MEETING MINUTES
PLAN COMMISSION
Wednesday, May 10, 2017
7:00 P.M.
Evanston Civic Center, 2100 Ridge Avenue, James C. Lytle Council Chambers

Members Present: Jim Ford (Chair), Simon Belisle, Carol Goddard, Andrew Pigozzi, Jolene Saul

Members Absent: Patrick Brown, Terri Dubin, Peter Isaac, Colby Lewis,

Associate Members Present: none

Associate Members Absent: Scott Peters

Staff Present: Meagan Jones, Neighborhood and Land Use Planner
Scott Mangum, Planning and Zoning Administrator

Presiding Member: Jim Ford, Chairman

1. CALL TO ORDER / DECLARATION OF QUORUM

Chairman Ford called the meeting to order at 7:15 P.M.

2. APPROVAL OF MEETING MINUTES: March 22, 2017

Commissioner Pigozzi made a motion to approve the minutes from March 22, 2017. Commissioner Saul seconded the motion.

A voice vote was taken and the minutes were approved, 3-0 with two Commissioners abstaining.

3. NEW BUSINESS

A. TEXT AMENDMENT

Generators
A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning, to establish regulations for allowed location of generators.

Ms. Jones provided a brief presentation on the additional research performed by staff and updates made to the proposed text amendment. The changes made to the proposal included separating generator regulations into their own subsection, adding a required testing window for stand-by generators and providing for additional
consideration of setbacks for mobile generators.

Chair Ford opened the hearing to Commissioner questions and comments. Questions and comments included:

- Clarification that the use of generators is an accessory use to a primary structure on a property and that no size limitation is included.
- Landscaping requirements given the amount of heat given off by generators. Ms. Jones stated that in some cases staff can require additional screening or a change in screening, specifically for larger projects.
- Standards a Zoning Administrator may use for requiring additional setback requirements and why additional consideration for portable generators. Mr. Mangum stated that portable generators have a bit more flexibility in where they can be moved and can be louder than permanently installed generators.
- Concerns over the testing window and if the window could be expanded.

Chair Ford opened the hearing to questions and comments from the public. One member of the public spoke who brought up concerns regarding the short testing period proposed, state and federal regulations that supersede local regulations (NFPA and others), and specifics for the various uses for the generators.

Additional discussion amongst the Commission centered on the time period allowed for stand-by generator testing and what possible additional parameters, if any, were needed for determining the location of the generators.

Commissioner Pigozzi moved to recommend approval of the item with the provision of expanded testing hours of 10:00 AM to 3:00 P.M. The motion was seconded by Commissioner Goddard. A roll call vote was taken and the motion was approved unanimously 5-0.

B. TEXT AMENDMENT

Public Notice Requirements

A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning, to establish responsibility for mailed noticing requirements for Planning and Zoning cases.

Ms. Jones provided a brief overview of the proposed text amendment, explaining that this is an amendment that staff is revisiting. The original ordinance that was approved provided for the use of a third party mailing service to mail required notices for planning and zoning cases. The approved ordinance only included cases requiring a 500 ft. or 1,000 ft. mailing radius. The proposed amendment would amend the zoning ordinance to include cases requiring a 250 ft. mailing radius and adds a provision that would allow staff to send mailed notices for planning and zoning cases if needed.

Chair Ford opened the hearing to Commissioner questions and comments. Questions
and comments included:

- Examples of when staff would need to handle the mailings themselves.
- How use of the third party system has been received. Ms. Jones stated that the Blueprint Shoppe was the vendor awarded the mailed noticing contract and that at the time of the meeting, there have been approximately 8 cases that that have used that vendor’s services.
- Approximate costs for sending the mailings out. Ms. Jones provided an example and stated that additional cost comes from these minor, fence, and family necessity variation cases requiring two mailings, one for notice of receipt of an application and a second providing notification of staff decision of that case.
- Concern over shifting cost to an applicant who may not be able to handle the additional cost, especially in the case of family necessity variations.
- Necessity of a 250 ft. radius for minor variations.

There was additional discussion on how to provide some acknowledgment of possible financial hardship, be it within the zoning ordinance or variation application. Commissioner Saul expressed the need to have uniform standards for determining the hardship.

Commissioner Pigozzi made a motion to recommend approval of the text amendment with an added provision recognizing financial hardship. The motion was seconded by Commissioner Saul. A roll call vote was taken and the motion was approved unanimously 5-0.

C. TEXT AMENDMENT

Determination of Front Yard
A Zoning Ordinance Text Amendment pursuant to City Code Title 6, Zoning, to establish regulations to establish staff authority to determine the front yard of a parcel.

Ms. Jones provided a brief overview of the proposed text amendment, explaining that the amendment came from an aldermanic request. Currently, per Ordinance, the front lot line and front yard of a parcel is determined by the owner of the property. This can, from time to time, cause issues on corner lots where setbacks can have greater effects on neighboring properties. The proposed amendment would establish the Zoning Administrator’s authority to determine the front lot line and front yard, giving consideration to any existing improvements on the lot as well as proportions of the lot line dimensions and pattern of existing development within the neighborhood.

The Commission discussed the following:

- The general intent of the amendment and
- Grandfathering in of existing properties, giving consideration to the history of a property and previous zoning interpretations by staff.
- If the stated considerations of existing improvements, proportions of lot line
dimensions and pattern of existing neighborhood development are defensible and sufficient for constraining the Zoning Administrator’s discretion.

The Commissioners further discussed concerns about the amendment being too general and how to better define the considerations taken when determining the front lot line and front yard for a property. This included placement of existing entrances to primary structures, locations of existing accessory structures or mechanical equipment and historical information on past determinations for the property. Mr. Mangum asked for direction on how the Commission would prefer to see these considerations addressed within the ordinance be it a more specific list of standards or if there are additional factors to consider such as a record of Commission concerns.

Commissioner Saul made a motion to send the item back to staff for further clarification. Commissioner Pigozzi seconded the motion. The motion was approved by a voice vote 4-1.

4. DISCUSSION
   A. Regulations for Drone Use
      Discussion, per City Council referral, on the establishment of regulations for drone use within the City of Evanston.

Ms. Jones stated that Legal staff was drafting an ordinance to regulate the use of drones. Currently there are no zoning regulations related to drones and the proposed ordinance would not be governed by the zoning code. Ms. Jones clarified that the proposed ordinance is scheduled for the May 22, 2017 City Council agenda. The Commissioners agreed that the item does not appear to have land use implications and would not be under the purview of the Plan Commission.

5. PUBLIC COMMENT

Mayor Haggerty spoke, thanking the Commission for its work and thoughtful discussion on the items before them.

One resident spoke regarding the front yard determination and drone use. He asked if front yard determination affects the address of a property or vice versa. He also shared his opinion regarding the prevalence of drones.

5. ADJOURNMENT

Commissioner Goddard made a motion to adjourn the meeting. Commissioner Belisle seconded the motion.

A voice vote was taken and the motion was approved by voice call 5-0. The meeting was adjourned at 8:32 pm.
Respectfully Submitted,
Meagan Jones
Neighborhood and Land Use Planner
Community Development Department