference between Winnetka’s current regulations and the regulations in other similar communities, with the exception of the Village of Glenview, which has much lower coverage limits for larger lots than the other communities surveyed. However, staff has evaluated a possible reduction of impermeable surface limits that includes a sliding scale – allowing the current 50% limit to remain in place for very small lots, and gradually reducing the limit as lots increase in size. The formulae needed to accomplish this, and their affect on lots of various sizes, are shown below:

Proposed Impermeable Coverage Formulae

Lot Area	Current Maximum Impermeable Coverage Formula (sq. ft.)	Proposed Maximum Impermeable Coverage Formula (sq. ft.)
Up to 5,000 sq. ft.	Lot area x 50%	Lot area x 50%
5,001 to 10,000 sq. ft.	Lot area x 50%	2,500 + ((Lot area – 5,000) x 0.4)
10,001 to 30,000 sq. ft.	Lot area x 50%	4,500 + ((Lot area – 10,000) x 0.375)
Over 30,000 sq. ft.	Lot area x 50%	12,000 + ((Lot area – 30,000) x 0.275)

Comparison of Current Impermeable Coverage Limits with Proposed Limits

Lot Area (sq. ft.)	Current Permitted Coverage (sq. ft.)	Proposed Permitted Coverage (sq. ft.)	Proposed Permitted Coverage %	Coverage Difference (sq.ft.)
5,000	2,500	2,500	50.00%	0
7,500	3,750	3,500	46.67%	-250
10,000	5,000	4,500	45.00%	-500
12,500	6,250	5,438	43.50%	-812.5
15,000	7,500	6,375	42.50%	-1,125
20,000	10,000	8,250	41.25%	-1,750
25,000	12,500	10,125	40.50%	-2,375
30,000	15,000	12,000	40.00%	-3,000
40,000	20,000	14,750	36.88%	-5,250
50,000	25,000	17,500	35.00%	-7,500
60,000	30,000	20,250	33.75%	-9,750
70,000	35,000	23,000	32.86%	-12,000
100,000	50,000	31,250	31.25%	-18,750

One thing that is very important to understand when making changes to zoning regulations is the number of properties where existing permitted development will be rendered non-conforming by the changed regulations. Staff has evaluated several possible changes to the Village’s impermeable surface limits to try to reduce the amount of stormwater runoff generated by development, without creating significant numbers of non-conforming properties. Staff has completed a review of 1,391 properties, with some properties from each residential zoning district, to determine how many would be rendered non-conforming by a proposed change. Based on this sampling, reducing the impermeable surface limits as proposed would render approximately 23% (325 of 1,391) of the sampled residential properties non-conforming for impermeable surfaces.

In conjunction with this proposed impermeable surface modification, consideration should be given to modifying garage regulations to facilitate construction of attached garages on smaller lots. The current garage regulations are primarily intended to reduce the visibility and prominence of garage doors from the curb, and to prevent the development of so-called “snout houses”. Following are some examples of houses with front-facing garages that could not have been constructed under current regulations.



Consideration of garage regulations needs to be done in a manner that balances the desire to reduce construction of impermeable surfaces with other competing values such as aesthetics, tree protection, corner lot and alley considerations, and the like. For example, a review of permit activity for 2014-15 shows the construction of 18 new detached garages during that period. These projects included the removal of 22 trees on private property, with an average trunk diameter of 18 inches. In addition to tree removal, garage construction also affected other remaining trees on site due to not only the construction of the garage itself, but also due to root disruption from extended driveway construction, grading, and drainage/storm sewer construction. Root loss makes trees more vulnerable to disease, insects and droughts, and in many cases increases post-construction tree mortality.

Amendment Process

Section 17.72.040 of the Village Code (see **Attachment #4**) provides a defined process under which the Zoning Ordinance may be amended. Broadly, the process requires a general public notice, notice to all property owners specifically affected by a change (if a property is being re-zoned), and a public hearing before “some commission, board or committee designated by the Village Council, which shall report its findings and recommendations to the Village Council.” Historically, the Village Council has been the body that has held public hearings for changes to the Zoning Ordinance.

If the Village Council desires to further develop proposed regulatory changes, staff recommends the following process:

1. Further evaluate and develop potential changes to garage regulations and impermeable surface limits;
2. Determine a means to communicate proposed regulation changes to the community for the purpose of soliciting comments and input;
3. Refine proposed changes and review before Zoning Board of Appeals;
4. Introduce possible changes and hold a public hearing;
5. Adopt regulatory changes

Recommendation:

Review analysis of existing impermeable surface and garage regulations and provide policy direction.

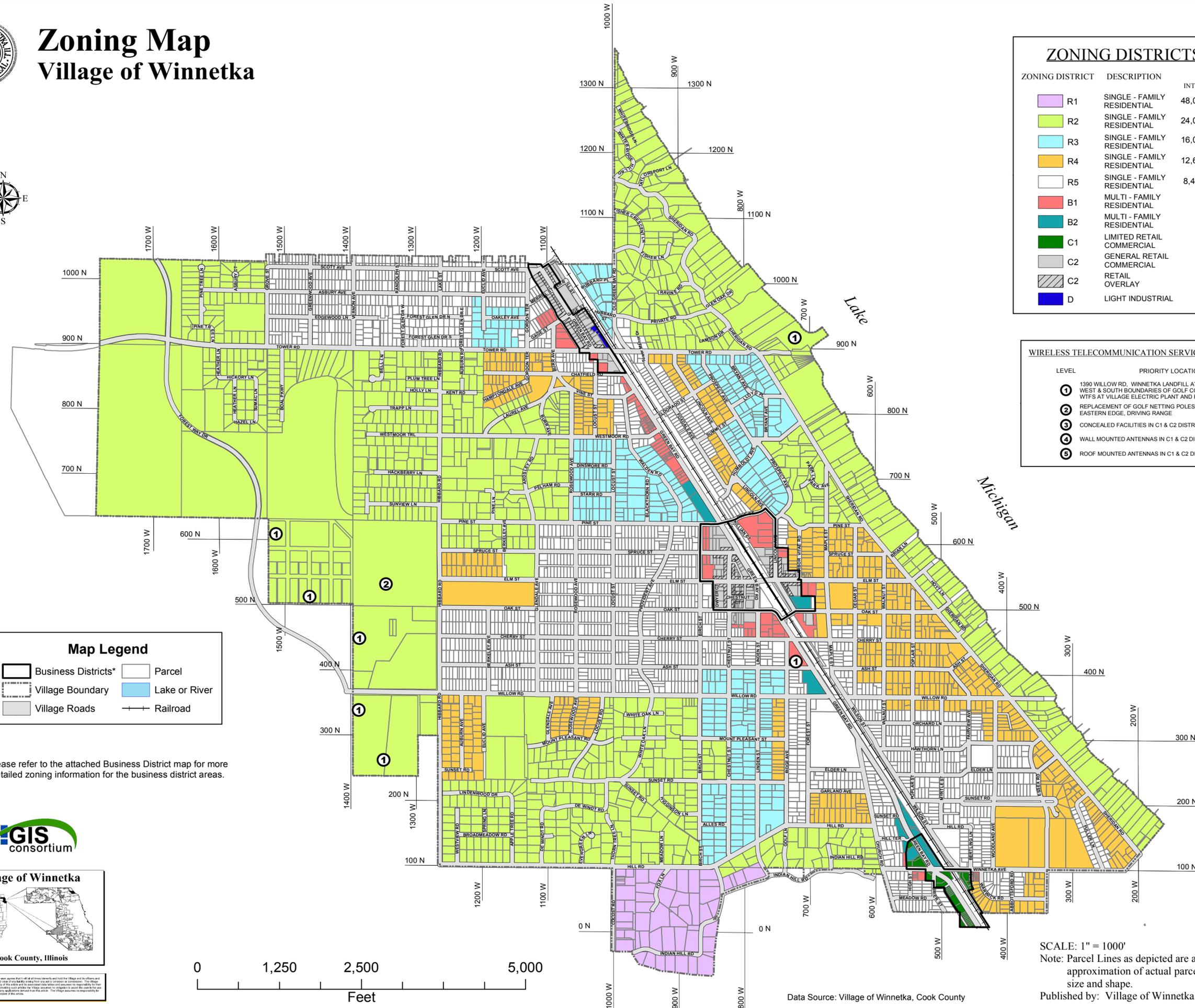
Attachments:

1. Zoning Map
2. Current garage regulations
3. Wilmette lot coverage table
4. Zoning ordinance amendment process

ATTACHMENT #1
Zoning Map



Zoning Map Village of Winnetka

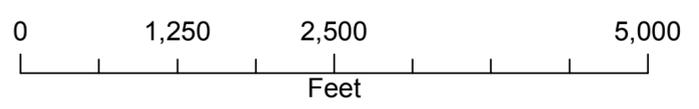


ZONING DISTRICTS LEGEND			
ZONING DISTRICT	DESCRIPTION	MINIMUM LOT SIZE	
		INTERIOR LOT	CORNER LOT
R1	SINGLE - FAMILY RESIDENTIAL	48,000 Sq. Ft.	50,400 Sq. Ft.
R2	SINGLE - FAMILY RESIDENTIAL	24,000 Sq. Ft.	25,200 Sq. Ft.
R3	SINGLE - FAMILY RESIDENTIAL	16,000 Sq. Ft.	16,800 Sq. Ft.
R4	SINGLE - FAMILY RESIDENTIAL	12,600 Sq. Ft.	13,300 Sq. Ft.
R5	SINGLE - FAMILY RESIDENTIAL	8,400 Sq. Ft.	8,900 Sq. Ft.
B1	MULTI - FAMILY RESIDENTIAL		
B2	MULTI - FAMILY RESIDENTIAL		
C1	LIMITED RETAIL COMMERCIAL		
C2	GENERAL RETAIL COMMERCIAL		
C2	RETAIL OVERLAY		
D	LIGHT INDUSTRIAL		

WIRELESS TELECOMMUNICATION SERVICE FACILITIES OVERLAY	
LEVEL	PRIORITY LOCATIONS
1	1390 WILLOW RD., WINNETKA LANDFILL AT 1390 WILLOW RD., WEST & SOUTH BOUNDARIES OF GOLF COURSE, REPLACEMENT WTS AT VILLAGE ELECTRIC PLANT AND PUBLIC SAFETY BUILDING
2	REPLACEMENT OF GOLF NETTING POLES, EASTERN EDGE, DRIVING RANGE
3	CONCEALED FACILITIES IN C1 & C2 DISTRICTS
4	WALL MOUNTED ANTENNAS IN C1 & C2 DISTRICTS
5	ROOF MOUNTED ANTENNAS IN C1 & C2 DISTRICTS

Map Legend	
	Business Districts*
	Parcel
	Village Boundary
	Lake or River
	Village Roads
	Railroad

*Please refer to the attached Business District map for more detailed zoning information for the business district areas.



SCALE: 1" = 1000'
Note: Parcel Lines as depicted are an approximation of actual parcel size and shape.
Published by: Village of Winnetka

Data Source: Village of Winnetka, Cook County

State Plane Nad 83 Illinois East
Date: 5/8/2015

ATTACHMENT #2
Current Garage Regulations

Section 17.30.110 Garages

A. Front-Facing Garage Doors. Garage door widths may not exceed 33% of the lot width or 18 feet, whichever is less; provided that, no individual garage door shall extend more than 9 feet when facing the front yard.

B. Width of Attached Garages.

1. Garages on Interior Lots. No attached garage with garage doors that face a front yard shall be more than 22 feet wide.

2. Garages on Corner Lots.

a. No attached garage with garage doors that are part of the front elevation of the principal building shall be more than 22 feet wide.

b. The width of an attached garage with garage doors that are not part of the front elevation of the principal building shall be no more than 50% of the front building line.

C. Location of Attached Garages. An attached garage shall be permitted below the first floor of the principal building; provided that, the garage doors are not a part of the front building elevation of the principal building.

D. Garages on Corner Lots. Any garage located on a corner lot shall be set back at least 20 feet from the corner lot line.

E. Required Yards and Setbacks.

<i>Yard or Setback</i>	<i>Attached Garage</i>	<i>Detached Garage</i>
Corner Yard	Same as principal building, but not less than 20 ft.	Same as principal building, but not less than 20 ft.
Rear Yard Setback – Adjoining rear yard	Same as principal building	2 ft.
Rear Yard Setback – Adjoining side yard	Same as principal building	Same as principal building
Rear Yard Setback – Adjacent to alley	Same as principal building	No setback required, provided no eaves or gutters encroach into the

		alley
Side Yard Setback –		R-5, R-4, R-3 – 2 ft.
Garage in rear 25% of lot, adjoining side or rear yard	Same as principal building	R-2, R-1 – 3 ft.
Side Yard Setback –		
Garage not in rear 25% of lot	Same as principal building	Same as principal building

F. Garage Height.

1. Attached Garages. Any attached garage shall be considered part of the principal building and shall be subject to the height limitations established in section 17.30 080 of this title.

2. Detached Garages.

a. The height of the garage shall be measured from the lowest natural grade adjacent to the garage.

b. The combined length of dormers shall not exceed 25% of the length of the roof line on the side of the building on which they are located.

c. No detached garage shall be more than 15 feet high, except as provided in the following paragraph.

d. The height of a garage may be up to 18 feet, provided the additional height over 15 feet is necessary to match the roof pitch of the existing principal building.

(MC-6-2002, Added, 05/21/2002)

Section 17.30.110 Garages

A. Front-Facing Garage Doors. Garage door widths may not exceed 33% of the lot width or 18 feet, whichever is less; provided that, no individual garage door shall extend more than 9 feet when facing the front yard.

B. Width of Attached Garages.

1. Garages on Interior Lots. No attached garage with garage doors that face a front yard shall be more than 22 feet wide.

2. Garages on Corner Lots.

a. No attached garage with garage doors that are part of the front elevation of the principal building shall be more than 22 feet wide.

b. The width of an attached garage with garage doors that are not part of the front elevation of the principal building shall be no more than 50% of the front building line.

C. Location of Attached Garages. An attached garage shall be permitted below the first floor of the principal building; provided that, the garage doors are not a part of the front building elevation of the principal building.

D. Garages on Corner Lots. Any garage located on a corner lot shall be set back at least 20 feet from the corner lot line.

E. Required Yards and Setbacks.

<i>Yard or Setback</i>	<i>Attached Garage</i>	<i>Detached Garage</i>
Corner Yard	Same as principal building, but not less than 20 ft.	Same as principal building, but not less than 20 ft.
Rear Yard Setback – Adjoining rear yard	Same as principal building	2 ft.
Rear Yard Setback – Adjoining side yard	Same as principal building	Same as principal building
Rear Yard Setback – Adjacent to alley	Same as principal building	No setback required, provided no eaves or gutters encroach into the alley
Side Yard Setback – Garage in rear 25% of lot, adjoining side or rear yard	Same as principal building	R-5, R-4, R-3 – 2 ft. R-2, R-1 – 3 ft.
Side Yard Setback – Garage not in rear 25% of lot	Same as principal building	Same as principal building

F. Garage Height.

1. Attached Garages. Any attached garage shall be considered part of the principal building and shall be subject to the height limitations established in section 17.30 080 of this title.

2. Detached Garages.

a. The height of the garage shall be measured from the lowest natural grade adjacent to the garage.

b. The combined length of dormers shall not exceed 25% of the length of the roof line on the side of the building on which they are located.

c. No detached garage shall be more than 15 feet high, except as provided in the following paragraph.

d. The height of a garage may be up to 18 feet, provided the additional height over 15 feet is necessary to match the roof pitch of the existing principal building.

(MC-6-2002, Added, 05/21/2002)

ATTACHMENT #3
Wilmette Lot Coverage Table

1. Properties improved with two-unit or townhouse/stacked flat dwellings located in the R2 district may cover up to sixty percent (60%) of the required rear yard with a detached garage.
2. Properties located along Lake Michigan may cover up to seventy-five percent (75%) of the required rear yard to accommodate the installation of a lake shoreline erosion control system necessary, as approved by the Illinois Department of Transportation or other designated body, to protect the integrity of the shoreline.

VILLAGE OF WILMETTE, ILLINOIS					
TABLE 8-5: R, R1, R2, R3 AND R4 RESIDENTIAL ZONING DISTRICTS IMPERVIOUS SURFACE COVERAGE REQUIREMENTS					
	R	R1	R2	R3	R4
FRONT YARD MAXIMUM COVERAGE (4)	30%	30%	30%	30%	30%
COMBINED SIDE YARD MAXIMUM COVERAGE (4)	60%	60%	60%	60%	60%
SIDE YARD ADJOINING A STREET MAXIMUM COVERAGE (1) (4)	30%	30%	30%	30%	30%
REAR YARD MAXIMUM COVERAGE	60%	60%	60%	60%	60%
REAR YARD STRUCTURE COVERAGE (2)	35%	35%	35%	35%	35%
REAR YARD PAVEMENT COVERAGE (3) (4)	30%	30%	30%	30%	30%

NOTES

- (1) For the purpose of this section, the side yard adjoining a street shall end at the rear yard setback line, not the rear lot line.
- (2) Including but not limited to garages, sheds, playhouses, cabanas, sport courts, swimming pools, and similar structures.
- (3) Including but not limited to driveways, aprons, sidewalks, patios, decks, parking pads, and similar at-grade structures.
- (4) For single-family and two-unit dwellings, the maximum amount of coverage may be increased by ten percent (10%) of the allowable square footage of impervious surface coverage when all such surfaces in the yard are non-mortared pavers or a similar pervious surface over a non-compacted base.

8.4 GENERAL STANDARDS OF APPLICABILITY

A. Accessory Structures and Uses

See Section 13.4 (Accessory Structures and Uses) for standards covering accessory structures and uses.

B. Permitted Encroachments

See Section 13.5 (Permitted Encroachments) for standards governing encroachments.

C. Temporary Uses and Structures

See Section 13.6 (Temporary Uses and Structures) for standards governing temporary uses.

ATTACHMENT #4
Zoning Ordinance Amendment Process

Print

Winnetka, IL Village Code

Section 17.72.040 Amendments.

A. Intent. The provisions, regulations and districts contained within this title may be amended from time to time by ordinance, but no such amendment shall be made without a hearing before some commission, board or committee designated by the Village Council, which shall report its findings and recommendations to the Village Council.

B. Application for Amendment.

1. Who May File. Amendments may be proposed in writing by the Village Council, the Plan Commission, the Zoning Board of Appeals, the Village Manager or any person having a proprietary interest in the property or properties for which an amendment is proposed.

2. Filing and Contents of Application. An application for amendment shall be filed with the Zoning Administrator in such standard form as shall be prescribed by the Zoning Administrator.

3. Fees. The application shall be accompanied by applicable fees, which shall not be refundable. The fees shall be set from time to time by resolution of the Village Council.

C. Hearing on Application. Within sixty (60) days of receipt of an application for amendment, the commission, board or committee designated by the Village Council shall hold a hearing on such application.

D. Notice of Hearing.

1. Publication of Notice. Notice shall be given of the time and place of the hearing, not more than thirty (30) nor less than fifteen (15) days before the hearing, by publishing a notice at least once in one or more newspapers published in the Village, or, if no newspaper is published in the Village, then in one or more newspapers with a general circulation within the Village.

2. Notice to Affected Property Owners. In cases where the proposed amendment involves a change in zoning classification of particular property and such amendment is initiated by the Village Council, the Plan Commission, the Zoning Board of Appeals or the Village Manager, notice shall be served upon the owner or owners of property which are the subject of the proposed amendment in person or by certified mail within ten (10) days after the filing of the application.

3. Mailed Notice. In cases where the proposed amendment involves a change in zoning classification of particular property, the Zoning Administrator shall prepare a list of the names and addresses of all persons to whom the latest general real estate tax bills were sent for all property situated within two hundred fifty (250) feet of the property which is the subject of the proposed amendment. Written notice of the time and place of the public hearing shall be sent to each person whose name appears on the list prepared by the Zoning Administrator, at the address shown on such list. The Zoning Administrator shall send such written notice by first class mail, postage prepaid, not less than ten (10) days prior to the date of such public hearing. The failure of any person to receive the written notice issued pursuant to this paragraph shall not affect the jurisdiction of any body authorized to conduct a hearing or otherwise consider the application for

special use. Nor shall the failure of any person to receive such written notice invalidate, impair or otherwise affect the subsequent grant or denial of any amendment granted following such public hearing.

E. Written Protest.

1. Filing of Protest. The owners of properties that will be subject to the proposed zoning amendment, as well as the owners of properties immediately adjacent to, across any alley from, or directly opposite to the property or properties that are the subject of the zoning amendment application, may file a written protest objecting to the proposed amendment. The written protest shall be directed to the Village Council and shall be submitted on forms provided by the Village and shall be signed and acknowledged, in accordance with the definitions provided in Sections 17.04.030(A)(3.5) and 17.04.030(S)(4.5) of this title. The written protest shall be submitted no later than 5:00 p.m. on the date of the first meeting of the Village Council at which the proposed amendment is on the agenda for consideration; provided, that the filing of a written protest after the close of the Board of Appeals hearing on the proposed amendment shall not create a right either to reopen the evidentiary record or to remand the application to the Board for further evidentiary proceedings.

2. Effect of Written Protest. In the event twenty (20) percent of the owners of property described in the foregoing paragraph 1 have submitted a written protest as provided therein, the granting of a zoning amendment by the Village Council shall require the favorable vote of four (4) Trustees.

F. Findings of Fact and Recommendations. Within sixty (60) days after the close of the hearing on a proposed amendment, the commission, board or committee, as the case may be, shall make written findings of fact and submit them together with its recommendation to the Village Council. In cases where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, the commission, board or committee, as the case may be, shall make findings based upon evidence presented to it in each specific case with respect to the following matters:

1. Existing uses of property within the general area of the property in question and their relationship to one another;
2. The zoning classification of property within the general area of the property in question and their relationship to one another;
3. The suitability of the property in question for the uses permitted under the existing zoning classification;
4. The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was placed in its present zoning classification;
5. Where applicable, the length of time the property in question has been vacant as zoned;
6. That there are changed or changing conditions in the applicable area of the amendment, or in the Village generally, that make the proposed amendment reasonably necessary to the promotion of the public health, safety or general welfare.

In cases where the amendment is proposed by a person other than a Village Board or official and the purpose and effect of the proposed amendment is to change the zoning

classification of particular property, then the commission, board or committee, as the case may be, shall not recommend the adoption of a proposed amendment except with respect to a particular development plan submitted by the applicant as a part of the application for amendment. Such development plan shall be reviewed by the Plan Commission with respect to its consistency with the Village Comprehensive Plan, and by the Village Design Review Board with respect to whether it would issue a certificate of appropriateness for the proposed project. The findings of each with respect to these particular questions shall be presented at the required hearing.

The commission, board or committee, as the case may be, shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of a private applicant.

G. Action by the Village Council.

1. Upon receipt of a written report and recommendation on a proposed zoning amendment from the commission, board or committee, as the case may be, the Village Council shall place such report and recommendation on its agenda within thirty (30) days. The Village Council shall approve, reject, amend, modify or return the application for amendment to the commission, board or committee, as the case may be, for further study.

2. In cases in which the requisite number of protests have been submitted in accordance with Section 17.72.040 of this chapter, the proposed amendment shall not be passed except by a favorable vote of four (4) Village Trustees.

3. If an application for a proposed amendment is not acted upon finally by the Village Council within sixty (60) days of the time of receipt of the commission, board or committee findings and recommendation, as the case may be, it shall be deemed to have been denied unless an additional and specific period of time is granted by the Village Council with the consent of the applicant.

4. In approving a particular amendment, the Village Council may apply such conditions, requirements or restrictions including adherence to a particular development plan, as, in its opinion, is necessary to protect or enhance the public health, safety or welfare.

H. Amendment Deemed Null and Void. In any case where the amendment is proposed by a person other than a Village Board or official and the purpose and effect of the amendment is to change the zoning classification of particular property, and where no development has taken place within one and one-half years from the date on which such amendment was granted by the Village Council, or where development of the particular property is inconsistent with the conditions, requirements or restrictions upon which the amendment was granted, then such amendment shall become null and void and the particular property shall revert to its prior zoning classification.

(Prior code § 22.19)

(MC-6-2005, Amended, 09/20/2005; MC-9-2010, Amended, 01/4/2011)