PUBLIC HEARING

FOR THE PURPOSE OF PUBLIC DISCUSSION OF THE PROPOSED CHANGES TO VILLAGE OF MAPLE PARK MUNICIPAL CODE

PLAN COMMISSION MEETING IMMEDIATELY FOLLOWING THE PUBLIC HEARING

Thursday, January 16, 2020
Maple Park Civic Center
302 Willow Street, Maple Park
7:00 P.M.

1. CALL TO ORDER PUBLIC HEARING

2. ROLL CALL

3. OPEN PUBLIC HEARING

   Title 11, “Community Purpose Signs”, Text Amendments for:
   i. 11-10-11 (c)

4. CLOSE PUBLIC HEARING

5. CALL TO ORDER THE REGULAR MEETING OF THE PLANNING COMMISSION

6. ROLL CALL

7. APPROVAL OF MEETING MINUTES

   • December 19, 2019

8. TITLE 11, “COMMUNITY PURPOSE SIGNS,” TEXT AMENDMENTS FOR:

   • 11-10-11 (c) Community Purpose Signs (Containing a message for noncommercial purposes)

9. DISCUSSION OF DARK SKY REGULATIONS
10. DISCUSSION OF POOLS

11. OTHER ITEMS

12. NEXT MEETING - FEBRUARY 20, 2020

13. ADJOURNMENT

Planning Commission Members:
Chuck Miller, Chair
Lorenzo Catanag
George (Nick) Davidson
Robert Rowlett
Jeff Ramirez
Kimberly Sutherland
Kyle Foster
Chris Higgins (ex-officio member)
PUBLIC HEARING/PLAN COMMISSION

Meeting Minutes

Thursday, December 19, 2019
Maple Park Civic Center
302 Willow Street, Maple Park
7:00 P.M.

FOR THE PURPOSE OF PUBLIC DISCUSSION OF THE PROPOSED
CHANGES TO VILLAGE OF MAPLE PARK VILLAGE CODE

PLAN COMMISSION MEETING
IMMEDIATELY FOLLOWING THE
PUBLIC HEARING

1. CALL TO ORDER PUBLIC HEARINGS

Chairman Chuck Miller called the public hearing to order at 7:01pm and asked for a roll call.

2. ROLL CALL

Acting Village Clerk Terri D’Amato called the roll and the following members were present: Chairman Chuck Miller, Members Lorenzo Catanag, Nick Davidson, Jeff Ramirez, Kyle Foster, and Ex-Officio Chris Higgins. Absent were Robert Howlett and Kimberly Sutherland.

Also present were Village Administrator Dawn Wucki-Rossbach, Acting Village Clerk Terri D’Amato, and resident Hillary Joy. Chief Stiegemeier arrived at 7:09pm. Chairman Miller asked for confirmation that the Public Hearing was properly noticed. Acting Village Clerk Terri D’Amato confirmed it was.
3. OPEN PUBLIC HEARING

Chairman Miller asked for a motion to open the Public Hearing. Motion by Member Ramirez with 2nd by Member Davidson to open the Public Hearing. On a roll call vote Chairman Miller, Members Catanag, Davidson, Ramirez, Foster voted yes.

Public Hearing opened at 7:02pm.

Title 11, “Zoning Regulations,” Text Amendments for:
   i. 11-7-1B. B-1 Central Business Districts Permitted and 11-7-2C. Special Uses;” and,
   ii. 11-7-2B. B-2 General Commercial Permitted and 11-7-C. Special Uses

Title 9, “Utilities,” Text Amendments to Chapter 4, “Small Wireless Facilities”

Resident Hillary Joy spoke to the members regarding Attachment B from Title 9. Her question was regarding the Attachment B that was missing from the posting on the website. Administrator Wucki-Rossbach indicated the attachment underwent some additional adjustments but centered around the height limit of the poles, removal requirements of the poles in case they became inactive, and added in the exact types of poles that would be permitted.

4. CLOSE PUBLIC HEARING

Having no further comment before the members, Chairman Miller asked for a motion to close the Public Hearing. Motion by Member Davidson with 2nd by Member Catanag to close the Public Hearing. On a roll call vote Chairman Miller, Members Catanag, Davidson, Ramirez, Foster voted yes.

Public Hearing closed at 7:09pm.

5. CALL TO ORDER THE REGULAR MEETING OF THE PLANNING COMMISSION

Chairman Miller opened the meeting of the Plan Commission at 7:09pm and asked for a roll call.

6. ROLL CALL

Acting Village Clerk D’Amato called the roll and the following members answered as present: Chairman Miller, Members Catanag, Davidson, Ramirez, Foster, and Ex-Officio Higgins. Members Rowlett and Sutherland were absent.

7. APPROVAL OF MEETING MINUTES

   • October 17, 2019
   • November 21, 2019
Motion by Member Davidson with 2nd by Member Foster to approve as read. On a roll call vote Chairman Miller, Members Catanag, Davidson, Ramirez, Foster voted yes. Motion carried.

8. **TITLE 11, “ZONING REGULATIONS,” TEXT AMENDMENTS FOR:**

   i. 11-7-1B. B-1 Central Business Districts Permitted and 11-7-2C. Special Uses;” and,
   
   ii. 11-7-2B B-2 General Commercial Permitted and 11-7-C. Special Uses

Administrator Wucki-Rossbach reviewed the background of the Zoning chapter of the Municipal Code regarding business listings. Suggested businesses to be added included Bait shops, Medical, Chiropractic and Dental Offices.

After review of the current permitted and special uses or the B-1 Central Business District and the B-2 General Commercial Business District, determined that additional permitted and special uses be added, old and outdated uses should be removed, and that qualifications be made regarding the certain type of permitted and special uses.

These proposed text amendments would encourage the development of buildings and uses on appropriate sites in order to maximize community wide social and economic benefits, and to discourage development in inappropriate sites; seek to protect and enhance the character and stability of existing commercial areas, in addition to gradually eliminate non-conforming uses and structures; seek to conserve and increase the value of taxable property throughout the municipality; seek to provide for efficient administration and fair enforcement of all regulations.

Motion by Member Ramirez with 2nd by Member Catanag to approve the Text Amendments for Chapter 7, Sections 11-7-1 B, and Permitted Uses, and 11-7-1 C Special Uses, and 11-7-2B, Permitted Uses and 11-7-2 C Special Uses as presented and forward to the Village Board for consideration.

On a roll call vote Chairman Miller, Members Catanag, Davidson, Ramirez, Foster voted yes. Motion carried.

9. **TITLE 9, “UTILITIES,” TEXT AMENDMENTS TO CHAPTER 4, “SMALL WIRELESS FACILITIES”**

Chairman Miller reviewed the proposed text amendments with the commission members and asked for any questions or concerns. Hearing none, asked for a motion to approve the Text Amendments for Title 9 “Utilities,” Text Amendments to Chapter 4, “Small Wireless Facilities” and forward to the Village Board for consideration.

Motion by Member Davidson with 2nd by member Foster to approve and send to the village board for approval. On roll call vote Chairman Miller, Members Catanag, Davidson, Ramirez, and Foster voted yes. Motion carried.
10. **DARK SKY**

Text Amendments Associated with Outdoor Lighting – Proposed “Dark Sky” Language to be Added to the Municipal Code.

Administrator Wucki-Rosbach reviewed the December 16, 2019 memo to the commission members outlining the background and recommendation. Ex-Officio member Higgins reviewed the history and actions of some other communities and the reasons for the commission to consider the text amendments as presented.

Question regarding how this will affect signs on commercial property was raised, along with enforcement of regulations on residential property.

Board consensus was to forward to the village board for discussion and their comments and suggestions, and then bring it back to the Plan Commission for Public Hearing.

11. **POOL**


Administrator Wucki-Rosbach reviewed the memo dated December 16, 2019 to the board with background and recommendations. Discussion regarding temporary pools vs. permanently placed pools, ladder necessity, the required permits, electrical code, fences and/or barriers required, setbacks required, and enforcement of the code if enacted.

Board consensus was to forward to the village board for discussion and their comments and suggestions, and then bring it back to the Plan Commission for Public Hearing.

12. **PUBLIC COMMENT**

Hillary Joy – Commented on Dark Sky text amendments and agreed with commercial requirements but not with all the requirements for residential as enforcement was a concern. Ms. Joy also had concerns with the text amendments for the pools as being too difficult and possibly cost-prohibitive to comply with, specifically referencing the requirement of having a licensed electrician for installation.

13. **ADJOURNMENT**

Having no further business to discuss before the Plan Commission, Chairman Miller asked for a motion to adjourn. Motion by Member Catanag with 2nd by Member Ramirez to adjourn. Motion carried by voice vote. Meeting adjourned at 7:52 pm.
MEMORANDUM

TO: Planning Commission

FROM: Village Administrator Dawn Wucki-Rossbach

DATE: January 13, 2020

SUBJECT: TEXT AMENDMENT – 11-10-11 SIGNS PERMITTED IN RESIDENTIAL DISTRICTS

BACKGROUND
Prior to the October Planning Commission Meeting, Maple Park residents had formed a Neighborhood Watch group. The group wanted to install Neighborhood Watch signs on Watch group member’s residential properties. The sign is 9” X 12” in size and has a reflective coating on its surface, see Attachment A. The group proposed that the signs would be installed in the front yards of Watch participant homes, closer to the front door and would be lower to the ground. A review of the Title 11 Zoning Regulations, Section 10-10-11 Signs Permitted in Residential Districts was completed by Staff. At that time, it was determined that because the ordinance is permissive and these types of signs were not listed in the ordinance are not permitted.

At the October 17, 2019 Planning Commission Meeting, during Public Comment, Mrs. Tracy Spillman presented the idea of the Neighborhood Watch signs to the Plan Commission. Staff and Mrs. Spillman provided the Commission with a copy of the proposed sign and a copy of their request. The Commission felt that the signs were something they could agree with. Staff began drafting the text amendment to permit these types of signs in residential districts.

Once Staff drafted the proposed language it was reviewed by the Village Attorney. The Village Attorney agrees that the proposed text amendment is compliance with a number of higher court rulings concerning municipal sign language. Municipal sign language must be able to stand up to a very high degree of legal review in order to be upheld as valid and enforceable. The language proposed in Attachment B does not regulate content of the sign and refers to this type of sign, the Neighborhood Watch sign, as a “Community Purpose” sign. The size of the sign shall not exceed 10 square feet and does not define the content of a “Community Purpose” sign; therefore, the proposed language is in compliance with higher court rulings.
Ms. Cindy Paschal appeared at the December 3, 2019 Village Board Meeting stating that the Neighborhood Watch group is also considering asking the Village to have Neighborhood Watch signs placed on the neighborhood traffic control street signage. This may take the place of the signs being placed on Watch participant properties, but the group was still talking over that possibility.

It should be noted that a text amendment is not needed to place a Neighborhood Watch Sign on a street sign. The Police Chief and the Public Works Director/Building Inspector drove the Village and determined that there are 12 possible locations for Watch signs to be placed on street signage, see Attachment C. There is also the possibility of decreasing the number of signs down to three locations, these locations are marked by a blue “X;” however, the Village would have to seek permission from Kane and DeKalb Counties to place the Watch signs on existing County signage. If the Watch Group choses to exercise their option for placement of Watch signs on street signs, the discussion may be finalized when the text amendment appears before the Village Board.

A Public Hearing for this text amendment was properly noticed in the Daily Chronicle on December 28, 2019, Attachment D.

RECOMMENDATIONS AND FINDINGS
Staff is recommending that if the Commission agrees with the proposed amendment to Chapter 10-11-11 Signs Permitted in Residential Districts and that they should arrive at the following Findings of Fact:

1. That this text amendment shall only be approved if it is consistent with the intent to define certain terms used in said title.

   The proposed text amendment is consistent with Zoning Regulations of the Village.

2. That this text amendment shall only be approved if it is consistent with the intent to protect, promote and improve the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the citizens of the Village of Maple Park; whereas, four (4) of eight (8) code objectives are applicable to this text amendment:

   a. To protect and enhance the character and stability of existing residential, commercial and industrial areas, and to gradually eliminate nonconforming uses and structures; and,

   b. To conserve and increase the value of taxable property throughout this municipality; and,

   c. To ensure the provisions of adequate light, air and privacy for the occupants of all buildings; and,

   d. To provide for efficient administration and fair enforcement of all regulations set forth herein.

   The proposed text amendment is consistent with the Zoning Regulations of the Village.

The four (4) of eight (8) code objectives are not applicable to these text amendments:

   a. To encourage the development of buildings and uses on appropriate sites in order to maximize community wide social and economic benefits while accommodating the particular needs of all residents, and to discourage development on inappropriate sites; and,
b. To provide adequate and well-designed parking and loading space for all buildings and uses, and to reduce vehicular congestion on the public streets and highways; and,
c. To lessen or avoid the hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters; and,
d. To clearly and concisely explain the procedures for obtaining variances, special use permits, amendments, and the like.

**MOTION**
That the Plan Commission approves the Text Amendment for Chapter 11, Section 11-10-11 “Signs Permitted in Residential Districts” as presented.

Attachments:
Attachment A – Neighborhood Watch sign example
Attachment B – Proposed Text Amendment for 11-10-11 Signs Permitted in Residential Districts
Attachment C – Memorandum from the Chief Stiegemeier to the Village Administrator Dated January 13, 2020 Regarding Neighborhood Watch Signs
Attachment D – Certificate of the Publisher Certifying that the Public Hearing Notice for the Text Amendment was Published on December 28, 2019
NEIGHBORHOOD WATCH
WE WATCH OUT FOR OUR NEIGHBORS
WE IMMEDIATELY REPORT ALL SUSPICIOUS ACTIVITIES TO THE POLICE
11-10-11: SIGNS PERMITTED IN RESIDENTIAL DISTRICTS:

Unless otherwise stated, signs listed in this section are permitted in all residential districts and shall not require a sign permit, and they shall not be counted when calculating the number of signs or square footage on a premises. However, such signs must conform to the general regulations, e.g., height, area, setback, clearance, etc., for signs enumerated in the remainder of this chapter.

A. Name and address plates for buildings containing more than two (2) dwelling units, provided that such signs shall not be more than three (3) square feet in area.

B. Identification signs for nonresidential uses, e.g., churches, cemeteries, golf course, private nonprofit recreational areas, provided that such signs are limited to one sign per building entrance, and provided that each such sign be limited to thirty two (32) square feet in area and six feet (6') in height if a ground sign.

B-C. Community purpose signs (containing a message for noncommercial purposes) for dwelling units, provided that such signs shall not be more than 10 square feet in area.

C-D. Permanent residential development signs at entrances to a residential development or a residential planned unit development and containing no commercial advertising, constructed of material which is the same or of a more permanent nature than the material used in the buildings and as approved by the plan commission.

D-E. Temporary residential marketing signs at major entrances to planned unit development of residential subdivisions; not to exceed sixty four (64) square feet in area, ten feet (10') in height, containing the name of the overall development and the names of builders or units therein. The number and location of these signs shall be approved by the plan commission.

E-F. Temporary residential marketing signs, off site, shall be allowed at not more than four (4) off site locations within the village to call attention and give directions to the development. Each such sign shall not exceed thirty two (32) square feet in area and shall have a total height of not more than ten feet (10'). Such signs may be located in any zoning district, provided that there is one-fourth (1/4) mile separation between each sign, and that no such sign shall be closer to an existing residence than one hundred feet (100'). Location and construction shall be approved by the plan commission. (Ord. 2014-13, 7-1-2014)
MAPLE PARK POLICE DEPARTMENT

To: Village Administrator Dawn Wucki-Rossbach
From: Chief Stiegemeier
Date: January 13, 2020
Subject: Neighborhood Watch Signs

Public Works Director Lou Larson and I took a quick tour of the village in an attempt to locate proper locations to post Neighborhood Watch signs. The entire village would be covered with twelve signs.

The following is a recommendation of suggested posting:

1. On Broadway Street at Washington Street – facing north
2. On Washington Street at Countyline Road – facing west
3. On Pearl Street at Countyline Road – facing west
4. On State Street at Countyline Road – facing west
5. On Center Street at Countyline Road – facing west
6. On Main Street at Countyline Road – facing west
7. On Elm Street at Countyline Road – facing west
8. On Willow Street at Countyline Road – facing west
9. On East DeKalb Street at Countyline Road – facing west
10. On East Ashton Street at Countyline Road – facing west
11. On West Ashton at Countyline Road – facing east
12. On East DeKalb at Countyline Road – facing east.

Some existing posts could be used (4) – an additional 8 posts would be needed to be in compliance with the legal display of existing traffic regulatory signs.
VILLAGE OF MAPLE PARK
P.O. BOX 220
MAPLE PARK IL 60151

Shaw Media certifies that it is the publisher of the Daily Chronicle. The Daily Chronicle is a secular newspaper, has been continuously published daily for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the City of DeKalb, County of DeKalb, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 time(s) in the Daily Chronicle, namely one time per week for one successive week(s). Publication of the notice was made in the newspaper, dated and published on 12/28/2019.

This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.
In witness, Shaw Media has signed this certificate by Laura Shaw, its publisher, at DeKalb, Illinois, on 28th day of December, A.D. 2019.

Shaw Media By: Laura Shaw, Publisher

Account Number 10024917 Amount $94.86
MEMORANDUM

TO: Plan Commission
FROM: Village Administrator Dawn Wucki-Rosbach
DATE: December 18, 2019

SUBJECT: DISCUSSION OF DARK SKY REGULATIONS AND POOLS

BACKGROUND
At the January 7, 2020 Village Board Meeting, the Village Board discussed the Outdoor Lighting (Dark Sky Ordinance) and Swimming Pool text amendments. The Board gave direction to the Plan Commission to proceed on both text amendments.

The Village Board recommended that the Plan Commission take the Village Board’s discussion of these text amendments as guidance on what to consider when they reviewed the ordinances.

For Outdoor Lighting, the Board feels that the ordinance should only be applied to municipal, commercial and industrial uses. The ordinance should not be applied to residential uses because of the fixtures, etc. are not as readily available to residential users, which is also what the Plan Commission had discussed at their December 2019 meeting.

For Swimming Pools, the Board discussed that the Plan Commission consider whether or not the ordinance should introduce a whole new category of pools, meaning temporary pools. Some of the Board feels the Plan Commission should do the same. They also discussed whether or not a licensed electrician should be required for pool wiring. The Public Works Director/Building Inspector stated that the Building Code has additional detail and would look at the detail to see if any changes should be made to the pool ordinance.

NEXT STEPS
For Outdoor Lighting (Dark Sky), the following will take place:

1. Staff has a few changes to make to the ordinance. Changes include converting tables to black/white text and removing residential references.
2. After formatting and residential references are removed the ordinance will be sent to the Village Attorney for proper ordinance formatting and to ensure that other lighting references made in the Municipal Code reflect the adoption of the Outdoor Lighting text.
3. Staff will prepare a Public Hearing Notice and have it posted and published for the February 20, 2020 Plan Commission Meeting.
For Swimming Pools, the following will take place:

1. Staff will review the building codes and then look at the proposed zoning language regarding pools as accessory uses.
2. After review, changes will be made, if necessary, to the proposed pool text.
3. Staff will prepare a Public Hearing notice and have it posted and published for this text amendment for the February 20, 2020 Plan Commission Meeting.

As a reminder, per Municipal Code, the Plan Commission needs five (5) Plan Commission members at each Plan Commission Meeting in order to establish a quorum and conduct business. The Ex-Officio member is non-voting and the position is not included in the count that establishes a quorum. At this point in time, we already know that one (1) Plan Commission member will not be in attendance at the February 20, 2020 meeting.