



Village of Lincolnwood Plan Commission/Zoning Board of Appeals

Public Meeting

**Wednesday, February 4, 2026
6:00 P.M.**

in the

**Gerald C. Turry Village Board Room
Lincolnwood Village Hall - 6900 North Lincoln Avenue**

Meeting Agenda

1. **Call to Order/Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Minutes**
January 21, 2026, Meeting Minutes
4. **Case # SFNC-14-25 4557 W. North Shore Ave - Approval of Natural Screening in the Public Right of Way**

Request: Consideration of a request by Alma and Kenan Ivanovic, property owners, for approval of a special fence pursuant to Section 15.3.13 of the Village of Lincolnwood Zoning Code to permit existing newly planted arborvitae screening located within the public right-of-way. The Plan Commission/Zoning Board of Appeals may also consider any additional zoning relief that may be determined necessary during the review of this case in accordance with Chapter 15 of the Zoning Code.

5. **Case #TXTA-04-25: Zoning Text Amendments – Regarding Regulations for Open-Air, Off-Street parking spaces (a.k.a. Parking Pads) in Residential Zoning Districts**

Request: Consideration of a referral by the Village Board Committee of the Whole to amend Article VII, Section 7.06 of the Zoning Ordinance regarding the location and configuration of open-air, off-street parking spaces in residential districts

6. **Staff Update**
7. **Public Comment**
8. **Adjournment**



**Draft MEETING MINUTES
OF THE
PLAN COMMISSION / ZONING BOARD OF APPEALS – Regular Meeting
January 21, 2026 – 6:00 P.M.**

**LINCOLNWOOD VILLAGE HALL
6900 NORTH LINCOLN AVENUE
LINCOLNWOOD, ILLINOIS 60712**

Present: Chairman Bruce Heller, Commissioners Sue Auerbach, Rizwan Hussain, Steven Jakubowski, Henry Novoselsky, and Jennifer Spino

Absent: Commissioner Mark Yohanna

Staff Present: Assistant Director of Community Development Rati Akash, Community Development Coordinator Marcos Classen, Associate Planner Abigail Honeycutt, Village Attorney Caitlyn Culbertson, and Village Trustee Atour Toma Sargon

I. Call to Order

A call to order was made at 6:01pm
Commissioner Novoselsky arrived at 6:02pm

II. Pledge of Allegiance

III. Approval of Minutes

A Motion was made by Commissioner Spino to approve the November 19, 2025, meeting minutes.

The motion was seconded by Commissioner Jakobowski

Aye: Chairman Heller, Commissioners Auerbach, Hussain, Jakobowski, Novoselsky, and Spino

Nay:

Abstain:

Motion Approved: 6-0

IV. Case # VAR-17-25 - 3325 W Arthur Ave - Approval of a 5ft Fence in the Corner Side Yard

**Case # SFNC-18-25 - 3325 W Arthur Ave - Approval of Natural Screening
in the Public Right of Way**

Assistant Director of Community Development Rati Akash gave an overview of the request. Discussion between Commissioner Novoselsky and Chairman Heller to clarify perpendicular orientation and location of fences in corner side yard. Commissioner Novoselsky asked about height requirements for arborvitae and the code requirements. Further discussion ensued about fence location and what would be permitted versus the current request.

Commissioner Novoselsky asked for clarification about height requirements regarding the arborvitae in the corner side yard.

Commissioner Jakubowski wanted to emphasize prior requests to understand past decisions.

Petitioners: Gina and Shai Berdugo

Homeowners 3325 W Arthur

Gina and Shai Berdugo shared when they moved in 2020 there were existing tall bushes. The bushes were in bad shape and removed, replaced with arborvitae. Arborvitaes were installed in 2021.

The petitioners shared their reasons why the fence was installed prior to the issuance of a permit, highlighting they were not aware that their trees were in the ROW. Additionally, expressing concerns over the permitting process and Village communication.

Mrs. Berdugo shared a packet she put together highlighting safety concerns in the surrounding area. She shared there are different fence requirements for their property because they are not exactly abutting McCormick.

Commissioner Novoselsky stated he understands the desire and need for privacy but sought further clarification as to why it was necessary to extend into the corner side yard and right of way and not just along the alley to the front, perpendicular to the house.

The petitioners clarified that they want to utilize as much of their corner side yard as possible while also having the privacy of a fence.

Commissioner Auerbach asked about other trees that are tall throughout the neighborhood. Assistant Director Akash shared that the Special Fence for natural screening in the right of way was adopted in 2016 making all trees installed in the right of way before that time are legal-nonconforming.

Chairman Heller shared that once the bushes were removed, they lost legal nonconforming status and are bound by the updated code.

Further discussion ensued about previous natural screening and the existence of a deck.

Public comment was called for regarding this case:

John Yun: Homeowner of 6444 N Christiana

Shared his comment that he is in favor of the Berdugo's variation and Special Fence. He stated that he had initially called in concerned and after reviewing it and hearing the discussions at tonight's meeting, he understands the need for security.

Discussion between the commissioners and the petitioners regarding the next steps. Petitioners agreed to revise the plan as they desire to have a 5ft fence with arborvitae in front of it, but have no intention of being in the right of way.

A motion was made by Commissioner Hussain to continue this case to the meeting on March 4th, 2026.

The motion was Seconded by Commissioner Auerbach

Aye: Chairman Heller, Commissioners Auerbach, Hussain, Jakubowski, Novoselsky, and Spino

Nay:

Abstain:

Motion Approved: 6-0

V. Staff Update

Assistant Director Rati Akash shared a brief overview of developments coming forward. The February 4th meeting will have a discussion on parking pads. Additionally, she shared that she requests commissioners to respond to emails from staff so they can know quorum.

VI. Public Comment

No additional public comment.

VII. Adjournment

A Motion was made by Commissioner Jakubowski to adjourn the meeting.

The motion was seconded by Commissioner Auerbach

Aye: Chairman Heller, Commissioners Auerbach, Hussain, Jakubowski, Novoselsky, Spino

Nay:

Abstain:

Motion Approved: 6-0

The meeting ended at 7:32 pm.

Respectfully submitted,

Abigail Honeycutt

Associate Planner



Plan Commission / Zoning Board of Appeals Staff Report Case #SFNC-14-25

February 4, 2026

Subject Property

4557 W North Shore Ave

Zoning District

R-2 Residential District

Petitioner

Alma and Kenan Ivanovic

Nature of Request

Special Fence to allow the installation of arborvitae in the public right-of-way

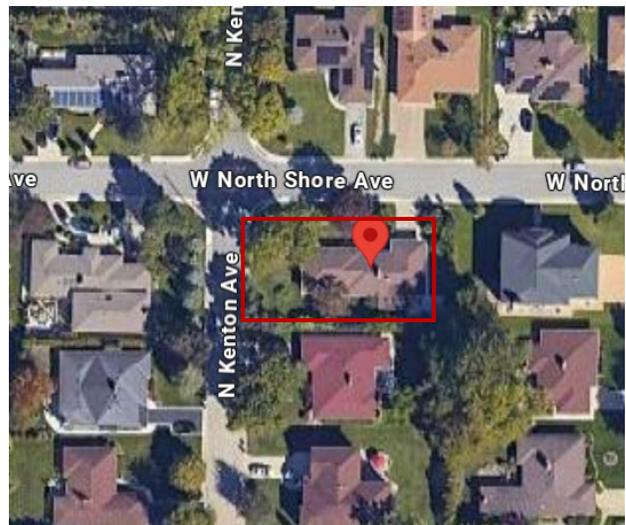


Figure 1 – Location

Update

The Plan Commission/Zoning Board of Appeals originally heard this request on **November 5, 2025**. During that meeting, the PC/ZBA determined that additional time should be provided to the petitioner to revise the submitted plans and work with staff to identify a more compliant solution.

Following the November 2025 public hearing, staff made multiple attempts to obtain updated information from the petitioner. A summary of those communications is provided below:

- On December 16, 2025, staff contacted the petitioner requesting an update on the status of any revised plans or proposed changes.
- On January 7, 2026, the petitioner responded and advised staff that they would be out of town and unable to attend the scheduled February 4, 2026, PC/ZBA meeting.

- On January 14, 2026, staff advised the petitioner that, in lieu of their attendance, a written statement from the petitioner and/or their landscape contractor would be required summarizing any proposed revisions and discussions related to achieving a more compliant solution consistent with the direction provided by the PC/ZBA at the November 2025 meeting.
- On January 26, 2026, the petitioner informed staff that a representative would be available to attend the February 4, 2026, PC/ZBA meeting. The petitioner also indicated that they were working with Williams Landscaping to prepare a letter summarizing potential revisions, which they anticipated would be available within the next week or two. In addition, the petitioner stated that they intended to update their responses to the Special Fence Standards included with their original application.
- On January 27, 2026, staff advised the petitioner that the following materials must be submitted by Thursday, January 29, 2026, in order to be included in the PC/ZBA packet for review:
 1. Updated responses to the Special Fence Standards;
 2. A letter addressed to the PC/ZBA explaining why updated information could not be provided since the November 2025 public hearing and formally requesting a continuance of the case.

In addition, a letter from Williams Landscaping, along with any updated contract or scope of work for services related to the proposed revisions, is to be submitted at the earliest convenience. Any proposed landscaping changes were also required to be reflected on revised plans.

As of the preparation of this packet on Friday, January 30, 2026, staff has not received any of the requested supplemental materials.

Requested Action

Staff requests that the PC/ZBA make a recommendation to either *continue*, *approve*, or *deny* the requested variations. The PC/ZBA's recommendation will be forwarded to the Village Board if approved or denied, or the case can be continued to a later date to heard by the PC/ZBA.

Approval Conditions

If the arborvitae within the public right-of-way are approved, the following conditions shall apply:

1. Setback Requirements:

Natural screening shall be maintained at all times, not less than:
Five feet (5') from any fire hydrant, utility pole, pedestal, or similar installation;

Three feet (3') from any public sidewalk; and
Five feet (5') from the curb line of any street.

2. Sight-Triangle Clearance:

Plantings shall not obstruct intersection or driveway sight triangles.
Vegetation within these areas shall be maintained at a height not exceeding
30 inches above the adjacent curb or pavement grade.

3. Maintenance Responsibility:

The petitioner (property owner) shall be fully responsible for all installation,
watering, pruning, replacement, and removal of plantings within the public right-
of-way at their sole expense.

4. Indemnification:

The property owner shall indemnify and hold harmless the Village from any
liability or claims arising from the installation, maintenance, or presence of the
arborvitae within the public right-of-way.

Documents Attached

1. Excerpt of the approved Meeting Minutes of November 5, 2025 PC/ZBA meeting
2. Previous Staff Report (with all attachments) from the November 5, 2025, PC/ZBA meeting

Except from November 5, 2025, Plan Commission / Zoning Board of Appeals meeting minutes

IV. Case #SFNC-14-25 - 4557 W North Shore Avenue – Special Fence – Natural Screening in Right of Way

Assistant Director of Community Development Rati Akash gave an overview on the request where the residents of 4557 W North Shore (Alma and Kenan Ivanovic) are seeking a Special Fence Variation to allow for a series of Arborvitae trees to in the public Right of Way (ROW)

Mrs. Akash noted that the Arborvitae were installed by the petitioner without approval and a Notice of Violation was issued by code enforcement in July 2025.

At this property there were some legal non-conforming trees along the outskirts of the property. There were 22 Arborvitae trees installed earlier this year, 9 of which are on the subject property and allowed by right and 13 which are the subject of this hearing that encroach into the Right of Way.

It was noted that this request for a Special Fence Variation as allowed in Section 3.13 of the Zoning Code (Section 3.13), which allows for Arborvitae screening within the public ROW, based on the request meeting certain criteria.

Mrs. Akash also noted 6 messages that were received via email in support of the existing Arborvitaes.

Commissioner Yohanna expressed some concerns about sightlines and feels that the trees as planted may limit sightlines.

Chairman Heller called the petitioners up to address the commission.

Petitioners:

Alma and Kenan Ivanovic

Mrs. Ivanovic stated that they did take sightlines into account before the Arborvitaes were planted and stated that the distance from the intersection to the trees is about 35 feet and that sightlines should not be affected. They noted that part of the reason that they installed these Arborvitae was for safety reasons for their small child.

Mr. Ivanovic stated that they we only looking to match the existing non-conforming trees and were unaware that a variation or any consideration would be needed for the planting

They noted that they chose Arborvitaes due to other houses in the area also having Arborvitaes planted, so they feel it matches the aesthetic of the neighborhood.

There was some discussion about the contractor that planted the trees and the petitioners stated that the contractor stated that there should be no issues with where the trees were planted. They noted a house in the neighborhood that has a similar configuration.

Chairman Heller noted that this property did go through the special fence process before planting their trees.

Public Works Director John Welch then addressed the committee. He noted several approval conditions that he would suggest being added if the commission were to look to recommend approval of the special fence application.

These approval conditions included the following:

Setback Requirements - Natural screening shall be maintained at all times, not less than:

- Five feet (5') from any fire hydrant, utility pole, pedestal, or similar installation.
- Three feet (3') from any public sidewalk; and
- Five feet (5') from the curb line of any street.

Sight-Triangle Clearance - Plantings shall not obstruct intersection or driveway sight triangles. Vegetation within these areas shall be maintained at a height not exceeding 30 inches above the adjacent curb or pavement grade.

Maintenance Responsibility - The petitioner (property owner) shall be fully responsible for all installation, watering, pruning, replacement, and removal of plantings within the public right-of-way at their sole expense

Hold Harmless agreement – The property owner shall indemnify and hold harmless the Village from any liability or claims arising from the installation, maintenance, or presence of the arborvitae within the public right-of-way. This would need to be recorded with Cook County so if the property changes hands the new owners would need to adhere to it.

Mr. Welch spoke about the issues that may arise in any maintenance of the Arborvitae trees, given how close they are to the sidewalk, he spoke about turnaround time is resolving any maintenance issues surrounding the Arborvitaes. He noted that while the Arborvitaes would help border the property, if someone were to exit the area into the street, he believes there is no way a driver would be able to react given the proximity to the street. He also noted that access to various utilities (water, sewer, gas, electric, etc.) could cause the Arborvitaes to be disturbed at the petitioners own risk for repair/preplacement

The petitioners acknowledged Mr. Welch's comments and stated that they would accept full responsibility for maintenance, indemnification and any other conditions were the Arborvitaes be allowed.

It was noted that the Arborvitaes were planted in April of this year.

Commissioner Hussain asked about impacts of tree growth considering how close they are to the sidewalk. He asked if the petitioners would consider moving the trees closer to the property line where they would be allowed by right.

The petitioners noted that they wanted to match the existing non-conforming trees, and they are looking to maintain them to prevent overgrowth. They also expressed fears that the trees would not survive being moved at this time and do not want to incur expense of buying new trees given the investment already made.

Commissioner Heller asked about the landscaper and why trees were planted without authorization. He asked about where the hardship is in this case. He noted that he doesn't believe that this case meets the requirements of the special fence provision.

Commissioner Spino feels that the trees in this case are too close to the sidewalk.

Mrs. Akash gave a few notes about certain requirements that would be needed if the commission were to recommend the trees to remain

Discussion about potential ways to keep the trees by potentially moving them to an area that would be allowed by code

Commissioner Yohanna asked the petitioners if they would be comfortable to continue the case to allow for the residents to talk with landscaper about other potential configurations, away from the current location and closer to their property line.

After some discussion the petitioners agreed that continuing the case would be the best course of action.

A motion was made by Commissioner Yohanna to continue to February 2026 PC/ZBA meeting with the final date of the meeting still to be determined

The motion was Seconded by Commissioner Hussain

Aye: Chairman Heller, Commissioners Hussain, Spino, and Yohanna

Nay:

Abstain:

Motion Approved: 4-0



Plan Commission / Zoning Board of Appeals

Staff Report

Case #SFNC-14-25

November 5th, 2025

Subject Property

4557 W North Shore Ave

Zoning District

R-2 Residential District

Petitioner

Alma and Kenan Ivanovic

Nature of Request

Special Fence to allow the installation of arborvitae in the public right-of-way

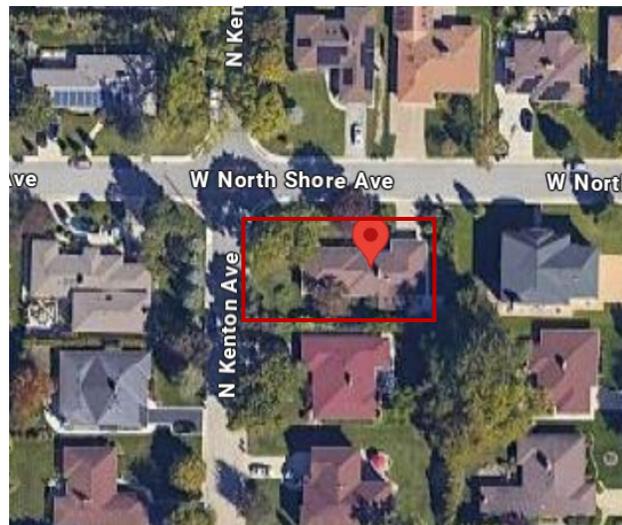


Figure 1 – Location

Notification

Notice was published in the Lincolnwood Review on Thursday, October 16th, 2025; public hearing signs were installed at the subject property, and legal notices dated Monday, October 10th, were mailed to properties within 250 Feet. As of October 31st, 6 public comments have been received, and the emails have been attached for your reference.

Background

The subject property is located within the R-2 Residential District and is improved with a one-story single-family residence and an attached garage. The home occupies a corner lot at N. Kenton Avenue and W. North Shore Avenue, which includes a side yard adjacent to the public parkway. The petitioners installed arborvitae both within their private property (permitted) and within the public right-of-way. The current request seeks approval to allow the arborvitae located within the public right-of-way to remain.

On July 10, 2025, a Notice of Violation was issued to the petitioners, Alma and Kenan Ivanovic, requiring the removal of all arborvitae installed within the public right-of-way. In response, the petitioners have elected to pursue a Variation request to retain the existing plantings. The request seeks relief from Section 3.13 of the Zoning Ordinance to permit the existing arborvitae screening to remain within the public right-of-way as a Special Fence.



Figure 2 – Arborvitae planted (14 in public right of way and 9 within the property line)

Summary of the Request

The petitioner seeks approval of a Special Fence Permit to allow the installation of natural screening (arborvitae) within the public right-of-way adjacent to the subject property. According to the petitioner, the arborvitae were planted within portions of the parkway to provide privacy, safety, and visual enhancement to the property and surrounding streetscape. In total, fourteen (14) arborvitae have been planted within the public right-of-way and nine (9) additional arborvitae have been planted within the private property line. These plantings are located within the public right-of-way; the request requires Special Fence approval and a potential Variation from Section 3.13(8)a.vi of the Zoning Ordinance.

Variation from Section 3.13 of the Zoning Code to allow arborvitae screening to be located within the public right of way

Section 3.13 states the following type of fence as a special fence, “Natural screening on public rights-of-way, utility easements, or Village property installed and maintained by private individuals at their expense, but only if the natural screening is set back at all times not less than: five feet from all hydrants, utility poles, and similar installations; three feet from all sidewalks; and five feet from the curbline of a street.

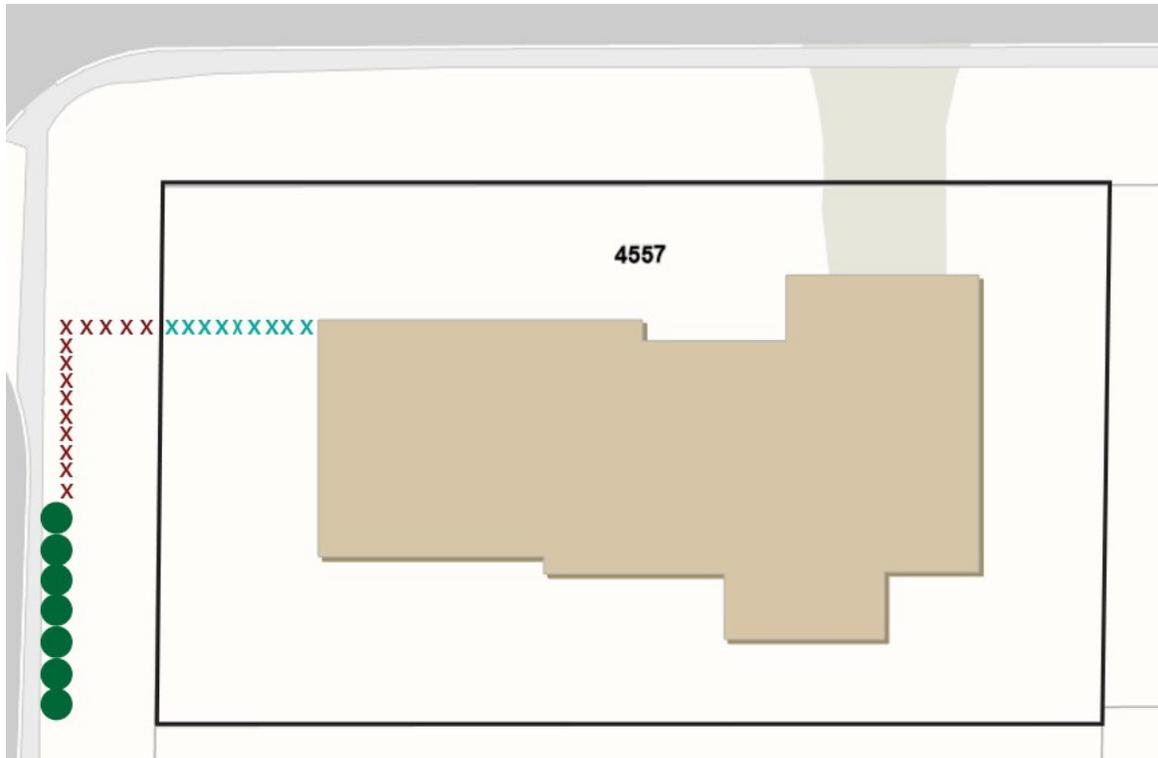


Figure 2 – Site Plan/ Location of Arborvitae

The figure above illustrates the existing and proposed arborvitae at the subject property. The dark green circles indicate pre-existing arborvitae that are considered legal nonconforming. The red X's (14 total) represent newly planted arborvitae located within the public right-of-way, while the blue X's (9 total) identify recently planted arborvitae located within the private property line.

Considerations

The Plan Commission/Zoning Board of Appeals (PC/ZBA) may consider the following factors when evaluating the appropriateness of the requested Special Fence and Variation:

Existing legal non-conforming natural screening

As shown in the site plan, there are existing arborvitae along N. Kenton Avenue that predate current zoning standards. These plantings are considered legal nonconforming and may remain in their current location, provided they do not create a public safety hazard or obstruct visibility.

Line of Sight

Staff field observations confirm that the line of sight is adequately maintained at the intersection of N. Kenton Avenue and W. North Shore Avenue. The existing arborvitae configuration does not obstruct visibility for vehicles, pedestrians, or driveways.

Setback Requirements

If the arborvitae located in the public right-of-way are approved, the following conditions shall apply:

1. Setbacks: Natural screening shall be maintained at all times not less than:
 - o Five feet (5') from any fire hydrant, utility pole, pedestal, or similar installation;
 - o Three feet (3') from any public sidewalk; and
 - o Five feet (5') from the curb line of any street.

Special Fence and Variation Standards

Section 3.13(25)b of the Zoning Ordinance establishes standards specifically related to the review of a Special Fence request.

That section states that *“the Plan Commission/Zoning Board of Appeals shall not recommend to the Board of Trustees that a special fence permit be granted unless it makes findings of fact based upon evidence presented at the hearing in any given case that:*

- i. The special fence will serve the public convenience at the location of the subject fence; or that the establishment, maintenance or operation of the special fence will not be detrimental to or endanger the visibility, public safety, comfort or general welfare.*
- ii. The special fence will be in harmony and scale with the architecture of the building in this development and with other fences in the neighborhood.*
- iii. The special fence will not be injurious to the use and enjoyment of other property in the immediate vicinity of the subject property for the purpose already permitted; nor substantially diminish and impair the visibility of adjacent property.*
- iv. The nature, location and size of the special fence will not impede, substantially hinder, or discourage the installation of fences on adjacent property in accordance with the Fence Ordinance.*
- v. The special fence shall in all other respects conform to the regulations of this Section 3.13 except as modified as provided herein.”*

Prior Similar Requests

Year	Address	Requested Relief	ZBA Recommendation	Village Board Final Approval
2022	6756 N Lockwood Ave	Request to approve a Special Fence for landscape screening (arborvitae) in the public right-of-way along the north lot line.	3-1 Approval	Unanimously Approved
2024	7125 N Kilbourn Ave	Special Fence to allow the installation of natural screening in the public right-of-way along Kilbourn Avenue, and a Variation to waive the required three-foot setback between the proposed natural screening and the public sidewalk	Unanimously Approved	Unanimously Approved
2025	6503 N Le Mai Avenue	Special Fence to allow natural screening in the public right-of-way	Unanimously Approved	Unanimously Approved

Public Comment

Staff have received 6 public comments prior to the public posting of this packet, which offer support to the requested variation. Any comments received prior to the November 5th, 2025, Public Hearing will be provided to the PC /ZBA at that time.

Requested Action

Staff requests that the PC-ZBA make a recommendation to either approve or deny the requested variations. The PC-ZBA’s recommendation will be forwarded to the Village Board for final consideration and action.

Approval Conditions

If the arborvitae within the public right-of-way are approved, the following conditions shall apply:

1. Setback Requirements:

Natural screening shall be maintained at all times, not less than:
Five feet (5') from any fire hydrant, utility pole, pedestal, or similar installation;
Three feet (3') from any public sidewalk; and
Five feet (5') from the curb line of any street.

2. Sight-Triangle Clearance:

Plantings shall not obstruct intersection or driveway sight triangles.
Vegetation within these areas shall be maintained at a height not exceeding
30 inches above the adjacent curb or pavement grade.

3. Maintenance Responsibility:

The petitioner (property owner) shall be fully responsible for all installation,
watering, pruning, replacement, and removal of plantings within the public right-
of-way at their sole expense.

4. Indemnification:

The property owner shall indemnify and hold harmless the Village from any
liability or claims arising from the installation, maintenance, or presence of the
arborvitae within the public right-of-way.

Documents Attached

1. Plat of Survey
2. Property Photos
3. Petitioner's Response to Variation Standards
4. Resident Emails





Special Fence Standards

To be approved, each Special fence request must meet certain specific standards. These standards are listed below. After each listed standard, explain how the Special Fence request satisfies the listed standard.

Project Address	4557 W. North Shore Ave
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1. Please explain how the Special Fence is necessary for the public convenience at this location. (Please explain in detail)

The arborvitae provides natural shade for people walking on sidewalk, goes with the aesthetic of the neighborhood to make it more appealing to all and will help with run off water for the street. Personally it will create a safe space for our baby to play without being scared if she will run into the street - lots of speeding cars in our area especially on Kenton avenue. Also will create natural coverage for our exposed bedroom windows and more security for our backyard. We have had numerous people come into our backyard from this side of the street and take our firewood.

2. Please explain how the Special Fence is so designed, located, and proposed to be in harmony and scale with the architecture of the building in this development and with other fences in the neighborhood.

The natural arborvitae fencing is identical to over 50 houses within 1 mile radius of us. Every block someone has the same bushes with the identical layout and purpose of natural fencing. We got inspired for the landscaping design by our neighbors in the area and since many of the houses in the area have bushes as a fence installed. We have had numerous of our close neighbors in the community come to us to compliment on how we have beautified the neighborhood and how it brings them joy to walk and see our home's landscaping.

3. Please explain how this Special Fence would not cause substantial injury to the value of other properties in the neighborhood in which it is located nor substantially diminish and impair the visibility of adjacent property .

This has no affect on other properties in the neighborhood value nor impairs the visibility of adjacent properties. The bushes are short enough where they cannot fall or cause damage to cars during storm. Currently they are 5 feet in height and over 25 feet from the corner.

4. Explain how the nature, location and size of the special fence will not impede, substantially hinder, or discourage the installation of fences on adjacent property in accordance with the Fence Ordinance.

The location of the arborvitae does not impact any adjacent properties.

Once you have completed the responses to the standards above, please return to your online application and upload this document to that application.

From:
To:
Subject:
Date:

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

To Whom It May Concern,

My family lives right next door at 6647 N Kenton Ave. We have no problem with the newly planted arborvitae in their yard.

If you have any questions please let me know.

Kenan Zvizdich

From:
To:
Subject:
Date:

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

To whom it may concern,

I live at 4601 W. North Shore Ave. , across the street from 4557 W. North Shore Ave.

For environmental and aesthetic reasons, the bushes should be allowed to stay.

They are beautiful, well-maintained and we most certainly have no problem with how and where the bushes are.

They bring beauty to an area where the greenery is regularly being removed to the point where Lincolnwood will look like Morton Grove in no time. (That is not a compliment)

Not to mention, The environmental impacts of the Gradual removal of vegetation may seem minor at first. But, in fact, it amplifies heat, water, air, and ecological problems over time. Even modest replanting or conservation efforts can help prevent these negative effects.

Lincolnwood is nature's neighborhood too, not just people's.

Sincerely,

Dragica Buljubasic

“People tend to forget how effortless the pursuit of happiness can be.

It is not a matter over which one must obsess,
But rather it is the ability to be free.

Take a step back and notice when you look around, that even in the darkest of places,
happiness can be found.”

-Dragica Buljubasic

From:
To:
Subject:
Date:

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

To Whom It May Concern,

I am writing to express my opinion regarding the improvements recently completed by my young neighbors, Alma and Kenon Ivanovic, at:

4557 W North Shore Ave.

Lincolnwood, IL

The landscaping and gardening work they have done has significantly enhanced the appearance of their property. The home now looks fresh, attractive, and aesthetically pleasing. It is clear that the work was completed professionally and with great care, and in my view, it represents a valuable investment in the neighborhood. Many residents have admired the beautiful transformation and appreciate the contribution it brings to the area.

Regarding the **Green Fence (Natural Screening along Kenton Street)**, which may be a concern for some, I would like to note that such natural fencing is common throughout Lincolnwood. One does not have to look far to see similar or even longer green fences on nearby properties, including directly across the street. These natural screens provide privacy, create a safe and cozy outdoor space for children, and add to the overall charm of the property. The fence at 4557 W North Shore Ave. is well-kept and neatly trimmed, and it does not obstruct visibility for drivers—especially considering the roundabout at the nearby intersection.

I hope this letter will clarify my full support for the improvements made by the Ivanovic family. Their efforts have enhanced not only their own home, but the neighborhood as a whole.

Sincerely,

Simon Tsipursky

6715 N. Knox Ave.

From:
To:
Subject:
Date:

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

To whom it may concern,

I am a resident of Lincolnwood at 6815 N. Kilpatrick. I was shocked to see these bushes needing a permit since I have seen numerous of them around our area. I love what this property has done with the landscaping and it truly has beautified the neighborhood.

I walk my dog by this property daily just to enjoy the landscaping and think the bushes on Kenton side are a beautiful addition because during the hot summer days they provided my dog and I shade when we are walking. I think we should be encouraging residents to not just maintain but add beauty with greenery and landscaping that is so aesthetically pleasing like this property has done.

I think this property should definitely be allowed to keep the bushes and am grateful for how much better they are making our suburb look and increasing everyone's property value by doing such landscaping.

Best,
Fatima Omeralic

From:
To:
Subject:
Date:

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Dear Members of the Lincolnwood Planning Commission and Zoning Board of Appeals,

I am writing to express my support for the newly planted arborvitae at 4557 W. North Shore Ave. The addition of this greenery has noticeably enhanced the appearance of our street, providing a natural, cohesive look that complements the character of our neighborhood.

The arborvitae contribute to the village's emphasis on maintaining an attractive and welcoming environment. They offer both aesthetic and environmental benefits—improving privacy, reducing noise, and enriching the landscape with year-round greenery.

I respectfully ask that the Commission allow the arborvitae to remain in place. Their presence reflects the community's shared pride in maintaining Lincolnwood's beauty and charm.

Thank you for your consideration.

Sincerely,

Ramis Ceka
4534 W. North Shore Ave
Lincolnwood, IL 60712

From:
To:
Subject:
Date:

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

To Whom It May Concern,

My husband and I were surprised to see that the house at 4557 W North Shore Avenue had a zoning issue. We walk and drive by that house every day and we both love the upgrades the family added to the property/landscaping. My husband and I both commented on how nice the upgrades made the neighborhood look. We absolutely love walking and driving by that house.

I'm surprised Lincolnwood would penalize their residents who are trying to improve the look of their home and the neighborhood. I really hope that this zoning issue is dropped.

Regards,
Doug and Ilbra Oshana



Plan Commission/Zoning Board of Appeals Staff Report

Case # TXTA-04-25

February 4, 2026

Nature of Request

The open-air parking pad text amendment item is being continued from the August 15, 2025, Plan Commission / Zoning Board (PC-ZBA) meeting.

Consideration of a referral by the Village Board Committee of the Whole (COTW) to amend Article 7 of the Zoning Ordinance regarding the location and configuration of open-air, off-street parking pads in residential districts.

Notification

The notice was published in the Lincolnwood Review on *February 7, 2025*.

Background

2016 Zoning Text Amendment

Prior to 2016, the Zoning Ordinance permitted open-air parking pads in side yards and rear yards for residential properties. As part of a broader review of off-street parking standards and yard encroachments, the Plan Commission undertook policy discussions in late 2015 that ultimately informed the 2016 zoning text amendment.

Based on the December 2, 2015 Plan Commission meeting record, the Commission's recommendation to eliminate side-yard parking pads for residential properties was driven by the following considerations:

- **Protection of Residential Yard Function:**
Side yards were viewed as critical open areas for light, air, drainage, and separation between homes. Allowing parking in side yards was seen as incrementally eroding these functions, particularly on narrower residential lots.
- **Avoidance of Incremental Paving and Visual Clutter:**
Commissioners expressed concern that side-yard parking, when combined with expanded driveway widths, led to excessive paving along lot lines and reduced overall neighborhood green space.
- **Consistency and Enforceability:**
The Commission favored clearer, more enforceable standards. Limiting open-air parking to **rear yards only** provided a bright-line rule that was easier to administer than evaluating varied side-yard configurations on a case-by-case basis.

- **Neighborhood Character and Precedent:**

There was concern that continued allowance of side-yard parking pads could set a precedent for gradual intensification of front and side yard paving, altering the established character of single-family residential neighborhoods.

- **Alignment with Broader Parking Policy Direction:**

The December 2015 meeting also reflects a broader policy approach favoring *restrictions on front- and side-yard parking*, with any deviations in more visible yard areas requiring heightened scrutiny or discretionary review. This philosophy directly informed the subsequent 2016 amendments that restricted open-air parking pads to rear yards in residential districts.

As a result, the 2016 zoning amendment removed the allowance for side-yard open-air parking pads and limited such parking to rear yards only, while allowing existing installations to remain as legal non-conforming conditions.

2016 Village Board Action

The Plan Commission's recommendation was advanced to the Village Board and adopted through Ordinance No. 2016-3189, as reflected in the February 2, 2016 Village Board minutes. The ordinance amended Chapter 15 of the Zoning Code to state that:

- Open-air, off-street parking spaces may be located in rear yards only for residential properties.
- Open-air parking in front yards or side yards abutting a street is prohibited in residential districts.
- Such parking may be considered in certain non-residential districts only by special use permit.
- Existing side-yard and front-yard parking pads were allowed to remain as legal non-conforming structures.

This action formally codified the Plan Commission's policy preference for restricting visible yard parking and simplifying enforcement.

COTW Discussions

The Committee of the Whole (COTW) discussed the topic of open-air, off-street parking pads in residential districts at two meetings—January 8, 2024, and September 17, 2024, following resident inquiries about parking location and construction on residential properties. Both meetings focused on balancing resident needs for additional off-street parking with regulatory considerations, including aesthetics, stormwater management, and parkway tree protection. Across both sessions, the COTW confirmed the current prohibitions in Section 7.06(5) of the Zoning Ordinance, supported staff's interpretation of driveway regulations, acknowledged a potential need for minimum driveway widths, and discussed possible changes to accommodate open-air parking pads in certain situations. The September meeting concluded with a referral of the matter to the Plan Commission/Zoning Board of Appeals (PC/ZBA) for further review.

January 8, 2024 COTW Meeting

- Confirmed that current regulations under Section 7.06(5) prohibit open-air parking pads in the front, corner side, and interior side yards of residential properties.
- Concurred with staff's interpretations regarding establishing open-air parking spaces and applying dimensional and design standards for residential driveways, including required tapering and sidewalk differentiation.
- Indicated that a minimum residential driveway width should be considered to ensure access to legal parking spaces (either in a garage or rear yard open-air parking pad).
- Discussed the visual impact of open-air parking pads in rear yards, noting some find them unattractive.
- Acknowledged that prohibiting pads in front or side yards can disproportionately affect properties without garages.
- Suggested landscaping as a possible requirement for front yard open-air parking pads to improve aesthetics.

September 17, 2024, COTW Meeting

- Continued the discussion on open-air parking pads, noting resident demand for additional off-street parking.
- Reiterated concerns regarding stormwater impacts, additional curb cuts, parkway tree preservation, and the number of parking spaces that could be located in the front yard.
- Recognized the need to balance functional parking solutions with community character and environmental considerations.
- Referred the matter to the PC/ZBA for more detailed review and policy recommendations.

PC-ZBA Discussions**August 15, 2025 Meeting**

At its August 20 meeting, the Plan Commission/Zoning Board of Appeals (PC-ZBA) discussed zoning policy considerations for open-air parking pads and voted to continue the matter to the December 3, PC-ZBA meeting. Staff presented a range of zoning policy considerations, and the Commissioners conducted informal straw votes on each scenario. While there was unanimous consensus that, if permitted, open-air parking pads should be allowed by-right with conditions, the PC-ZBA requested additional information before finalizing direction. Specifically, staff was directed to (1) research how surrounding communities regulate open-air parking pads, (2) provide contextual photos of open-air parking pads in Lincolnwood and nearby towns, and (3) investigate the rationale behind the 2016 zoning amendment that prohibited side yard parking pads and limited them to rear yards.

April 16, 2025 Meeting

- Staff requested a continuance to allow additional research; policy discussion did not occur.
- Resident at 7107 N. Tripp expressed concern about delay and explained difficulty obtaining parking pad approvals under current regulations.

May 21, 2025 Meeting

- Staff presented detailed report outlining: existing restrictions, 347 legal non-conforming pads, and 11 possible policy options.
- Commissioners discussed:
 - Impacts of the 2016 zoning amendment and 50% front-yard impervious surface limit.
 - Greater hardships for smaller / narrow lots.
 - Aesthetic impacts and traffic safety related to pad location and orientation.
 - Differences in compliance feasibility across zoning districts and lot sizes.

The PC/ZBA unanimously voted to continue the discussion to August in order to review and vote on each policy factor prior to drafting a text amendment.

Current Regulations

Chapter 6 – Public Parks, Ways, and Properties

Regulates portions of a driveway located in the public right-of-way (driveway apron).

- *No driveway approach can be constructed for the sole purpose of being a parking space.*
- *The width of the driveway at the lot line cannot exceed the maximum width established in the Zoning Ordinance.*
- *The flare of the driveway approach shall not extend over the property line when extended to the curb.*

Chapter 15 – Zoning

Covers driveway and parking regulations on private property.

- *In residential districts, open-air parking pads are only permitted in rear yards and are prohibited in front, corner side, and interior side yards.*
- *For standard driveways, the maximum driveway width is 1/3 of the lot width or 20 feet, whichever is less.*
- *For circular drives, the maximum driveway width is 1/3 of the lot width or 12 feet whichever is less.*
- *The minimum distance between the driveway and side lot line is one foot.*

Surrounding Community Comparison, Parking Pads

Front Yard Parking Pads

Community Permitted Key Requirement / Limitation

Park Ridge Yes No restrictions

Community Permitted Key Requirement / Limitation

Waukegan	Yes	Only if there is a garage within 20 feet of the front building line and the driveway serving it is wider than the maximum allowed driveway
North Chicago	Yes	Must be attached to an existing driveway
Deerfield	Yes	Maximum impervious surface limited to 40% of the required front yard
Mt. Prospect	Yes	Must be accessible via a driveway serving an attached garage
Glenview	Yes	Cannot encroach into a no-build zone or easement
Skokie	No	Not permitted
Niles	No	Not permitted
Oak Lawn	No	Not permitted
Des Plaines	No	Not permitted
Morton Grove	No	Not permitted

Side Yard Parking Pad

Community Permitted Key Requirement / Limitation

Park Ridge	Yes	No building line or attached-to-driveway restrictions
Waukegan	Yes	No special limitation noted
North Chicago	Yes	Only when attached to an existing driveway
Skokie	Yes	Cannot abut a street
Niles	Yes	Must be located behind the front building line and at least one foot from any lot line
Mt. Prospect	Yes	Must be accessible via a driveway serving an attached garage

Community Permitted Key Requirement / Limitation

Glenview	Yes	Cannot encroach into a no-build zone or easement
Morton Grove	Yes	No portion may project into a front yard or street side yard
Deerfield	No	Not permitted
Oak Lawn	No	Not permitted
Des Plaines	No	Not permitted

Rear Yard Parking Pad

Community Permitted Key Requirement / Limitation

Park Ridge	Yes	No building line or attached-to-driveway restrictions
Waukegan	Yes	No special limitation noted
North Chicago	Yes	Only when attached to an existing driveway
Skokie	Yes	No special limitation noted
Niles	Yes	Must be located behind the front building line and at least one foot from any lot line
Mt. Prospect	Yes	Must be accessible via a driveway serving an attached garage
Glenview	Yes	Cannot encroach into a no-build zone or easement
Morton Grove	Yes	No portion may project into a front yard or street side yard
Oak Lawn	No	Not permitted
Deerfield	No	Not permitted
Des Plaines	No	Not permitted

Circular Driveway Parking Pad

Community	New Circular Driveways Permitted	Key Requirements / Limitations
Park Ridge	Yes	New circular driveway curb cuts limited to 9 ft each; reviewed by Public Works and Zoning; lots generally must be 70 ft or wider; new curb cuts prohibited if an improved alley exists; circular driveways do not count toward required off-street parking.
Waukegan	Yes (constrained)	Maximum width 22 ft at the lot line; uniform driveway standard; typically requires a variance because two curb cuts are not otherwise allowed; generally considered on high-traffic streets.
North Chicago	Yes (indirectly regulated)	Maximum width 20 ft at any property line; must meet lot coverage limits; two driveways only if lot ≥ 10,000 sq ft and separated by 50 ft; circular drives not separately defined in code.
Oak Lawn	No (new)	Existing circular driveways are legal non-conforming; any new circular driveway requires Zoning & Planning Commission approval.
Deerfield	Yes	Minimum width 10 ft, maximum width 24 ft; 5-ft side setback required.
Skokie	Yes (with functional limits)	No private-property maximum width, but front-yard impervious limits apply; circular driveways must lead to a legal parking space (garage, side yard, or rear yard); new curb cuts prohibited if an improved alley exists.
Niles	Yes (very limited)	Maximum width 12 ft at the front lot line.
Mount Prospect	Yes	Minimum lot width 75 ft; minimum turning radius 15 ft; circular portion width 12–26 ft; measured at both the lot line and garage entrance; allows limited turnaround pads on arterial streets.
Glenview	Yes	Curb-cut width 15–30 ft; minimum 75-ft frontage and 45-ft front setback; circular driveways may function as parking pads; no overnight commercial vehicles.
Des Plaines	Effectively no (unless approved)	Generally limited to 18 ft at sidewalk; wider or non-standard circular driveways require City Council approval.

Community	New Circular Driveways Permitted	Key Requirements / Limitations
Morton Grove	No (new)	New circular driveways are not allowed; replacement in-kind only; two approaches allowed, each limited to 16 ft; historically treated as front-yard parking but not expanded.

Existing Open-Air Off-Street Parking Pads

Staff worked with the GIS Consortium to inventory and analyze conditions related to existing open-air parking spaces, which can be found [here](#). While a more complete inventory of staff’s analysis is provided as an *attachment to the September 17, 2024, COTW Staff Memo*, this section summarizes the most relevant findings related to legal non-conforming parking spaces on residential properties.

Total Residential Lots in Village: 3,560

Legal Non-Conforming Open-Air Parking Spaces: 347 lots (9.7% of all residential lots)

- **Compliant Alternatives:** 74 lots have an alternative, compliant parking configuration (e.g., separate driveway to garage or alley access).
- **By Location:**
 - 160 lots have non-conforming spaces in the front yard.
 - 187 lots have non-conforming spaces in the side yard.

By Zoning District:

- **R-3 District:** 291 of the 347 non-conforming spaces (11.8% of all R-3 lots).
- **R-4 District:** Highest percentage at 13.0% (39 of 300 lots).

By Lot Width:

- 171 lots are between 25 and 50 feet wide.
- 95 lots are between 50 and 100 feet wide.
- Only 11 lots exceed 100 feet in width.

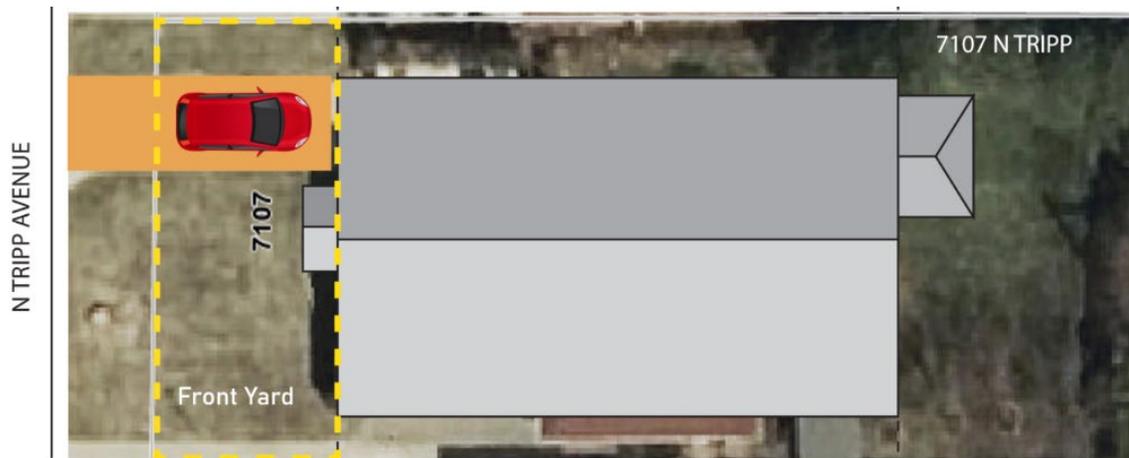
Policy Considerations – Requested Action

Policy Question:

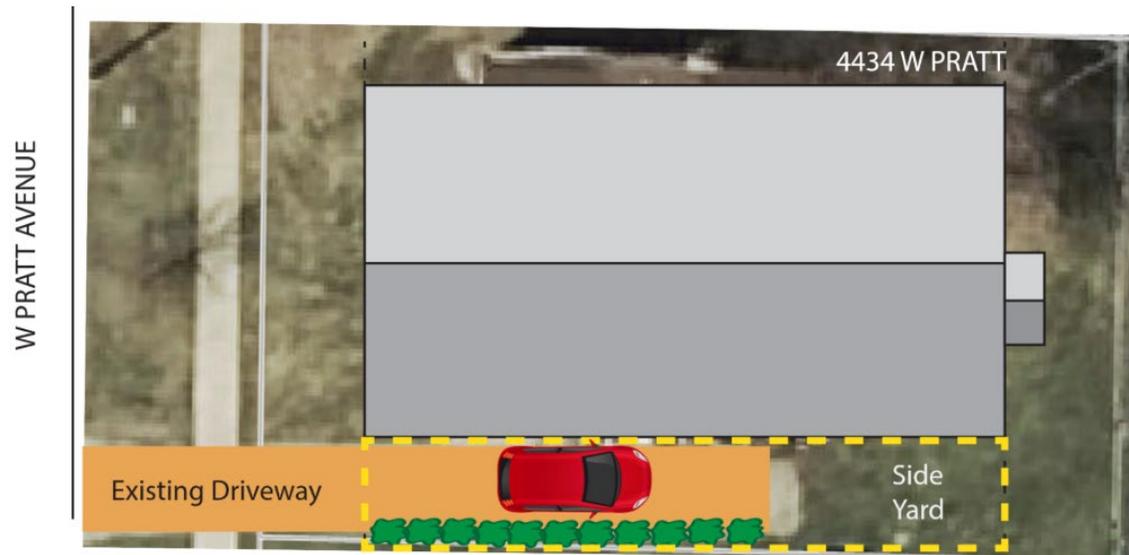
Should open-air parking pads be permitted in the following locations?

1. Front yard
2. Side yard
3. Circular driveway
4. All of the above
5. A combination of the first three options

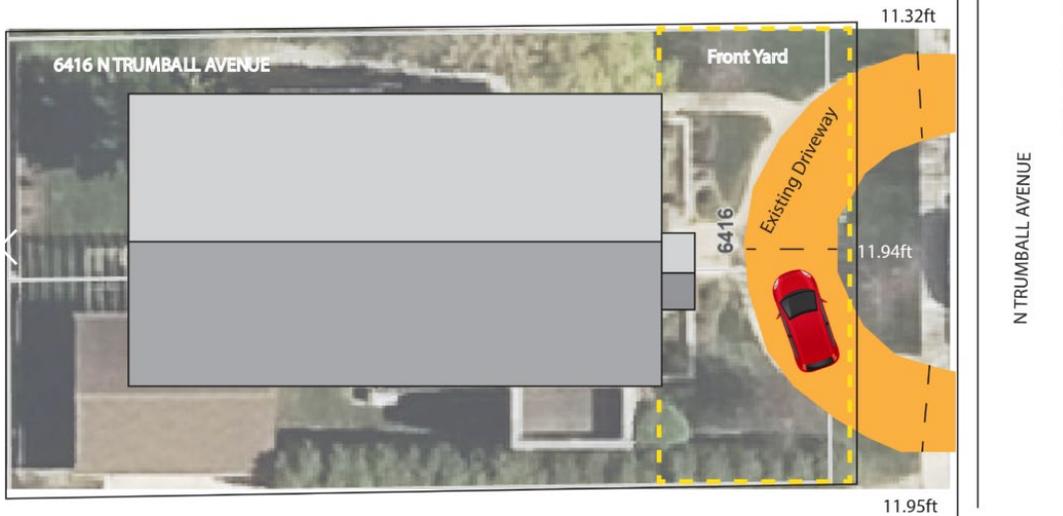
If open-air parking pads are permitted in any of the above locations, should their allowance be limited to certain residential zoning districts and be subject to specific criteria and conditions?



Front Yard - Parking Pad



Side Yard - Parking Pad



Circular Driveway – Parking Pad

1. Location

Purpose: Determine whether open-air parking pads should be allowed in front yard, side yards, circular driveway, both, or a combination, or remain restricted to rear yards in residential districts.

Relevant Code:

Section 7.06(5), Zoning Ordinance:

“...open-air, off-street parking spaces may be located in: (a) any rear yard, in any zoning district; and (b) in a front yard or a side yard abutting a street, but only within the B-1, B-2, B-3, O-1, M-B, and P Districts, and only upon the issuance of a special use permit...”

Any driveway not leading to a garage is considered an “open-air, off-street parking space” and must be located in the rear yard.

Under this regulation, open-air parking pads in residential districts are only permitted in rear yards. Front, corner side, and interior side yards are prohibited locations for such pads in residential zoning.

Scenario Changes Related to Yard	No. of Driveways that Become Legal	No. of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking in the front yard without a garage.	160	187	5.3%

Allow open-air parking in the side yard without a garage.	187	160	4.5%
Allow open-air parking in the front and side yards without a garage.	347	0	0%

2. Zoning District

Purpose: To evaluate whether regulations for open-air parking pads should vary by zoning district based on lot size, frontage, and other dimensional standards.

Scenario Changes Related to Zoning Districts	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking only in R1 and R2 district.	17	330	9.3%
Allow open-air parking only in R3 and R4 district.	330	17	0.5%
Allow open-air parking only in R3 district.	291	56	1.57%

Based on the Staff's analysis, focusing any amendment to allow for parking pads in R-3 and R-4 zoning districts particularly for narrower lots, this directly targets the areas with the greatest physical constraints and the highest concentration of existing non-conforming conditions; as a result, allowing open-air parking pads in the front and/or side yards in R-3 and R-4 would bring approximately 330 of the Village's 347 legal non-conforming residential parking configurations into compliance (reducing non-conformities to about 0.5%), while a combined approach using R-3 and R-4 plus a lot-width threshold (for example, under 80 feet) would still correct the vast majority of existing conditions (269 properties) and narrowly tailor the relief to those properties that demonstrably lack realistic on-site parking alternatives, rather than expanding front- and side-yard parking across all residential districts.

3. Special Use vs. By-Right Approval

Purpose: Should open-air parking pads in certain yards be allowed *by right* if they meet all Code requirements, or only through a Special Use permit process?

Options:

- Require Special Use permit for all pads outside rear yard.
- Allow by-right if specific dimensional, location, and criteria are met.

Criteria that must be met if Parking Pads are allowed:

1. Meet Maximum Front Yard Coverage (Criteria)

Purpose: Front yard parking pads must be compliant with front yard coverage of 50% to preserve green space and maintain stormwater capacity while allowing limited flexibility for parking pads.

Relevant Code:

Section 3.09(4)(b): Impervious surface coverage of front yards shall not exceed 50%.

2. Meet the maximum lot (impervious) coverage for the zoning district

Purpose

To ensure that allowing a parking pad does not result in excessive paving on a lot and remains consistent with the Village’s established stormwater, open-space, and neighborhood character standards.

Relevant Code

Maximum impervious coverage – single-family residential lots:

“Maximum impervious coverage” for single-family residential lots in the R-1, R-2 and R-3 zoning districts is sixty percent (60%)

3. Meet Hard Surface Requirement (Criteria)

Purpose: To maintain consistency with the Village’s established standards for driveways and paved vehicular surfaces

Relevant Code:

“All driveway approaches which give access to an improved street with curb and gutters shall be surfaced with a permanent dustproof surface: either concrete (six inches) over five inches CA-6, crushed stone aggregate, bituminous surface (eight inches CA-6, crushed stone aggregate, and three-inch asphalt), brick (over six inches of concrete) or other material approved by the Village.”

4. Meet all existing zoning and driveway dimensional requirements (criteria)

Purpose

To ensure that any new or legalized parking pads remain consistent with the Village’s established development standards and do not create new non-conformities.

Criteria

Parking pads must continue to comply with all applicable zoning and driveway regulations, including but not limited to:

- minimum lot width and yard setbacks,
- maximum permitted driveway width,
- required separation from side lot lines, and
- all other dimensional and design standards contained in Article VII – Off-Street Parking and Loading and the underlying residential zoning district regulations.

Next Steps

- **Draft Regulations:** Staff to prepare Zoning Text Amendment language, in coordination with the Village’s Corporation Counsel, reflecting the PC/ZBA’s consensus policy direction.
- **Public Hearing:** Return to the PC/ZBA with the draft amendment for a formal public hearing in accordance with notice and text amendment requirements.
- **Recommendation to Village Board:** Following the public hearing, the PC/ZBA will vote on a recommendation to the Village Board.
- **Village Board Consideration:** Text Amendment introduced at a Village Board meeting for final approval and adoption.

- **Implementation & Outreach:** Upon adoption, update application materials, permit guidance, and communicate code changes to residents and design professionals.

Public Comment

At the time of the creation of this report, Staff had not received any public comment regarding this matter. Any comments received after the distribution of this report will be provided to the PC/ZBA during the public hearing.

Documents Attached

1. 2015-2016 Plan Commission and Village Board Recommendation
2. Ordinance No. 2016-3189 Off-Street Parking
3. December 2, 2015 PC Minutes
4. Surrounding Community Parking Pad Research
5. Spreadsheet, Surrounding Community Research
6. Pictures, Surrounding Community Research
7. Surrounding Community Research, Circular Driveway
8. Spreadsheet, Surrounding Community Research
9. August 2025 Staff Report – TXTA-04-25 (With Attachments)

Plan Commission / PC-ZBA Rationale for Removing Side-Yard Parking Pads (2016)

Prior to 2016, the Zoning Ordinance permitted open-air parking pads in interior side yards and rear yards for residential properties. As part of a broader review of off-street parking standards and yard encroachments, the Plan Commission undertook policy discussions in late 2015 that ultimately informed the 2016 zoning text amendment.

Based on the December 2, 2015 Plan Commission meeting record, the Commission's recommendation to eliminate side-yard parking pads for residential properties was driven by the following considerations:

- **Protection of Residential Yard Function:**
Side yards were viewed as critical open areas for light, air, drainage, and separation between homes. Allowing parking in side yards was seen as incrementally eroding these functions, particularly on narrower residential lots.
- **Avoidance of Incremental Paving and Visual Clutter:**
Commissioners expressed concern that side-yard parking, when combined with expanded driveway widths, led to excessive paving along lot lines and reduced overall neighborhood green space.
- **Consistency and Enforceability:**
The Commission favored clearer, more enforceable standards. Limiting open-air parking to **rear yards only** provided a bright-line rule that was easier to administer than evaluating varied side-yard configurations on a case-by-case basis.
- **Neighborhood Character and Precedent:**
There was concern that continued allowance of side-yard parking pads could set a precedent for gradual intensification of front and side yard paving, altering the established character of single-family residential neighborhoods.
- **Alignment with Broader Parking Policy Direction:**
The December 2015 meeting also reflects a broader policy approach favoring *restrictions on front- and side-yard parking*, with any deviations in more visible yard areas requiring heightened scrutiny or discretionary review. This philosophy directly informed the subsequent 2016 amendments that restricted open-air parking pads to rear yards in residential districts.

As a result, the 2016 zoning amendment removed the allowance for side-yard open-air parking pads and limited such parking to rear yards only, while allowing existing installations to remain as legal non-conforming conditions.

2016 Village Board Action

The Plan Commission's recommendation was advanced to the Village Board and adopted through Ordinance No. 2016-3189, as reflected in the February 2, 2016 Village Board minutes. The ordinance amended Chapter 15 of the Zoning Code to state that:

- Open-air, off-street parking spaces may be located in rear yards only for residential properties.
- Open-air parking in front yards or side yards abutting a street is prohibited in residential districts.
- Such parking may be considered in certain non-residential districts only by special use permit.
- Existing side-yard and front-yard parking pads were allowed to remain as legal non-conforming structures.

This action formally codified the Plan Commission's policy preference for restricting visible yard parking and simplifying enforcement.

VILLAGE OF LINCOLNWOOD

ORDINANCE NO. 2016-3189

**AN ORDINANCE AMENDING SECTION 7.06 OF
THE VILLAGE OF LINCOLNWOOD ZONING ORDINANCE
REGARDING OFF-STREET PARKING IN REQUIRED YARDS**

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF LINCOLNWOOD
THIS 2nd DAY OF FEBRUARY, 2016.

Published in pamphlet form
by the authority of the
President and Board of Trustees
of the Village of Lincolnwood,
Cook County, Illinois
this 2nd day of February, 2016

ORDINANCE NO. 2016-3189

**AN ORDINANCE AMENDING SECTION 7.06 OF
THE VILLAGE OF LINCOLNWOOD ZONING ORDINANCE
REGARDING OFF-STREET PARKING IN REQUIRED YARDS**

WHEREAS, the Village of Lincolnwood is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs; and

WHEREAS, Article VII of the "Village of Lincolnwood Zoning Ordinance," as amended ("**Zoning Ordinance**"), sets forth certain regulations regarding the provision of off-street parking and loading spaces in the in the Village; and

WHEREAS, pursuant to Section 7.06(5) of the Zoning Ordinance, open-air, off-street parking spaces may not be located within front yards or corner side yards; and

WHEREAS, the Village President and Board of Trustees desire to amend Section 7.06(5) of the Zoning Ordinance to allow the location of open-air, off-street parking spaces within front and corner side yards in non-residential zoning districts in the Village, upon issuance of a special use permit therefor ("**Proposed Amendment**"); and

WHEREAS, pursuant to notice duly published in the Lincolnwood Review on September 24, 2015, the Village Plan Commission conducted a public hearing on October 14, November 4, and December 2, 2015, concerning the Proposed Amendment; and

WHEREAS, at the conclusion of the public hearing, the Plan Commission made findings and recommended that the President and Board of Trustees adopt the Proposed Amendment, as set forth in this Ordinance; and

WHEREAS, having considered the findings and recommendations of the Plan Commission, the President and Board of Trustees have found and determined that the adoption of the Proposed Amendment, as set forth in this Ordinance, is in the best interests of the Village and its residents;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNWOOD, COOK COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Additions are bold and double-underlined; ~~deletions are struck through.~~

SECTION 2. GENERAL STANDARDS FOR OFF-STREET PARKING FACILITIES.
Section 7.06 of Article VII of the Zoning Ordinance is hereby amended further to read as follows:

"7.06: GENERAL STANDARDS FOR OFF-STREET PARKING FACILITIES.

* * *

- (5) In yards. ~~Open-air~~ **Subject to the provisions set forth in this Section 7.06, open-air**, off-street parking spaces, may be located in: **(a) any rear yard, in any zoning district; and (b) in** ~~except a front yard and or a side yard abutting a street, subject however to the provisions herein~~ **but only within the B-1, B-2, B-3, O-1, M-B, and P Districts, and only upon the issuance of a special use permit therefor pursuant to the procedures set forth in Section 5.17 of this Zoning Ordinance.**"

* * *

SECTION 3. SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance are to remain in full force and effect, and are to be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 4. EFFECTIVE DATE. This Ordinance will be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

[SIGNATURE PAGE FOLLOWS]

Additions are bold and double-underlined; ~~deletions are struck through.~~

PASSED this 2nd day of February, 2016.

AYES: Trustees Cope, Patel, Elster, Spino, Klatzco

NAYS: None

ABSENT: President Turry, Trustee Bass

ABSTENTION: None

APPROVED by me this 2nd day of February, 2016.



Lawrence A. Elster, President Pro-Tem
Village of Lincolnwood, Cook County, Illinois

ATTESTED and FILED in my office this 2nd
day of February, 2016.



Beryl Herman, Village Clerk
Village of Lincolnwood, Cook County, Illinois

Additions are bold and double-underlined; deletions are struck through.



**MEETING MINUTES
OF THE
PLAN COMMISSION
DECEMBER 2, 2015 – 7:00 P.M.**

**LINCOLNWOOD VILLAGE HALL
COUNCIL CHAMBERS
6900 NORTH LINCOLN AVENUE
LINCOLNWOOD, ILLINOIS 60712**

MEMBERS PRESENT:

Chairman Paul Eisterhold
Irving Fishman
Patricia Goldfein
Anthony Pauletto
Don Sampen
Mark Yohanna

MEMBERS ABSENT:

Steven Jakubowski

STAFF PRESENT:

Timothy M. Clarke, AICP, Community Development Director
Aaron N. Cook, AICP, Community Development Manager
Hart N. Passman, Village Attorney

I. Call to Order

Chairman Eisterhold noted a quorum of 4 members and called the meeting to order at 7:03 p.m.

II. Pledge of Allegiance

III. Approval of Minutes

Motion to approve the November 4, 2015 Meeting Minutes, as amended, was made by Commissioner Fishman and seconded by Commissioner Yohanna.

Aye: Fishman, Yohanna, and Sampen

Abstained: Pauletto, and Eisterhold

Nay: None

Motion Approved: 3-2

IV. Case #PC-11-15: Public Hearing: Proposed Text Amendment – Short-Term Rental Property

This Public Hearing is a discussion for a proposed Zoning Code text amendment relative to short-term rental property. Mr. Passman stated this is a policy discussion and recommendation that originated from the Village Board. In reviewing this recommendation, the key issues to address are: 1) should this use be regulated; 2) how to define short-term rental property; 3) where should short-term properties be allowed; 4) if this use is permitted, should it be by right or by Special Use; and 5) if allowed, should any conditions or restrictions be written into the Code. Currently, the Zoning Code is unclear and does not expressly differentiate between a regular or traditional residential use. The length of short-term rental properties is what needs to be clarified.

The first topic for discussion was if this use should be licensed. Mr. Passman stated that if the Village goes forward with a licensing process, this would no longer be an amendment to the Zoning Code and not under the jurisdiction of the Plan Commission. Licensing would be more akin to a business license. If a licensing process is preferred, a business license would be required with additional restrictions such as insurance and inspection requirements.

When asked about Chicago's vacation rental policy, Mr. Passman read into the record the City of Chicago's requirements pertaining to short-term rental properties. Also discussed was the Village of Lincolnshire's new regulations in adopting this use.

A short-term rental property can be categorized either as a business, i.e. a hotel/motel or routine property ownership and the ability to rent out your property. To define short-term rental properties, the goal is to determine what is the minimum duration that a single-family home rental continues to be a single-family use. This use differs from a bed and breakfast as this use is not allowed in residential districts. A bed and breakfast is defined as private, owner-occupied business in a single-family residence where overnight accommodations and a morning meal are provided to transients for compensation.

Mr. Clarke stated that this matter came to the Village's attention from two separate properties that were rented out on a nightly or weekend basis. These properties were advertised on a popular short-term rental property website. The neighbors had safety concerns and they do not want a business operating in a single-family residential district. Mr. Clarke further stated that a resident who lives by one of these homes was to present testimony at the November 4, 2015 Plan Commission meeting. Unfortunately, this resident was unable to attend this meeting. Commissioner Yohanna spoke with this resident and summarized his concerns for the record.

The Commissioners agreed to move forward with defining short-term rental properties as a text amendment to the Zoning Code and not as a licensing process.

There was a lengthy discussion as to the specific verbiage and the length of time of the proposed definition. The recommended definition reads "A building or portion thereof that is primarily held out for rent on a nightly, weekly, or monthly basis for overnight lodging for transient guests." The alternative definition reads "A building or portion thereof that is held out for rent on a nightly, weekly, or monthly basis for overnight lodging for transient guests for more than ?? months during a 12-month period." Once a definition is

established, the next step is to define in what zoning district(s) should this use be considered. After much deliberation, Mr. Passman stated that the agreed-upon language of the proposed definition be “A building or portion thereof that is held out for rent for a period of less than 30 days for overnight lodging for transient guests.”

Zoning of Short-Term Rental Property

Zoning District	Permitted Use	Special Use	Prohibited Use
R-1 Residential			X
R-2 Residential			X
R-3 Residential			X
R-4 Residential			X
B-1 Traditional Business			X
B-2 General Business			X
B-3 Village Center PD			X
O Office			X
M-B Light Manufacturing/Business			X

All the Commissioners, with the exception of Commissioner Sampen, agreed with the blanket prohibition of short-term rental properties. Commissioner Sampen would like to see short-term rental properties as a Special Use; a blanket prohibition is too restrictive. Mr. Passman replied that if this was a Special Use, the homeowner would have to show hardship as to why they need to rent out their property on a short-term basis, which is not the route that the Plan Commissioners would like to see happen.

Chairman Eisterhold asked if anyone in the audience had any comment regarding this Public Hearing. Mr. Howard Handler of the North Shore Barrington Association of Realtors, 450 Skokie Boulevard, Northbrook, Illinois, spoke of his experience in Evanston regarding short-term rental properties. Mr. Handler believes that the Evanston ordinance is a good model balancing people’s property rights with neighborhood preservation and harmony. The primary concern are the homeowners who continually rent out their property which disrupts the neighborhood.

Mr. Handler mentioned some of the exemptions that Evanston has in place, and there has been no complaints since they adopted their ordinance a couple of years ago. This list of exemptions can be found in the Plan Commission packet as attachment #7 to the staff report. Commissioner Sampen would like to add some of the proposed exemptions to the proposed language.

Mr. Donald Gelfund, 7310 Tripp Avenue, spoke about the possibility of instituting a licensing process which could help alleviate any potential problems due to home and life safety inspections that would be paid for by the homeowner.

Motion to continue to the January 6, 2016 Plan Commission meeting was made by Commissioner Yohanna and seconded by Sampen.

Aye: Yohanna, Sampen, Fishman, Goldfein, Pauletto, and Eisterhold

Nay: None

Motion Approved: 6-0

V. Case #PC-13-15: Public Hearing: Zoning Code Text Amendment – Prohibition of Front Yard Parking

Mr. Cook outlined the options for the prohibition of front yard parking. The options to be considered are:

1. **No Change: Retain Existing Prohibitions** which is to continue to prohibit parking between commercial buildings and the front and/or corner side lot line. Any new or expanded off-street parking proposed would require a Variation and proof of a zoning hardship;
2. **Eliminate Prohibition Altogether** which is to remove the prohibition and permit off-street parking in any location on a commercial property. This would not eliminate the landscape requirements for off-street parking (i.e. perimeter landscape areas, landscape islands, etc.);
3. **Modify Prohibition to Allow Parking in Through Lots and Corner Side Yards** which is to allow off-street parking in corner side yards or through lots on commercial property. This would expand opportunities for new/expanded parking on corner lots and through lots. This option would continue to prohibit off-street parking between a commercial building and front lot lines. This would not eliminate the landscape requirements for off-street parking (i.e. perimeter landscape areas, landscape islands, etc.);
4. **Modify Prohibition by Zoning District** which would review each non-residential district and the appropriateness within each district to eliminate the prohibition (Option #2) and/or modify to allow in corner side yards or through lots (Option 3); or
5. **Modify Prohibition to Make Off-Street Parking in Front and/or Corner Side Yard a Special Use** which would modify the review process which would take the consideration from a Variation, requiring zoning hardship and consideration by the Zoning Board of Appeals, and shifting the review to a Special Use and heard by the Plan Commission.

Commissioner Fishman would like to eliminate the prohibition (Option #2 with the exception of the Lincoln Avenue Corridor) altogether citing that almost all of the commercial properties are currently legal nonconforming uses, and a Variation process is burdensome and unfair. Staff replied that the reoccupancy of tenant space, as long as the new use is permitted and does not result in the increase in intensity of parking, would be able to retain the current parking use. Commissioners Goldfein, Pauletto, Sampen, and

Eisterhold would like to go forward with the Special Use (Option #5). Commissioner Eisterhold would like to see more landscaping screening.

Chairman Eisterhold asked if anyone in the audience had any comment regarding this Public Hearing. Let the record state that no one came forward.

Motion to modify the prohibition to make off-street parking in the front and/or corner side yard a Special Use in non-residential zoning districts was made by Commissioner Sampen and seconded by Commissioner Pauletto.

Aye: Sampen, Pauletto, Goldfein, Fishman, and Eisterhold

Nay: None

Motion Approved: 5-0

VI. Other Business

Motion to approve the modified 2016 Plan Commission schedule was made by Commissioner Goldfein and seconded by Commissioner Pauletto.

Aye: Goldfein, Pauletto, Fishman, Sampen, and Eisterhold

Nay: None

Motion Approved: 5-0

Commissioner Fishman addressed staff about the updated project list that was included in the packet and would like to be updated on all phases of future projects, not just from a Plan Commission and Village Board level. Staff will expand the list to include building permit status, etc. Commissioner Fishman passed out the Establishment and Conduct and Powers and Duties of the Plan Commission which gives the right to the Plan Commission to initiate studies to present to the Village Board. Additionally, Commissioner Fishman requested staff to recommend modifications to the sign ordinance to allow signage directing customers to available off-site parking.

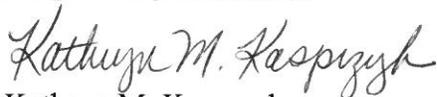
Motion to adjourn was made by Commissioner Pauletto and seconded by Commissioner Sampen. Meeting adjourned at 9:15 p.m.

Aye: Pauletto, Sampen, Goldfein, Fishman, and Eisterhold

Nay: None

Motion Approved: 5-0

Respectfully submitted,



Kathryn M. Kasprzyk

Community Development Coordinator

Community	1. Maximum Width of Circular Driveways	2. Measurement Methodology	3. Circular Driveways and Parking Pads	4. Permitting of New Circular Driveways	Examples	
Park Ridge	<p>•What is the maximum permitted width for a circular driveway in your community?</p> <p>•Does your ordinance differentiate between:</p> <ul style="list-style-type: none"> o Entry width at the curb or property line, and o Interior width along the circular portion of the driveway? 	<p>•How is driveway width measured in your municipality?</p> <ul style="list-style-type: none"> o At the entrance/curb cut? o At the interior/center loop? o At the widest point? <p>•Do you use a uniform measurement standard for all driveways, or are separate standards applied for circular driveways?</p>	<p>•Are circular driveways considered or allowed to function as parking pads in your zoning or property maintenance code?</p> <p>•If not permitted:</p> <ul style="list-style-type: none"> o Are there restrictions on parking on circular driveways? o Is additional pavement in the front yard treated separately from the circular driveway standard? 	<p>•Are new circular driveways allowed in single-family residential districts?</p> <p>o If yes:</p> <ul style="list-style-type: none"> •What standards or criteria apply (lot size, frontage, spacing between openings, driveway width, etc.)? <p>o If no:</p> <ul style="list-style-type: none"> •Are there exceptions or variations that may be granted? 	 <p>Vernon ave</p>	 <p>Vernon ave</p>
Waukegan	<ul style="list-style-type: none"> o Driveway width is measured at the lot line o 22 feet 	Uniform measurement for all driveways	Yes, they are generally allowed on streets that have a high traffic count, but unfortunately, that is not codified.	As stated above, if a residence is on a street with high traffic counts, that is taken into account by staff and circular driveways are permitted with the same regulations as regular driveways (22 feet width) Yes, they must go through the variance process to have two curb cuts, only one is allowed by code. As mentioned above, if the residence is located on a street with a large number of cars, that is taken into account when making our decision.		
North Chicago	We do not have anything prohibiting a circular drive, but it is not otherwise referenced. Subject to our maximum 20ft width at any property line, the lot coverage requirements of the zoning district, and maximum number of driveway entrances (2 are allowed if area of property is 10K square feet or more). If two driveways are permitted they must be 50 feet apart or more and alley access does not count as an access point.				 <p>Dickey Ave</p>	
Oak Lawn	Circular driveways. 2 entrances to the property, are considered existing, non-conforming.			Not to be installed as a new project. Any new circular driveway must be petitioned for before the Zoning and Planning Commission subject to the provisions of sections 2-1-1-2 and 2-1-1-3 of this code.	 <p>91st street</p>	
Deerfield	Minimum width of 10ft, side setback of five feet, not allowed to exceed 24ft in width					
Skokie	No maximum on private property. There is a maximum width where a driveway abuts the public walk		Circular driveways are not allowed unless they lead to an approved off-street parking space in a garage, on the side of the house or in the rear yard. There is a maximum impermeable surface coverage in front yards – see Section 118-122. There are no restrictions on parking on a circular driveway if it is installed per code.	There are no lot size requirements to install a circular driveway. As long as the coverage requirements are met and the driveway leads to an approved parking space you can have one. Skokie recently passed an ordinance prohibiting new curb cuts if the lot abuts an improved alley (not a grass unimproved alley)	 <p>Kostner ave</p>	
Niles	12ft max width					
Mt Prospect	Circular And Dual Frontage Driveways: Circular or dual frontage driveways for lots with a lot width of seventy five feet (75') or greater shall meet these minimum requirements: <ul style="list-style-type: none"> a. Minimum Turning Radius: The circular drive portion of the driveway shall have a minimum turning radius of fifteen feet; b. Width: The circular drive portion of the driveway shall have a minimum width of twelve feet (12') and a maximum allowable driveway width of twenty six feet (26'), as measured both at the lot line and at the entrance to the garage. 	Vehicle Turnaround Pads: Driveways fronting onto a major arterial street, as defined in the Village's comprehensive plan, may provide a vehicle turnaround pad no larger than twelve feet (12') in depth as measured parallel to the front lot line, and ten feet (10') in width as measured perpendicular to the front lot line. The vehicle turnaround pad shall be located entirely on the property, perpendicular to the driveway, and at least fifteen feet (15') from the principal structure. The turnaround pad may be in addition to the overall permitted driveway width.				
Glenview	No maximum width	Maximum 30 feet wide at entrance/curb cut. No interior/center loop measurement requirement	Yes, permitted as a parking pad. No commercial vehicles allowed to be parked over night or long term.	Yes, new circular driveways are allowed in single family districts, but they must have <ol style="list-style-type: none"> 1. A minimum 75 foot frontage 2. A minimum front setback of 45 feet from the principle structure on the lot 3. Driveway curb cuts must be located at least 20 feet from the edge of a curb or pavement of adjacent public roadways, streets or intersections 		
Des Plaines	Driveway apron width at the property line must: (i) match the width of the driveway at the property line; and (ii) be straight-flared 3'-0" on each side to the street. For example: A driveway apron for a 20-foot-wide driveway would be 20 feet wide at the property line and 26 feet wide at the street.	Uniform measurement for all driveways	No and No <ul style="list-style-type: none"> o Any surface designed and intended for use as vehicle parking/access will be classified as a part of the driveway. Separate surfaces (i.e., patios, walkways, porches, etc.) are governed under different regulations. 	No. <ul style="list-style-type: none"> •A major variation application can be submitted but requires City Council approval •that no permit for a driveway more than eighteen feet (18') in width at the sidewalk with a three foot (3') flare to the curb cut on either side in districts zoned for residences and apartments shall be granted without approval by the city council. 	 <p>N wolf road</p>	 <p>N wolf road</p>
Morton Grove	12-2-5.B.5 Driveways For a lot line with two (2) driveway approaches, the driveway may be maintained and replaced in kind, provided that such driveway shall not be relocated, expanded or enlarged, and that such driveway is not located on a lot that exceeds maximum permitted impermeable lot coverage maximum pursuant 12-4-2.D. For a lot line with two (2) driveway approaches, each approach shall be limited to a maximum width of sixteen feet (16') at any front or street side lot line.		Technically, the circular drives provide for an accessory parking space in a front yard which is not permitted, but we have not historically enforced that aspect of our code for circular drives.	We do not allow for new circular drives, but do permit replacement in-kind.	 <p>7621 Church St</p>	 <p>Church street</p>

Surrounding Community Research

1. Communities That Allow Open-Air Parking Pads in All Yards

Park Ridge

Allowed:

- Open-air parking pads are permitted in all yards, including front, side, and rear yards.
- No requirement that the pad connect to a garage or driveway.
- Pads may encroach into required yards.

Regulated By:

- Minimum size equivalent to a standard parking space (8.5' x 18').
- Pads count against required open space, not lot coverage.
- Hard, all-weather surfaces required.

Not Permitted:

- Gravel surfaces.

Approval:

- Building permit only.

2. Communities That Allow Parking Pads in Some Yards, With Conditions

Waukegan

Allowed:

- Side yards and rear yards by right.
- Front and corner side yards only if there is a garage within 20 feet of the front building line and wider than the maximum driveway width.
- Pads off alleys permitted.

Regulated By:

- One-foot side setbacks.
- Maximum paving width tied to garage width or capped at 20 feet.
- Impervious surface limits (40% per yard).

Not Permitted:

- Gravel and reinforced turf.

Approval:

- Building permit and engineering review.

North Chicago

Allowed:

- Parking pads in all yards, but only when attached to an existing driveway.

Regulated By:

- Maximum pad width of 50% of lot width.

Not Permitted:

- Gravel.

Approval:

- Building permit only.

Deerfield

Allowed:

- Parking pads only in the front yard of residential properties.

Regulated By:

- Maximum impervious surface coverage of 40% of the required front yard.

Not Permitted:

- Non-hard surfaces.

Approval:

- Building permit and engineering approval.

Skokie

Allowed:

- Parking pads only in interior side yards (not abutting a street) or rear yards.

Regulated By:

- Dimensional standards tied to driveway access.

Not Permitted:

- Front yards.
- Gravel or turf.

Approval:

- Building permit only.

Niles

Allowed:

- Side and rear yards only.
- Must be located behind the front building line and at least one foot from lot lines.
- Must be attached to a driveway.

Regulated By:

- Maximum area of 450 square feet (including connecting pavement).
- Must comply with overall lot impervious surface limits.

Not Permitted:

- Front yards.
- Pads not connected to a driveway.

Approval:

- Building permit only.

Mt. Prospect

Allowed:

- Parking pads in all yards only when accessed via a driveway serving an attached garage.

Regulated By:

- Minimum width of 8 feet.
- Maximum area of 200 square feet.
- Counts toward maximum driveway width.
- Adjacent flatwork included in total area.

Not Permitted:

- Gravel.

Approval:

- Engineering and planning review during permit process.

Glenview

Allowed:

- Parking pads in all yards.

Regulated By:

- Cannot encroach into no-build zones or easements.
- Must comply with maximum impervious surface coverage for the lot.

Permitted Materials:

- Concrete, asphalt, pavers, permeable pavers, gravel, and turf.

Approval:

- Building permit only.

Morton Grove

Allowed:

- Parking pads in side and rear yards only.
- Must be connected to a driveway or alley.

Regulated By:

- Minimum 3-foot setbacks.
- Maximum lot coverage varies by zoning district (55–65%).

Not Permitted:

- Front yards or street-side yards.

Approval:

- Building permit; variations required for setbacks or coverage relief.

3. Communities That Do Not Allow Open-Air Parking Pads

Oak Lawn

- Open-air parking pads are not permitted on residential properties.

Des Plaines

- Open-air parking pads are not permitted.
- All parking areas must comply with driveway standards tied to garage capacity.

Policy Takeaway:

These communities rely exclusively on garages and driveways to meet off-street parking needs and do not provide flexibility for standalone parking pads.

Overall Policy Trends Observed

Most Communities:

- Allow parking pads in some form, but rarely without conditions.
- Strongly regulate front-yard parking pads or prohibit them outright.
- Require pads to be:
 - Connected to a driveway or garage, and/or
 - Limited by impervious surface or open-space calculations.
- Prohibit gravel and non-durable surfaces.

More Permissive Approaches:

- Park Ridge and Glenview allow pads in all yards with fewer location constraints.

More Restrictive Approaches:

- Oak Lawn and Des Plaines prohibit parking pads entirely.
- Skokie, Niles, and Morton Grove prohibit front-yard parking pads.

Community	Do you allow open-air parking pads on residential properties?	In which locations on a residential lot are parking pads permitted?	Do you have regulations or standards governing these parking pads?	Do you require screening for these parking pads?	What materials are permitted for parking pads?	Do you require any special approvals?
Park Ridge	Yes, all residential zoning districts	Parking pads are permitted encroachments in all yards, no building line or attached to driveway restrictions	We require the pads to be at least as wide and long as a standard parking space (8.5 x 18 is our standard). The pads count against Open Space, which is a minimum requirement on our residential zoning lots of grass and landscaping. This is separate from Lot Coverage restrictions. There is no setback distance required from adjacent lot lines.	No	The only material not permitted would be gravel. Grass-crete is something our engineering team must sign off on, but is permissible. Basically the parking surface has to be a hard surface, all-weather dustless material.	No, just a building permit
Waukegan	Yes, allowed in all residential zoning districts as a type of driveway	Front yard - only if there is a garage within 20ft of the front building line that is wider than maximum allowed driveway Side Yard - yes Corner side yard- only if there is a garage within 20ft of the front building line that is wider than maximum allowed driveway Rear yard- yes Parking pads are allowed off alleys	Setback- one foot from adjacent properties Maximum paving width - width of the garage or 20ft if there is no garage; Impervious surface coverage - max is 40% of any yard except interior side; Relationship to existing driveway - Parking pads are allowed to extend beyond maximum driveway width to match the width of the garage	No	Materials - Concrete and Asphalt; Pavers and permeable pavers require special approval from DRB; Gravel and reinforced turf are prohibited	Building permit and engineering review
North Chicago	Yes, allowed in all residential zoning districts	Allowed in all yards only when attached to an existing driveway	Parking pad may not exceed 50% of lot width	No	Concrete, asphalt, pavers, and permeable pavers are permitted Gravel is prohibited	No, just a building permit
Oak Lawn	NO					
Deerfield	Yes, allowed in all residential districts	The parking pad would only be permitted in the front yard of the residence	There is a maximum impervious surface regulation of 40% of the required front yard, no setback requirements	No	Materials for parking pads or driveways shall be concrete, asphalt, pavers or permeable pavers.	A building permit and engineering permit/approval would be required for parking pad replacement or new installations.
Skokie	Yes, allowed in all residential districts	Only permitted in side yard (not abutting a street) or rear yard	Yes, but did not list	No	Permitted materials: concrete/asphalt/pavers/ permeable pavers Non permitted: gravel or turf	No, just a building permit
Niles	Yes, allowed in all residential districts	Parking pads are prohibited in the front yard and the required corner side setback and must be located behind the front building line and a minimum of one foot from any lot line.	Parking pads are only allowed when they are attached to a driveway Parking pads are limited to a maximum of 450 square feet and must be connected to the driveway. The additional paved area used to connect the driveway to the parking area is included in this maximum square footage.	No	Parking pads may be a permeable surface but the maximum impervious surface requirement for the lot may not be exceeded to accommodate a parking pad	No, just a building permit
Mt Prospect	Yes, allowed in the single family residential zoning district	Parking pads shall be accessible via a driveway serving an attached garage and may encroach into required yards. Allowed in all yards	Parking pads shall be a minimum of eight feet (8') in width and shall not exceed two hundred (200) square feet in area. All adjacent flatwork (sidewalks, patios) shall be calculated into the parking pad's total area. Parking pads shall be included in any maximum driveway width calculation, measured at the point where the parking pad meets the driveway.	No	Permitted Materials - Concrete, asphalt, pavers, and permeable pavers Gravel is prohibited	Engineering and planning review occurs during building permit review
Glenview	In all residential zoning districts	Parking pads would be permitted in all yards, but could not encroach into a no-build-zone or easement.	A parking pad is typically impervious paver or asphalt, so a parking pad cannot bring a lot over their maximum impervious lot coverage. There are no setbacks for parking pads (similarly to how there's no setback	No	Concrete, Asphalt, Paver, Permeable Paver, Gravel, and Turf. All permitted materials	Building Permit
Des Plaines	NO					
Morton Grove	Yes, in all residential districts	Open accessory parking spaces are not permitted within the front yard. They can only be located in side or rear yards (no portion may project into a front or street side yard).	They must adhere to our setback standards including being a min. 3' from all lot lines. (55%-65% max depending on the district). To be a legal parking space, they need to be adjacent/connected to a driveway or alley (i.e. you can't drive on grass to get the car to the pad). We do not require garage. Any setback or coverage waiver would require a variation.	No	An improved surface such as concrete, pavers, or asphalt	

Parking Pad by Community

Park Ridge

- Parking pads are permitted encroachments in all yards



Fairview Avenue

This pad is located in the front and side yards and is permitted



Fairview Avenue

This pad is located in the front yard and is permitted as there are no requirements for a garage connection.



Fairview Avenue

This pad is located in the front yard and is permitted as there are no requirements for a garage connection



Fairview Avenue

This pad is located in the front yard and is permitted as there are no requirements for a garage connection.



S Clifton Avenue

This pad is in the front yard and is permitted as there are no requirements for a garage connection.



S Clifton Avenue

This pad is in the front yard and is permitted as there are no requirements for a garage connection

Waukegan

- Front yard - only if there is a garage within 20ft of the front building line that is wider than the maximum allowed driveway
- Side Yard - yes
- Corner side yard- only if there is a garage within 20ft of the front building line that is wider than the maximum allowed driveway
- Rear yard- yes
- Parking pads are allowed off alleys



Massena Avenue

Parking Pad located in side yard is permitted by right



Parking pad located in side yard, extends into the rear permitted by right



Parking pad is located in side yard, with a driveway leading to it



Highland Avenue

Parking Pad located in side yard, extending into rear and is permitted by right



Highland Avenue

Parking Pad located in the side yard and is permitted by right

North Chicago

- Allowed in all yards only when attached to an existing driveway



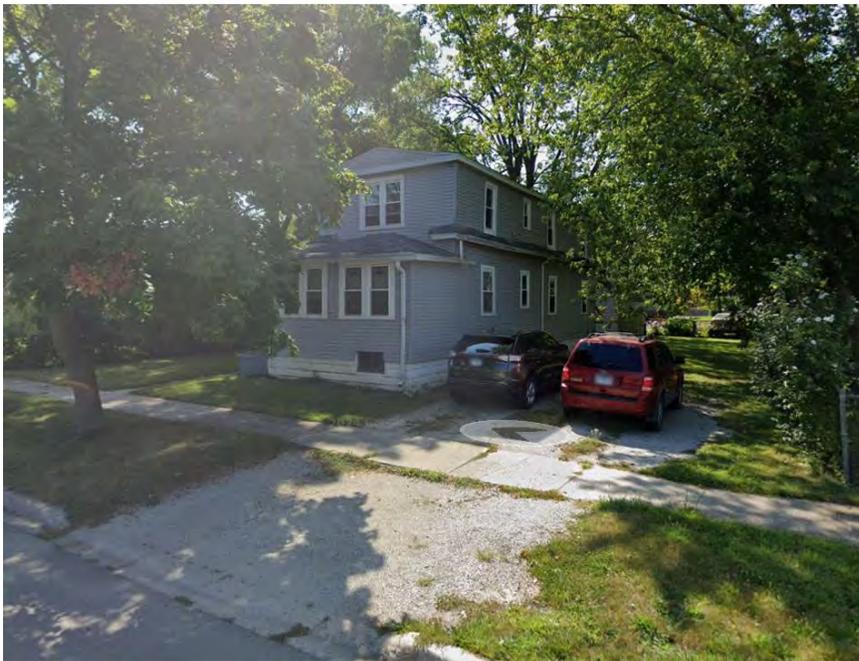
Parking Pad located in front yard



Parking pad located in front yard, attached to existing driveway



Parking pad located in front yard, attached to existing driveway



Parking Pad located in front side yard

Deerfield

- The parking pad would only be permitted in the front yard of the residence



Holly Lane

This pad is located in the front yard and is permitted as there are no requirements for a garage connection.



Broadmoor Place

This pad is located in the front yard and extends into the side yard.



Broadmoor Place

This pad is located in the front yard and extends into the side yard.



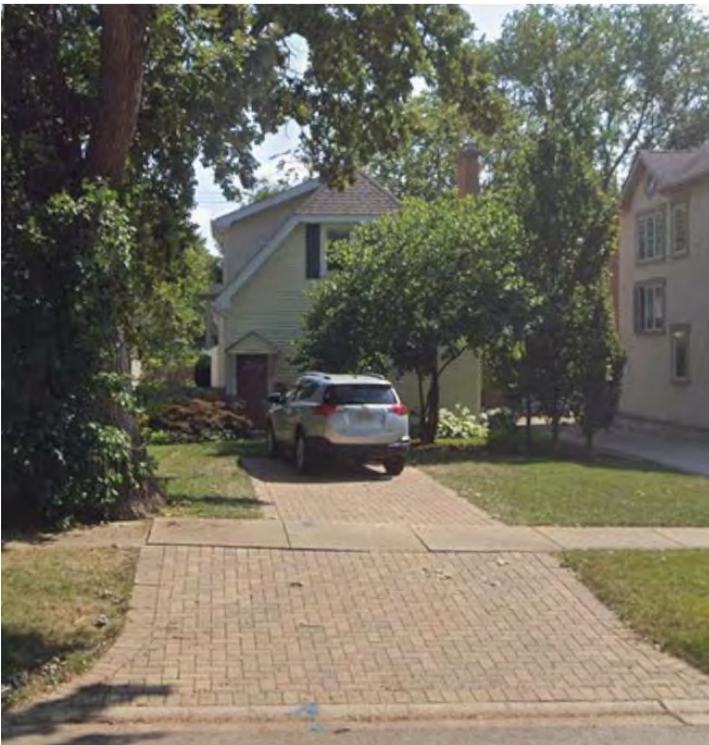
Broadmoor Place

This pad is located in the front yard and is permitted as there are no requirements for a garage connection.



Greenwood Avenue

This pad is located in the front yard and is permitted as there are no requirements for a garage connection.



Greenwood Avenue

This pad is located in the front yard and is permitted as there are no requirements for a garage connection.

Skokie

- Only permitted in side yard (not abutting a street) or rear yard



Parking Pad located in the interior side yard



Pad located in the interior side yard



Parking Pad extends into side yard



Parking pad located in the interior side yard

Niles

- Parking pads are prohibited in the front yard and the required side setback and must be located behind the front building line and a minimum of one foot from any lot line



Harlem Avenue

Pad is located in the side yard and is connected via driveway



Harlem Avenue

Pad is located in the side yard and is connected via driveway



W Seward Street

Pad is located in the rear and is accessed via driveway



W Oakton Court

Pad is located in the side/rear yard and accessed via driveway

Mt. Prospect

- Parking pads shall be accessible via a driveway serving an attached garage and may encroach into required yards.
- Allowed in all yards



N Wille Street

This pad is attached to a driveway that serves an attached garage, and is in the front yard, therefore permitted



N Wille Street

This pad is attached to a driveway that serves an attached garage, and is in the front yard, therefore permitted

Glenview

- Parking pads would be permitted in all yards, but could not encroach into a no-build-zone or easement



Dewes St

This parking pad is located in the front and side yard and is permitted as there are no garage connection requirements.



Shermer Road

This parking pad is located in the front and side yard and is permitted as there are no garage connection requirements.



Shermer Road

The Parking Pad is located in the rear yard and is accessed via driveway



Robincrest Lane

This pad is connected to a driveway that serves an attached garage and is permitted.



Wissing Lane

This pad is connected to a driveway that serves an attached garage and is permitted.

Morton Grove

- Open accessory parking spaces are not permitted within the front yard. They can only be located in side or rear yards (no portion may project into a front or street side yard).



School Street

This pad is located in the side yard and is permitted



School Street

This pad is located in the side yard and is permitted.



School Street

This pad is located in the side yard and extends to the rear to a paved area with no garage and is permitted.



Lincoln Avenue

This pad is located in the side yard and is permitted.

Circular Driveway Regulations – Surrounding Community Research

Park Ridge

- **Maximum Width:**
 - New circular driveway curb cuts limited to 9 feet.
- **Measurement Method:**
 - Reviewed jointly by Public Works and Zoning; focus is on widest point and curb cut width.
- **Parking Function:**
 - Circular driveways do not count toward required off-street parking, though vehicles may park on them.
- **Eligibility:**
 - Lots must generally be 70 feet or wider.
 - New curb cuts prohibited if an improved alley exists.
- **Key Takeaway:**
 - Circular driveways are tightly controlled and treated separately from parking pads.

Waukegan

- **Maximum Width:**
 - 22 feet, measured at the lot line.
- **Measurement Method:**
 - Uniform standard for all driveways (not differentiated for circular drives).
- **Approvals:**
 - Circular drives often require a variance due to the two-curb-cut limitation.
- **Parking Function:**
 - Allowed primarily on high-traffic streets, though not formally codified.
- **Key Takeaway:**
 - Circular driveways are allowed but heavily constrained by curb-cut rules.

North Chicago

- **Maximum Width:**
 - 20 feet at any property line.
- **Measurement Method:**
 - Measured at the property line, subject to lot coverage limits.
- **Driveway Count:**

- Two driveways allowed only on lots $\geq 10,000$ sq. ft. and must be 50 feet apart.
- **Parking Function:**
 - Circular drives are not explicitly regulated but must comply with driveway standards.
- **Key Takeaway:**
 - Circular driveways are indirectly regulated through width and lot coverage controls.

Oak Lawn

- **Status:**
 - New circular driveways are not permitted.
- **Existing Conditions:**
 - Existing circular drives are treated as legal non-conforming.
- **Approvals:**
 - Any new proposal requires Zoning & Planning Commission approval.
- **Key Takeaway:**
 - Strong policy stance against new circular driveways.

Deerfield

- **Maximum Width:**
 - Minimum 10 feet, maximum 24 feet.
- **Setbacks:**
 - 5-foot side setback required.
- **Measurement Method:**
 - Based on driveway width rather than loop geometry.
- **Key Takeaway:**
 - Allows circular driveways but with clear dimensional limits.

Skokie

- **Maximum Width:**
 - No maximum on private property, but front yard impervious coverage limits apply.
- **Measurement Method:**
 - Controls apply where driveway abuts the public sidewalk.
- **Parking Function:**

- Circular driveways must lead to a legal parking space (garage, side, or rear yard).
- **Restrictions:**
 - New curb cuts prohibited if an improved alley exists.
- **Key Takeaway:**
 - Circular driveways are allowed but cannot function as standalone front-yard parking pads.

Niles

- **Maximum Width:**
 - 12 feet.
- **Measurement Method:**
 - Measured at the **front lot line**.
- **Key Takeaway:**
 - Very narrow allowance; circular drives are treated similarly to standard driveways.

Mount Prospect

- **Eligibility:**
 - Lots must be at least 75 feet wide.
- **Dimensions:**
 - Minimum turning radius: 15 feet
 - Width: 12–26 feet
- **Measurement Method:**
 - Measured at both lot line and garage entrance.
- **Special Feature:**
 - Allows vehicle turnaround pads on arterial streets (10' x 12').
- **Key Takeaway:**
 - Most technically detailed and structured circular driveway standards.

Glenview

- **Maximum Width:**
 - 15 – 30 feet at curb cut; no interior loop limit.
- **Eligibility:**
 - Minimum 75-foot frontage and 45-foot front setback.

- **Parking Function:**
 - Circular driveways may function as parking pads.
- **Restrictions:**
 - No overnight commercial vehicles.
- **Key Takeaway:**
 - One of the most permissive communities, with strong dimensional safeguards.

Des Plaines

- **Maximum Width:**
 - Generally 18 feet at sidewalk unless City Council approves wider.
- **Measurement Method:**
 - Uniform for all driveways.
- **Approvals:**
 - Wider or nonstandard driveways require City Council approval.
- **Key Takeaway:**
 - Circular driveways are effectively discouraged unless formally approved.

Morton Grove

- **Status:**
 - New circular driveways are not allowed.
- **Existing Conditions:**
 - Replacement in-kind only.
- **Width Limits:**
 - Two approaches allowed, each max 16 feet.
- **Parking Function:**
 - Technically creates front-yard parking, but historically not enforced.
- **Key Takeaway:**
 - Similar to Oak Lawn: conservative policy, non-expansionary.

Community	1. Maximum Width of Circular Driveways -What is the maximum permitted width for a circular driveway in your community? -Does your ordinance differentiate between: o Entry width at the curb or property line, and o Interior width along the circular portion of the driveway?	2. Measurement Methodology -How is driveway width measured in your municipality? o At the entrance/curb cut? o At the interior/center loop? o At the widest point? -Do you use a uniform measurement standard for all driveways, or are separate standards applied for circular driveways?	3. Circular Driveways and Parking Pads -Are circular driveways considered or allowed to function as parking pads in your zoning or property maintenance code? -If not permitted: o Are there restrictions on parking on circular driveways? o Is additional pavement in the front yard treated separately from the circular driveway standard?	4. Permitting of New Circular Driveways -Are new circular driveways allowed in single-family residential districts? o If yes: §What standards or criteria apply (lot size, frontage, spacing between openings, driveway width, etc.)? o If no: §Are there exceptions or variations that may be granted?	Examples (if available)	
Park Ridge	Our Public Works Team coordinates with Zoning to dictate circular driveway width as Public Works provides sign off on the double curb cuts. Public Works mandates that the driveway widths cannot exceed nine (9) feet on new circular driveways. If there is an existing driveway and a resident is adding a circular component the other existing driveway can remain the size it is.	Driveways leading to detached garages have different specifications than those leading to attached garages. Typically, staff will look at the widest point of the driveway along with the entrance location.	All driveways aren't included in meeting the minimum off-street parking regulations for single-family homes. While you can park on them, they don't contribute to the required parking.	Lots must be at least 70 feet in width. Maybe not totally germane to what you all are trying to work on, but when there is an improved alley next to the property, a new curb cut is not permitted. Meaning a circular driveway couldn't be installed in this instance even if there was an existing curb cut for a driveway.	Vernon Ave 	Vernon Ave 
North Chicago	We do not have anything prohibiting a circular drive, but it is not otherwise referenced. Subject to our maximum 20ft width at any property line, the lot coverage requirements of the zoning district, and maximum number of driveway entrances (2 are allowed if area of property is 10k square feet or more). If two driveways are permitted they must be 50 feet apart or more and alley access does not count as an access point.				Dickey Ave 	
Oak Lawn	Circular driveways, 2 entrances to the property, are considered existing, non-conforming.			Not to be installed as a new project. Any new circular driveway must be petitioned for before the Zoning and Planning Commission subject to the provisions of sections 2-1-7-2 and 2-1-7-3 of this code.	91 st St 	

Skokie	No maximum on private property. There is a maximum width where a driveway abuts the public walk		Circular driveways are not allowed unless they lead to an approved off-street parking space in a garage, on the side of the house or in the rear yard. There is a maximum impermeable surface coverage in front yards – see Section 118-122. There are no restrictions on parking on a circular driveway if it is installed per code.	There are no lot size requirements to install a circular driveway. As long as the coverage requirements are met and the driveway leads to an approved parking space you can have one. Skokie recently passed an ordinance prohibiting new curb cuts if the lot abuts an improved alley (not a grass unimproved alley)	Kostner Ave 	
Des Plaines	Driveway apron width at the property line must: (i) match the width of the driveway at the property line; and (ii) be straight-flared 3'-0" on each side to the street. For example: A driveway apron for a 20-foot-wide driveway would be 20 feet wide at the property line and 26 feet wide at the street.	Uniform measurement for all driveways	No and No o Any surface designed and intended for use as vehicle parking/access will be classified as a part of the driveway. Separate surfaces (i.e., patios, walkways, porches, etc.) are governed under different regulations.	No, SA major variation application can be submitted but requires City Council approval §that no permit for a driveway more than eighteen feet (18') in width at the sidewalk with a three foot (3') flare to the curb cut on either side in districts zoned for residences and apartments shall be granted without approval by the city council.	N Wolf Rd 	N Wolf Rd 
Morton Grove	12-2-5:B.5 Driveways For a lot line with two (2) driveway approaches the driveway may be maintained and replaced in-kind provided that such driveway shall not be relocated, expanded or enlarged and that such driveway is not located on a lot that exceeds maximum permitted impermeable lot coverage maximum pursuant to 78_0_8. For a lot line with two (2) driveway approaches each approach shall be limited to a maximum width of sixteen feet (16') at any front or street side lot line;		Technically, the circular drives provide for an accessory parking space in a front yard which is not permitted, but we have not historically enforced that aspect of our code for circular drives.	We do not allow for new circular drives, but do permit replacement in-kind.	Church St 	Church St 
Deerfield	Minimum width of 10ft, side setback of five feet, not allowed to exceed 24ft in width					

Glenview	No maximum width	Maximum 30 feet wide at entrance/curb cut. No interior/center lot measurement requirement	Yes, permitted as a parking pad. No commercial vehicles allowed to be parked overnight or long term.	Yes, new circular driveways are allowed in single family districts, but they must have 1. A minimum 75 foot frontage 2. A minimum front setback of 45 feet from the principle structure on the lot 3. Driveway curb cuts must be located at least 20 feet from the edge of a curb or pavement of adjacent public roadways, streets or intersections		
Waukegan	o-Driveway width is measured at the lot line o 22 feet		Yes, they are generally allowed on streets that have a high traffic count, but unfortunately, that is not codified.	As stated above, if a residence is on a street with high traffic counts, that is taken into account by staff and circular driveways are permitted with the same regulations as regular driveways (22 feet width) Yes, they must go through the variance process to have two curb cuts, only one is allowed by code. As mentioned above, if the residence is located on a street with a large number of cars, that is taken into account when making our decision.		



Plan Commission/Zoning Board of Appeals Staff

Report

Case # TXTA-04-25

August 20, 2025

Nature of Request

The open-air parking pad text amendment item is being continued from the August 6, 2025, Plan Commission / Zoning Board (C-ZBA) meeting.

Consideration of a referral by the Village Board Committee of the Whole (COTW) to amend Article 7 of the Zoning Ordinance regarding the location and configuration of open-air, off-street parking pads in residential districts.

Notification

The notice was published in the Lincolnwood Review on *February 7, 2025*.

Background

2016 Zoning Text Amendment

Open-air parking pads were allowed in the interior side yard or rear yard of residential properties.

- Prohibited open-air parking pads in interior side yards for residential properties.
- Allowed for non-residential properties to be able to apply for a Special Use permit for open-air parking spaces in front or corner side yards.

COTW Discussions

The Committee of the Whole (COTW) discussed the topic of open-air, off-street parking pads in residential districts at two meetings—January 8, 2024, and September 17, 2024, following resident inquiries about parking location and construction on residential properties. Both meetings focused on balancing resident needs for additional off-street parking with regulatory considerations, including aesthetics, stormwater management, and parkway tree protection. Across both sessions, the COTW confirmed the current prohibitions in Section 7.06(5) of the Zoning Ordinance, supported staff's interpretation of driveway regulations, acknowledged a potential need for minimum driveway widths, and discussed possible changes to accommodate open-air parking pads in certain situations. The September meeting concluded with a referral of the matter to the Plan Commission/Zoning Board of Appeals (PC/ZBA) for further review.

January 8, 2024 COTW Meeting

- Confirmed that current regulations under Section 7.06(5) prohibit open-air parking pads in the front, corner side, and interior side yards of residential properties.
- Concurred with staff's interpretations regarding establishing open-air parking spaces and applying dimensional and design standards for residential driveways, including required tapering and sidewalk differentiation.

- Indicated that a minimum residential driveway width should be considered to ensure access to legal parking spaces (either in a garage or rear yard open-air parking pad).
- Discussed the visual impact of open-air parking pads in rear yards, noting some find them unattractive.
- Acknowledged that prohibiting pads in front or side yards can disproportionately affect properties without garages.
- Suggested landscaping as a possible requirement for front yard open-air parking pads to improve aesthetics.

September 17, 2024, COTW Meeting

- Continued the discussion on open-air parking pads, noting resident demand for additional off-street parking.
- Reiterated concerns regarding stormwater impacts, additional curb cuts, parkway tree preservation, and the number of parking spaces that could be located in the front yard.
- Recognized the need to balance functional parking solutions with community character and environmental considerations.
- Referred the matter to the PC/ZBA for more detailed review and policy recommendations.

PC-ZBA Discussions

April 16, 2025 Meeting

- Staff requested a continuance to allow additional research; policy discussion did not occur.
- Resident at 7107 N. Tripp expressed concern about delay and explained difficulty obtaining parking pad approvals under current regulations.

May 21, 2025 Meeting

- Staff presented detailed report outlining: existing restrictions, 347 legal non-conforming pads, and 11 possible policy options.
- Commissioners discussed:
 - Impacts of the 2016 zoning amendment and 50% front-yard impervious surface limit.
 - Greater hardships for smaller / narrow lots.
 - Aesthetic impacts and traffic safety related to pad location and orientation.
 - Differences in compliance feasibility across zoning districts and lot sizes.

The PC/ZBA unanimously voted to continue the discussion to August in order to review and vote on each policy factor prior to drafting a text amendment.

Current Regulations

Chapter 6 – Public Parks, Ways, and Properties

Regulates portions of a driveway located in the public right-of-way (driveway apron).

- *No driveway approach can be constructed for the sole purpose of being a parking space.*
- *The width of the driveway at the lot line cannot exceed the maximum width established in the Zoning Ordinance.*
- *The flare of the driveway approach shall not extend over the property line when extended to the curb.*

Chapter 15 – Zoning

Covers driveway and parking regulations on private property.

- *In residential districts, open-air parking pads are only permitted in rear yards and are prohibited in front, corner side, and interior side yards.*
- *For standard driveways, the maximum driveway width is 1/3 of the lot width or 20 feet, whichever is less.*
- *For circular drives, the maximum driveway width is 1/3 of the lot width or 12 feet whichever is less.*
- *The minimum distance between the driveway and side lot line is one foot.*

Existing Open-Air Off-Street Parking Pads

Staff worked with the GIS Consortium to inventory and analyze conditions related to existing open-air parking spaces, which can be found [here](#). While a more complete inventory of staff's analysis is provided as an *attachment to the September 17, 2024, COTW Staff Memo*, this section summarizes the most relevant findings related to legal non-conforming parking spaces on residential properties.

Total Residential Lots in Village: 3,560

Legal Non-Conforming Open-Air Parking Spaces: 347 lots (9.7% of all residential lots)

- **Compliant Alternatives:** 74 lots have an alternative, compliant parking configuration (e.g., separate driveway to garage or alley access).
- **By Location:**
 - 160 lots have non-conforming spaces in the front yard.
 - 187 lots have non-conforming spaces in the side yard.

By Zoning District:

- **R-3 District:** 291 of the 347 non-conforming spaces (11.8% of all R-3 lots).
- **R-4 District:** Highest percentage at 13.0% (39 of 300 lots).

By Lot Width:

- 171 lots are between 25 and 50 feet wide.
- 95 lots are between 50 and 100 feet wide.
- Only 11 lots exceed 100 feet in width.

Policy Considerations – Requested Action

Staff requests feedback from the Plan Commission/Zoning Board on the following policy consideration matters:

1. Location

Purpose: Determine whether open-air parking pads should be allowed in front yards, side yards, both, or remain restricted to rear yards in residential districts.

Relevant Code:

Section 7.06(5), Zoning Ordinance:

“...open-air, off-street parking spaces may be located in: (a) any rear yard, in any zoning district; and (b) in a front yard or a side yard abutting a street, but only within the B-1, B-2, B-3, O-1, M-B, and P Districts, and only upon the issuance of a special use permit...”

Under this regulation, open-air parking pads in residential districts are only permitted in rear yards. Front, corner side, and interior side yards are prohibited locations for such pads in residential zoning.

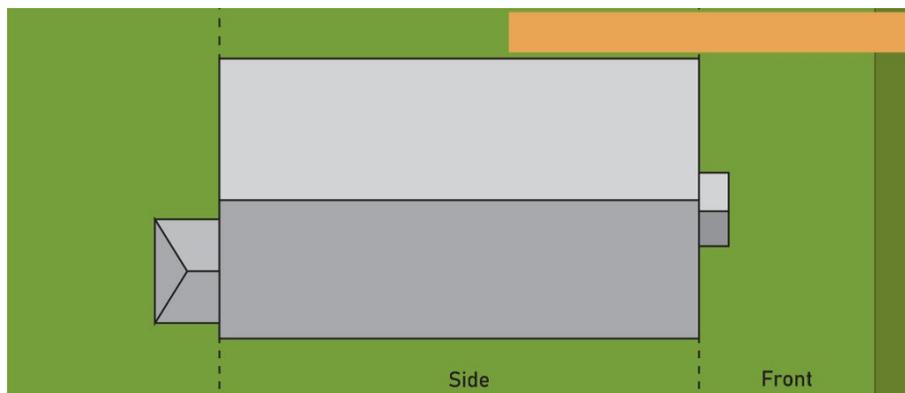
Scenario Changes Related to Yard	No. of Driveways that Become Legal	No. of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking in the front yard without a garage.	160	187	5.3%
Allow open-air parking in the side yard without a garage.	187	160	4.5%
Allow open-air parking in the front and side yards without a garage.	347	0	0%

Key Findings:

- **Side Yard Allowance** benefits the largest number of currently non-conforming properties, but feasibility depends on lot width, house location, and building footprint.
- **Front Yard Allowance** benefits fewer properties today but may be easier to implement long-term because it is less dependent on lot dimensions.
- **Both Front & Side Yard Allowance** would eliminate all current non-conforming properties but raises greater concerns for aesthetics, stormwater management, and potential impacts on neighborhood character.



Front Yard Parking Pad



Side Yard Parking Pad

Options:

- Keep current rules (rear yards only).
- Allow front yard parking pads without a garage.
- Allow side yard parking pads without a garage.
- Allow both front and side yard parking pads without a garage (full compliance).
- Combine allowance with design standards to address aesthetics, stormwater, and parkway tree protection.

2. Zoning District

Purpose: To evaluate whether regulations for open-air parking pads should vary by zoning district based on lot size, frontage, and other dimensional standards.

Scenario Changes Related to Zoning Districts	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking only in R1 and R2 district.	17	330	9.3%
Allow open-air parking only in R3 and R4 district.	330	17	0.5%
Allow open-air parking only in R3 district.	291	56	1.57%

Key Findings from table:

- **R-3** has the largest number of legal non-conforming properties (291), and R-4 has the highest percentage (13%) of lots with legal non-conforming pads.
- **Dimensional Constraints:** R-3 and R-4 lots tend to be narrower and smaller, limiting the ability to site compliant rear-yard pads.
- **Max Impact Scenario:** Allowing open-air pads in front and side yards for R-3 and R-4 could bring 94.9% of currently non-conforming lots into compliance.
- **Minimal Impact in Larger-Lot Districts:** R-1 and R-2 would see little change because lot sizes generally support rear-yard compliance.

Options:

Allow in R-3 and R-4 Only

- Addresses districts where lot dimensions create the greatest compliance challenges.
- Brings 330 of 347 non-conforming properties into compliance.

Allow in All Residential Districts (R-1 through R-4)

- Creates uniformity but may allow parking pads in districts where they are not needed, potentially impacting aesthetics, stormwater management, and parkway trees.

3. Maximum Front Yard Coverage

Purpose: Evaluate the 50% impervious surface limit in the front yard for properties seeking a parking pad.

Relevant Code:

Section 3.09(4)(b): Impervious surface coverage of front yards shall not exceed 50%.

Options:

- Maintain 50% limit for all properties: Preserves green space, protects stormwater capacity, but limits flexibility—especially for smaller lots.
- Allow higher coverage for smaller lots.
- Require permeable pavers.

4. Open-Air Parking Spaces and Lot Width

Purpose: Evaluate whether eligibility for open-air parking spaces should be based on lot width rather than zoning district, to address space constraints on narrower lots.

Relevant Code:

Section 7.06(3): Maximum driveway width in residential districts is 1/3 of the lot width or 20 feet (whichever is less).

Scenario Changes Related to Lot Width	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	284	7.98%
Allow open-air parking on properties with lot width less than 100 feet	273	11	0.31%
Allow open-air parking on properties with lot width less than 90 feet	271	13	0.37%
Allow open-air parking on properties with lot width less than 60 feet	231	53	1.49%
Allow open-air parking on properties with lot width less than 50 feet	178	106	2.98%

Key Findings:

- Narrower lots (under 60 feet) face the greatest difficulty complying with current rules due to limited side yard space and impervious coverage restrictions.
- Allowing parking on lots under 100 feet wide would legalize nearly all current non-conforming properties (273 of 284).
- Narrow-lot allowances would target relief where it’s most needed without affecting larger-lot properties that can already comply.

Options:

1. **Maintain Current Rules:** Apply the same standards regardless of lot width.
2. **Tiered Flexibility:** Allow front/side yard parking on lots below a certain width threshold (e.g., 60 feet or 90 feet).
3. **Maximum Width Threshold:** Permit flexibility only for lots under 100 feet wide to capture nearly all non-conforming properties.

5. Driveway connection

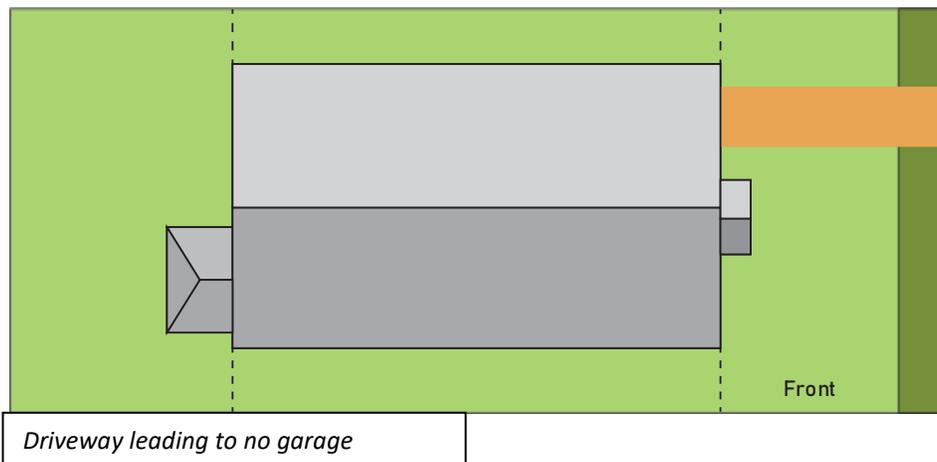
Purpose: Determine whether a driveway must lead to a garage.

Staff interpretation:

Any driveway not leading to a garage is considered an “open-air, off-street parking space” and must be located in the rear yard.

Options:

- Maintain the requirement that driveways lead to a garage or rear-yard pad.
- Allow driveways to terminate at a front/side yard pad under certain conditions.
- Require landscaping or screening if no garage.



6. Maximum Front Yard Coverage

Purpose: Reevaluate the 50% impervious surface limit in the front yard for properties seeking a parking pad.

Relevant Code:

Section 3.09(4)(b): Impervious surface coverage of front yards shall not exceed 50%.

Options:

- Maintain 50% limit for all properties.
- Allow higher coverage for smaller lots (graduated standard).
- permeable pavers from the coverage calculation.
- Key Considerations:
- Balancing green space preservation with functional parking.
- Impact on drainage and stormwater management.

7. Aesthetics

Purpose: Ensure parking pads fit the neighborhood character.

Options:

- Require decorative paving, paver stones, or stamped concrete.
- Require perimeter landscaping or shrubs.
- Encourage parallel parking pads for major streets (reduce backing into traffic).

8. Stormwater and Environmental Impact

Purpose: Address environmental effects of increased pavement.

Options:

- Require permeable pavement or porous concrete.
- Restrict new curb cuts to protect parkway trees.
- Require stormwater mitigation plan for pads over a certain size.

9. Number of Vehicles / Pad Size Limits

Purpose: Prevent excessive front yard parking.

Options:

- Require minimum maneuvering space
- Set maximum pad dimensions separately from driveway width.
- Require minimum maneuvering space.

10. Number of Driveways

Purpose: Address potential impacts of multiple driveway access points on safety, aesthetics, stormwater, and parkway trees, while balancing resident convenience.

Options:

- Maintain current practice of allowing one driveway per residential property, unless otherwise approved through a variation or special use.
- Permit a second driveway only if it meets strict criteria (e.g., corner lot, minimum frontage width, documented safety/turning need).
- Prohibit second driveways entirely for single-family residential lots.

11. Parking Pad Orientation

Purpose:

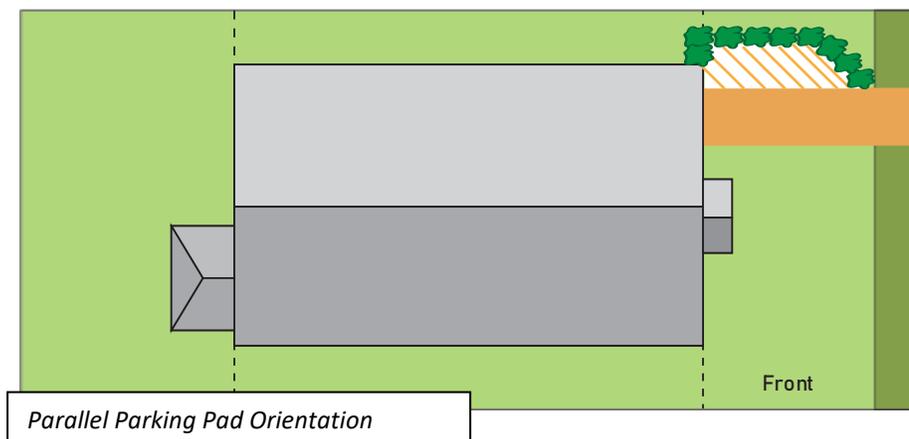
Determine whether front-yard open-air parking pads should be required to be parallel to the front lot line (preferred for safety and maneuverability) or if perpendicular pads should also be allowed.

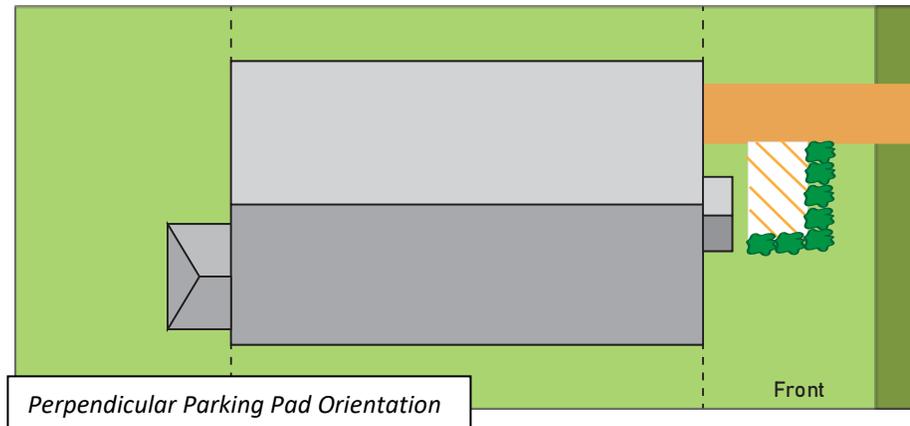
Key Findings:

- Parallel orientation can improve traffic safety by allowing vehicles to pull forward into and out of the space without backing into the street — particularly beneficial on busy or narrow roads.
- Perpendicular orientation aligns with traditional driveway geometry and may be less visually prominent on larger lots.
- Orientation has impacts on both functionality (vehicle movement) and aesthetics (visibility of paving in front yards).

Options:

- Require parallel orientation for all front-yard parking pads. (*Preferred for safety/traffic flow*).
- Allow perpendicular orientation only on larger lots or less-traveled streets.
- Allow either orientation on a case-by-case basis with design/landscaping mitigation.





12. Special Use vs. By-Right Approval

Purpose: Should open-air parking pads in certain yards be allowed *by right* if they meet all Code requirements, or only through a **Special Use permit** process?

Options:

- Require Special Use permit for all pads outside rear yard.
- Allow by-right if specific dimensional, location, and design criteria are met.

Next Steps

- **Draft Regulations:** Staff to prepare Zoning Text Amendment language, in coordination with the Village's Corporation Counsel, reflecting the PC/ZBA's consensus policy direction.
- **Public Hearing:** Return to the PC/ZBA with the draft amendment for a formal public hearing in accordance with notice and text amendment requirements.
- **Recommendation to Village Board:** Following the public hearing, the PC/ZBA will vote on a recommendation to the Village Board.
- **Village Board Consideration:** Text Amendment introduced at a Village Board meeting for final approval and adoption.
- **Implementation & Outreach:** Upon adoption, update application materials, permit guidance, and communicate code changes to residents and design professionals.

Public Comment

At the time of the creation of this report, staff had not received any public comment regarding this matter. Any comments received after the distribution of this report will be provided to the PC/ZBA during the public hearing.

Documents Attached

Zoning Text Amendment: Open-Air Parking Pads

August 20, 2025

1. 2024-01-08 COTW Memo and Attachments
2. 2024-01-08 COTW Minutes
3. 2024-09-17 COTW Memo and Attachments
4. 2024-09-17 BOT Minutes
5. 2025-04-16 PC-ZBA Minutes
6. 2025-05-21 PC-ZBA Memo and Attachments
7. 2025-05-21 PC-ZBA Minutes
8. Relevant Regulations
9. Staff Interpretation
10. Potential Zoning Considerations



MEMORANDUM

TO: President Patel and Members of the Village Board

FROM: Anne Marie Gaura, Village Manager

DATE: January 4, 2023

SUBJECT: January 8, 2024 Meeting of the Committee of the Whole

The Committee of the Whole (COTW) meeting is scheduled for 6:30 P.M. on Thursday evening. Please find below a summary of the items for discussion.

1. Open Air Parking Pads and Residential Driveway Design (6:30-7:30 P.M.)

Over the past few years, the Community Development Department has fielded questions regarding the permitted locations of open-air parking pads for residential properties. As property owners have considered options permitted by the Zoning Ordinance, questions have been raised about permitted dimensions of driveways and how regulations are being interpreted and applied. This report provides regulatory context regarding the location and dimensions of open-air parking pads, and challenges staff has faced in ensuring consistent interpretation of those regulations. [Attached](#) is a memo from the Planning & Economic Development Manager presenting different scenarios that staff has encountered regarding open air parking pads and residential driveway design. Staff is seeking direction from the Village Board on this topic.

If you should have any questions concerning this matter, please feel free to contact me.



MEMORANDUM

TO: Anne Marie Gaura, Village Manager

FROM: Doug Hammel, AICP, Planning & Economic Development Manager

DATE: January 8, 2024

SUBJECT: Discussion Regarding Open Air Parking Pads and Residential Driveway Design

Background

Over the past few years, the Community Development Department has fielded questions regarding the permitted locations of open-air parking pads for residential properties. As property owners have considered options permitted by the Zoning Ordinance, questions have been raised about permitted dimensions of driveways and how regulations are being interpreted and applied. This report provides regulatory context regarding the location and dimensions of open-air parking pads, and challenges staff has faced in ensuring consistent interpretation of those regulations. Ultimately, staff seeks the direction of the Village Board Committee of the Whole regarding staff's historical interpretation of these provisions. This direction could support the continued interpretation, changes in interpretation, or Text Amendments necessary to clarify the intent of the Zoning ordinance.

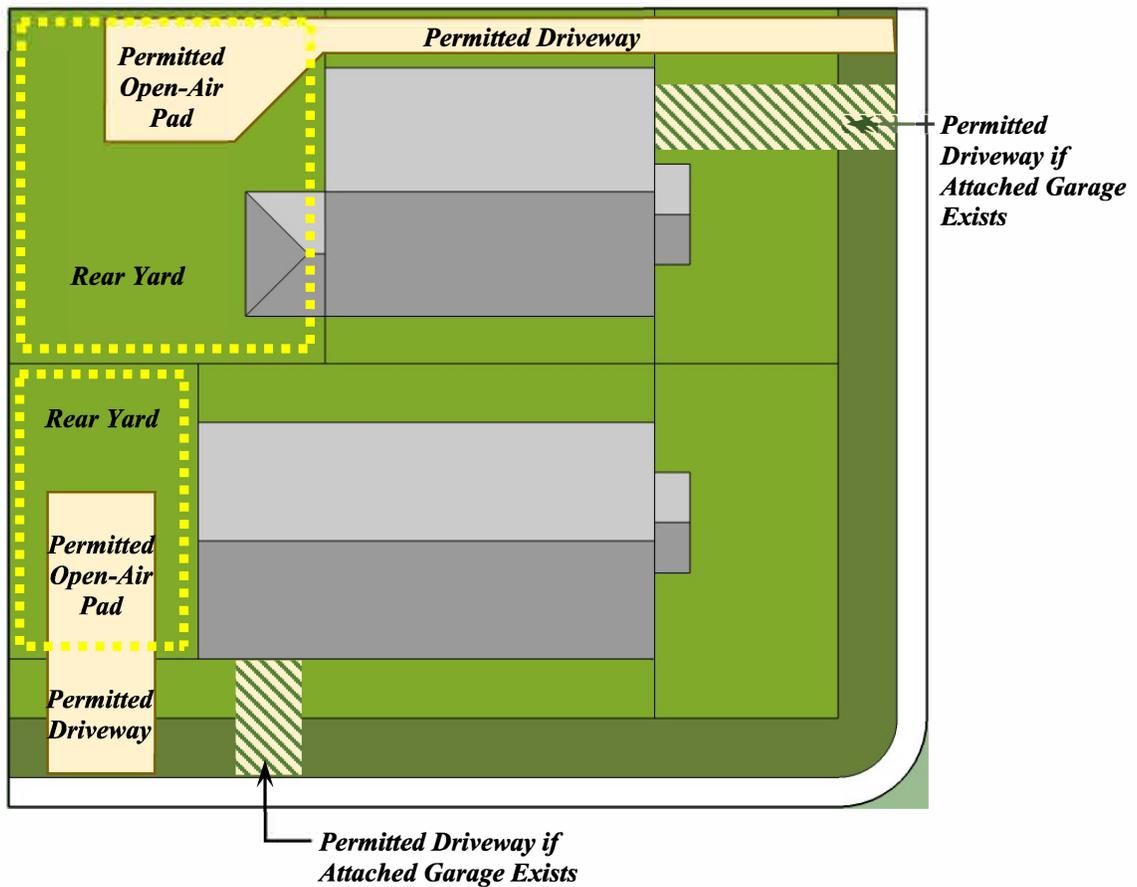
Regulatory Context

Regulations regarding driveway design and location are found in Chapter 6 (Public Parks, Ways, and Properties) and Chapter 15 (Zoning). While these articles establish regulations regarding a broader range of characteristics, they generally establish the following regarding residential driveway design and location:

- Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways:
 - No driveway approach can be constructed for the sole purpose of being a parking space.
 - The width of the driveway at the lot line cannot exceed the maximum width established in the Zoning Ordinance.
 - The flare of the driveway approach shall not extend over the property line when extended to the curb.
- Chapter 15 (Zoning), Article 7 Off-street Parking:

- In residential districts, open-air parking pads are only permitted in rear yards and are prohibited in front, corner side, and interior side yards.
- For standard driveways, the maximum driveway width is the lesser of 1/3 of the lot width or 20 feet.
- For circular drives, the maximum driveway width is the lesser of 1/3 of the lot width or 12 feet.
- The minimum distance between the driveway and side lot line is one foot.

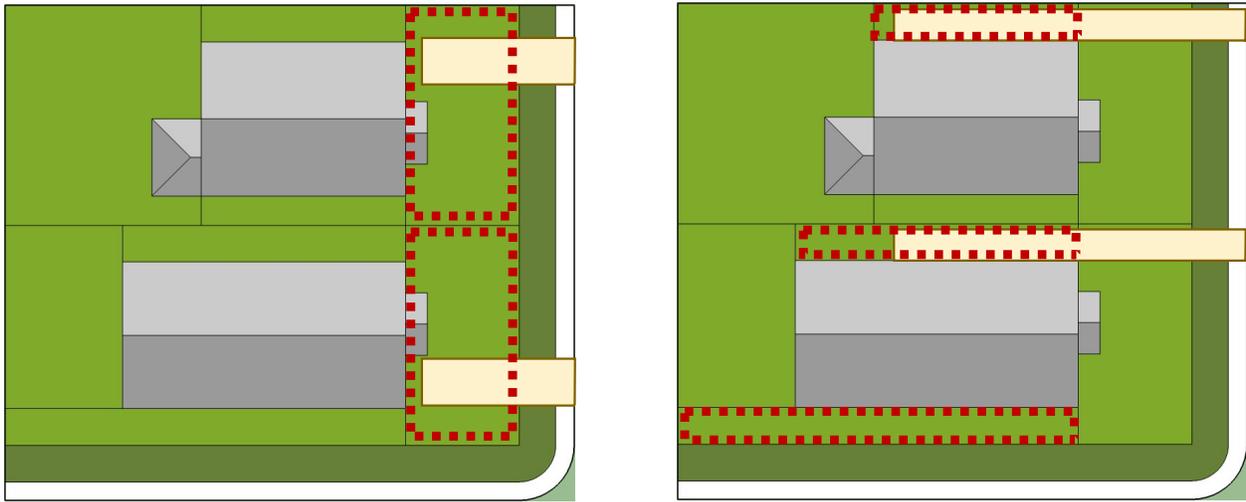
Diagram summarizing the permissibility of driveways and open-air parking pads



Over the past several years, staff has interpreted and applied these regulations in a number of scenarios brought forth by property owners. Examples of these include the following:

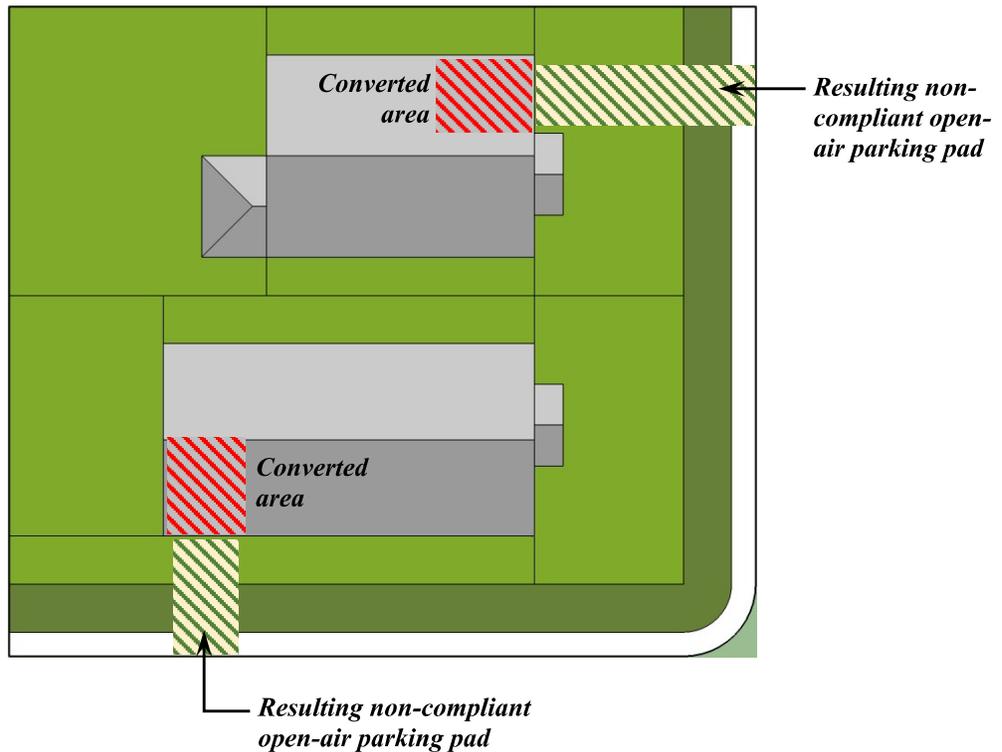
- Driveways leading to attached garages, detached garages, or open-air parking pads in the rear yard have been approved because they are providing access to a legal parking space and not serving solely as open-air parking pads, even though they are often used as parking spaces on residential properties.
- Some property owners have submitted permit applications to install a new open-air parking pad in a front or interior side yard. Those applications have been denied because they would be in violation of the Zoning Ordinance provisions summarized above.

***Prohibited open-air parking pad locations:
front yard (left) and corner or interior side yard (right)***



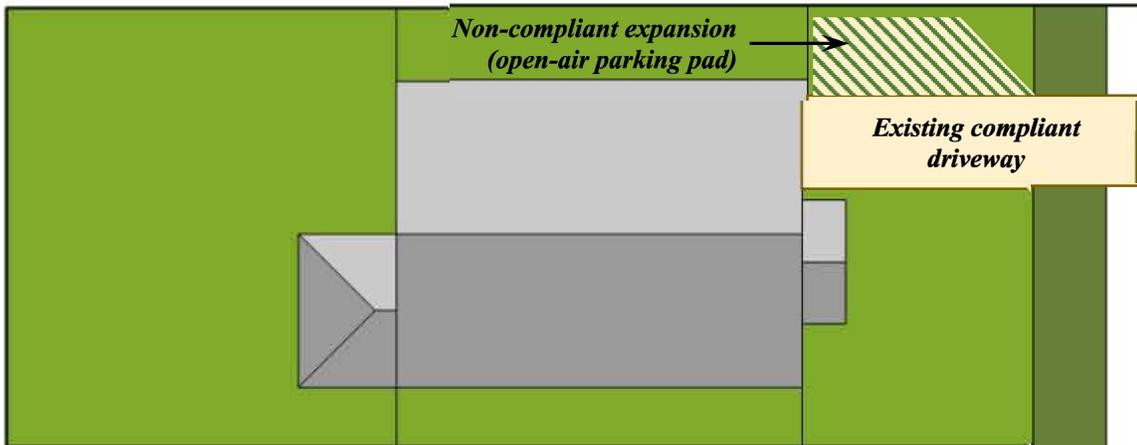
- Some property owners have submitted permit applications to convert an attached garage to a living space. Those applications have been denied because the driveway would no longer be providing access to a legal parking space and would serve solely as an open-air parking pad.

***Conversion of attached garage to living space
would result in non-compliant open-air parking pads***



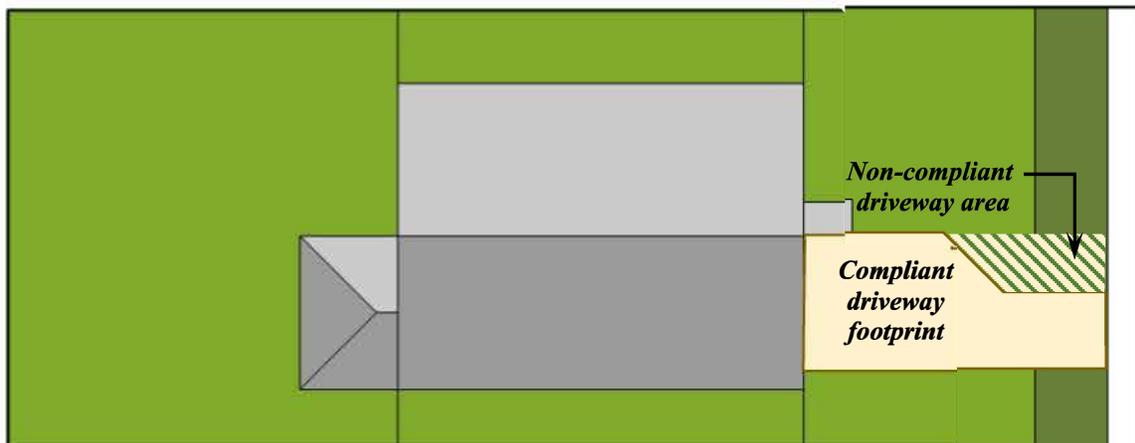
- Some property owners have submitted permit applications to widen an existing driveway or open-air parking pad. Those applications have been denied when the widening would result in the increased capacity for open-air parking in a prohibited location and would not be associated with the expansion of a garage or another legal parking space that the widened area would provide access to.

Diagram showing a non-compliant driveway widening



- Several property owners have submitted permit applications for a driveway that serves a two-car garage and maintains a 20-foot width all the way to the curb. Those applications have been denied when the permitted driveway width is less than 20 feet. The Zoning Officer has worked with those applicants to revise the plans so that the driveway tapers down to the permitted width between the garage and the lot line, resulting in a compliant width in the public right-of-way between the lot line and the curb.

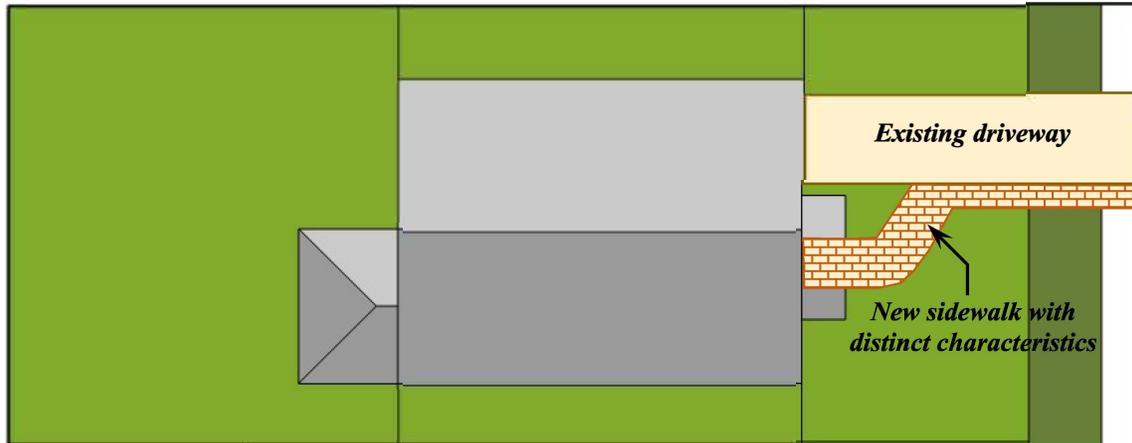
Diagram showing a required driveway taper widening



- In a few instances, property owners have been permitted to install a sidewalk adjacent to an existing driveway. In those instances, the Zoning Officer has required that the sidewalk be distinct from and separated by the driveway through the use of an expansion joint, different paver materials, or some other design characteristic. The intent of that

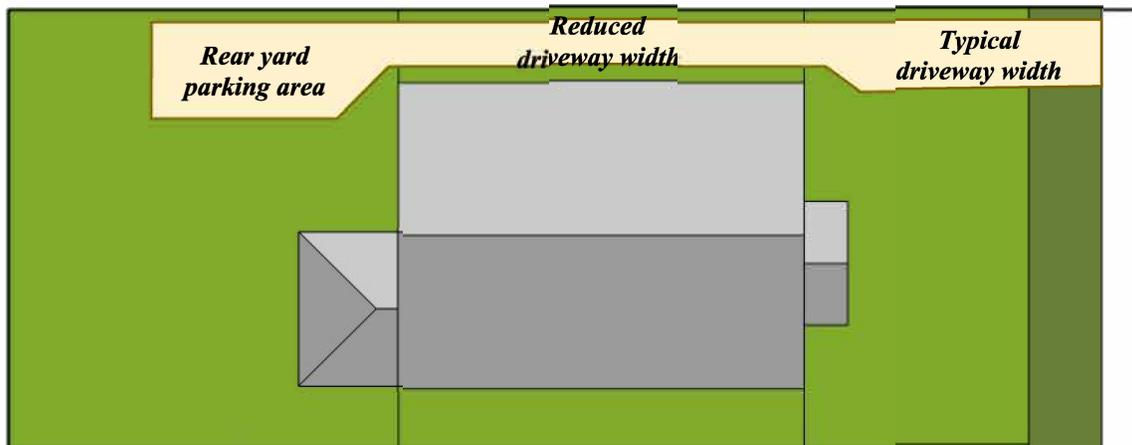
requirement is to clearly distinguish between the driveway and the sidewalk, rather than the overall impervious area appearing to be an expanded driveway.

Diagram showing adjacent driveway and sidewalk



- There have been a few cases where property owners sought approval of a rear yard parking space accessed by a new driveway along the side of the house. However, the feasibility of the width of the proposed driveway (when considering the building setback and required one-foot setback for the driveway from the side lot line) was questionable. Because the Zoning Ordinance does not establish a minimum driveway width for residential properties, staff had little guidance regarding the permissibility of such an improvement.

Diagram showing possibly infeasible driveway access



2016 Zoning Text Amendment

Many of the interpretations noted above are based on zoning language that was the subject of a Text Amendment in 2016. Prior to that Text Amendment, open-air parking pads were permitted in the interior side yard or rear yard of residential properties. However, the 2016 Text Amendment prohibited open-air parking pads in interior side yards for residential properties, but provided the

opportunity for non-residential properties to seek approval of a Special Use permit for open-air parking spaces in front or corner side yards.

Several residential property owners, when made aware of a denial of their permit applications, point to examples in their surrounding area where open-air parking spaces exist in the front or interior side yards. Staff explains this Text Amendment and the fact that those spaces would have existed prior to 2016.

Related Zoning Variation Request

The most recent Zoning Variation request regarding an open-air parking pad was made in 2017. The property at 7235 North Keating Avenue sought approval to install a parking pad in the front yard, noting that there is no opportunity to provide a driveway to the rear yard. At that time, the Zoning Board of Appeals recommended approval of the request by a 3-2 vote. However, the Village Board failed to pass a motion directing the drafting of an Ordinance approving the request. As a result, the Village Board took no formal action and the Petitioner withdrew their request.

Policy Questions

Staff seeks direction from the Village Board Committee of the Whole regarding the following policy questions:

1. Do Trustees concur with the current language of Section 7.06(5) of the Zoning Ordinance that prohibits open-air parking spaces in the front, corner side, and interior side yards of residential properties?
2. Does Trustees concur with staff's interpretations regarding the establishment of open-air parking spaces related to:
 - Instances where the conversion of a garage to living space results in an open-air parking pad in the front or interior side yard; or
 - Instances where the expansion of an existing driveway would result in additional capacity for parking in an open-air parking space?
3. Do Trustees concur with staff's interpretations regarding dimensional and design characteristics of residential driveways related to:
 - The tapering of a driveway so that it complies with its maximum permitted width between the property line and curb;
 - The differentiation of a sidewalk adjacent to a driveway through expansion joint or paver materials?
4. Do Trustees believe the Zoning Ordinance should establish a minimum residential driveway width to ensure the feasibility of access legal parking spaces (either enclosed in a garage or rear yard open-air parking pads)?

Financial Impact

None

Recommendation

Staff requests feedback from the Village Board Committee of the Whole regarding the policy questions set forth in this report. Should the Committee of the Whole determine that any Zoning Text Amendments are appropriate to either change or clarify regulations, the matter can be referred to the Plan Commission for public hearing.

Documents Attached

1. Relevant Regulations
2. PowerPoint Presentation

Attachment #1. Relevant Regulations

Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways

6-1-5 Driveways and driveway approaches.

(A) Definitions. The following definitions shall apply in the interpretation and enforcement of this Section 6-1-5:

DRIVEWAY: A place on private property for the operation of automobiles and other vehicles.

DRIVEWAY APPROACH: That portion of a right-of-way that provides vehicular access from the roadway to an adjoining lot.

ROADWAY: That portion of a right-of-way improved, designed or ordinarily used for vehicular travel; provided, however, that the term "roadway" shall not include the berm, shoulder, or parkway, if any. In the event that a right-of-way includes two or more separate roadways, the term "roadway" shall refer only to each separate roadway, and not to all roadways collectively.

(B) Permit fee. No permit authorizing a driveway approach shall be issued until the fee therefor has been paid to the Village pursuant to Article 2 of this Chapter 6.

(C) Construction regulations.

(1) It shall be unlawful to construct any curb or driveway approach or break out or remove any curb without first securing a permit as required pursuant to Article 2 of this Chapter 6.

(2) No driveway approach shall be constructed or used so as to impede the flow of surface water in the street gutter or a drainage ditch.

(3) No driveway approach to residential properties shall be constructed or used for the sole purpose as a parking space.

(4) A maximum driveway approach width of 14 feet shall be allowed for driveway approaches to circular driveways on parcels of property used for single-family residential purposes.

(D) Approaches; location. No driveway approach shall be located so as to interfere with municipal or public utility facilities such as poles, traffic signals, signposts, catch basins, fire hydrants, crosswalks, or other street structures. Driveway approaches shall be located so as to avoid existing parkway trees. Driveway approaches must be constructed at a minimum distance away from existing trees of one foot per diameter inch of the tree, up to a maximum distance of 10 feet. If it is not feasible to comply with the minimum distance requirement set forth in this Section 6-1-5(D), the property owner may remove the tree in accordance with the applicable provisions of this Code. If such tree removal would result in the distance to the next closest trees to be more than 25 feet, the property owner must pay a tree replacement fund fee in the amount of \$150 per inch of diameter of the tree removed. Removal of any parkway trees shall be subject to the Village Parkway Landscaping Ordinance set forth in Article 5 of this Chapter 6.

(E) Driveway approach construction standards. Driveway approaches shall be constructed to the following standards:

(1) Surface. All driveway approaches which give access to an improved street with curb and gutters shall be surfaced with a permanent dustproof surface: either concrete (six inches) over five inches CA-6, crushed stone aggregate, bituminous surface (eight inches CA-6, crushed stone aggregate, and three-inch asphalt), brick (over six inches of concrete) or other material approved by the Village.

(2) Widths. The total width of driveways measured at the property line on a parcel of property used for residential purposes shall not exceed the applicable standard set forth in Chapter 15 of this Code (Zoning Ordinance). The total width of driveways measured at the property line on a parcel of property used for nonresidential purposes shall not exceed 1/2 the lot frontage, and no single driveway approach shall exceed 30 feet measured at the property line. The width of the driveway approach measured at the curb shall in no case be greater than five feet more than the width measured at the property line.

(3) Location of drives. On a parcel of property used for residential purposes, no driveway approach or driveway flare shall extend over the property line extended to the curb; provided, however, where the Board of Trustees finds that there is a particular hardship to the owner, a driveway that has been in existence in excess of 25 years may be reconstructed in its present location even if the driveway approach or driveway flare extends over the property line extended to the curb. On a parcel of property used for nonresidential purposes, no driveway approach shall be located within five feet of the property line, or within 10 feet of any other driveway approach as measured at the property line.

(4) Consistency with Zoning Ordinance. All driveway approaches shall be constructed in a manner and at locations necessary to facilitate direct vehicular travel onto adjacent driveways on private property, which driveways shall be constructed as required pursuant to Chapter 15 of this Code (Zoning Ordinance).

(F) Restoration by Village. In the event that the Village removes any portion of a driveway approach constructed pursuant to this Section 6-1-5 in connection with any maintenance, construction, or repair activities within the right-of-way, the Village shall only be required to replace the driveway approach with one or more materials approved pursuant to Section 6-1-5(E)(1) of this Code.

6-1-6 Maintenance of driveway approaches.

No snow or ice may be artificially placed or deposited onto any portion of a sidewalk adjacent to a nonresidential property over which a driveway approach crosses. This Section 6-1-6 does not apply to snow plowing operations provided by or on behalf of the Village.

6-1-7 Abandoned driveway approaches.

If, at any time, a driveway approach is abandoned, the curb and gutter at the edge of the street and sidewalk shall be replaced in accordance with current Village specifications by, and at the expense of, the owner abandoning the curb cut.

Chapter 15 (Zoning), Article 7 Off-street Parking

7.06 General standards for off-street parking facilities.

Off-street parking facilities shall be provided in accordance with regulations hereinafter set forth.

(5) In yards. Subject to the provisions set forth in this Section 7.06, open-air, off-street parking spaces may be located in: (a) any rear yard, in any zoning district; and (b) in a front yard or a side yard abutting a street, but only within the B-1, B-2, B-3, O-1, M-B, and P Districts, and only upon the issuance of a special use permit therefor pursuant to the procedures set forth in Section 5.17 of this Zoning Ordinance.

7.13 Additional driveway regulations for single-family residential properties.

Driveways on private properties used for single-family residential purposes shall comply with the applicable provisions of Chapter 6 of this Code and with the additional requirements set forth in Table 7.13.01 below:

Maximum width of circular driveways	The lesser of 1/3 of the lot frontage, or 12 feet
Width of all other driveways	The lesser of 1/3 of the lot frontage, or 20 feet
Minimum lot frontage for circular driveways	60 feet
Minimum distance between driveway and side lot line	1 foot

Background

Community Development regularly fields questions regarding residential driveway design

- Permitted locations of open-air parking pads
- Permitted driveway dimensions

Staff seeks to:

- Present information about current regulations and staff interpretations
 - COTW feedback regarding interpretations going forward and any appropriate Zoning Text Amendments
- 

Regulatory Context for Residential Driveways

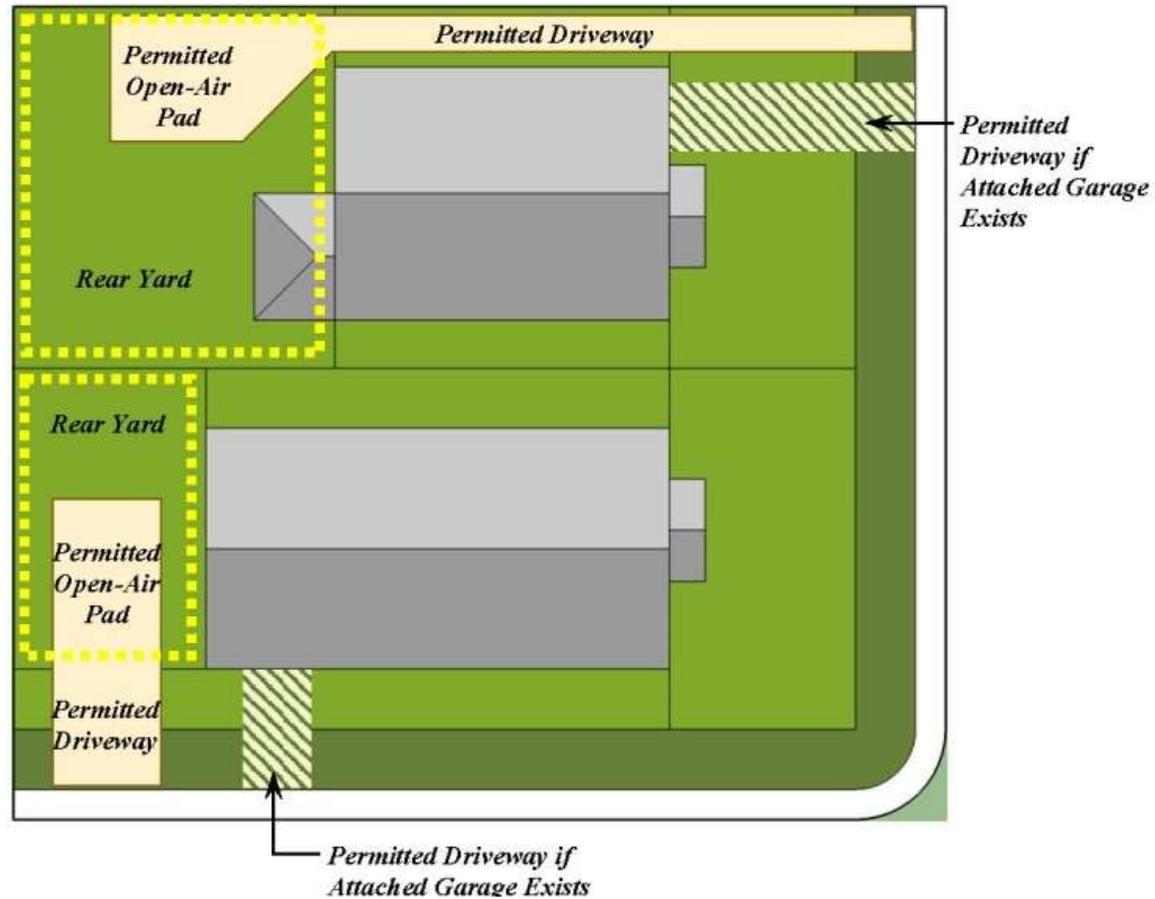
Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways:

- No driveway approach can be constructed for the sole purpose of being a parking space.
- The width of the driveway at the lot line cannot exceed the maximum width established in the Zoning Ordinance.
- The flare of the driveway approach shall not extend over the property line when extended to the curb.

Chapter 15 (Zoning), Article 7 Off-street Parking:

- In residential districts, open-air parking pads are only permitted in rear yards and are prohibited in front, corner side, and interior side yards.
 - For standard driveways, the maximum driveway width is the lesser of 1/3 of the lot width or 20 feet.
 - For circular drives, the maximum driveway width is the lesser of 1/3 of the lot width or 12 feet.
 - The minimum distance between the driveway and side lot line is one foot.
- 

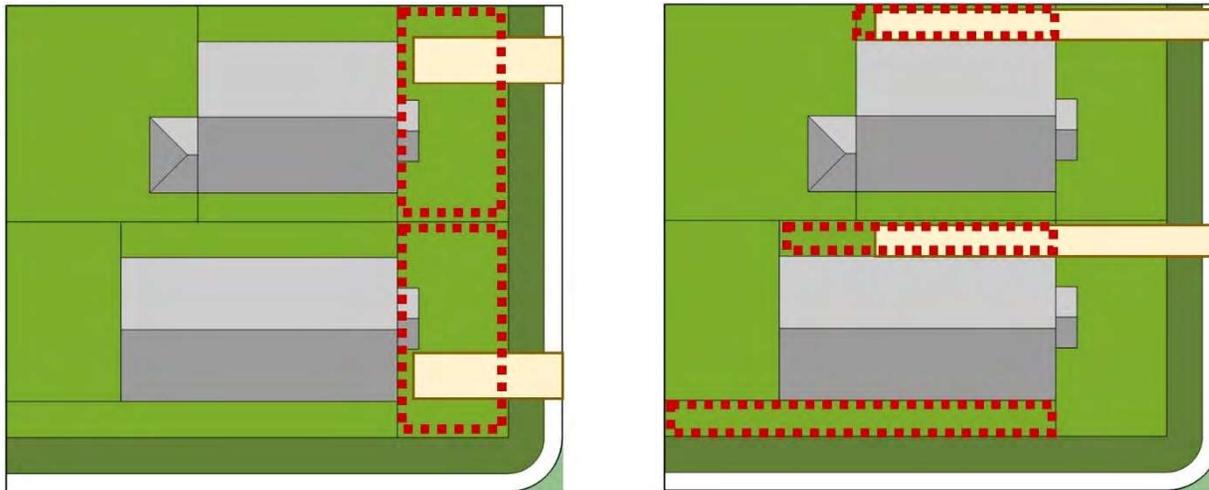
Regulatory Context for Residential Driveways



Zoning Officer Interpretations

Permitted driveway locations

- Driveways leading to attached garages, detached garages, or legal open-air parking pads have been approved; they are providing access a legal parking space and not serving solely as open-air parking pads
- New open-air parking pads in a front or interior side yard have been denied; they do not provide access to a legal parking space

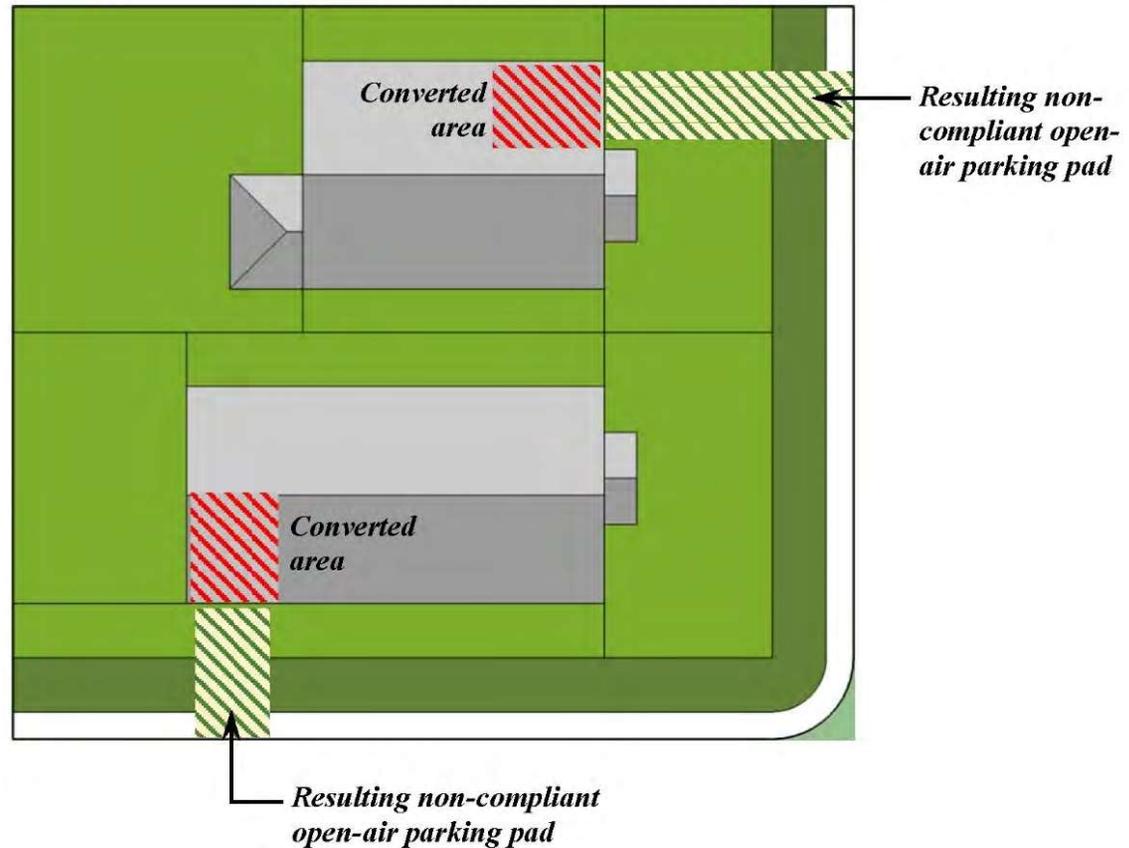


Examples of prohibited open-air parking pad locations

Zoning Officer Interpretations

Interior improvements that create non-compliant parking pads

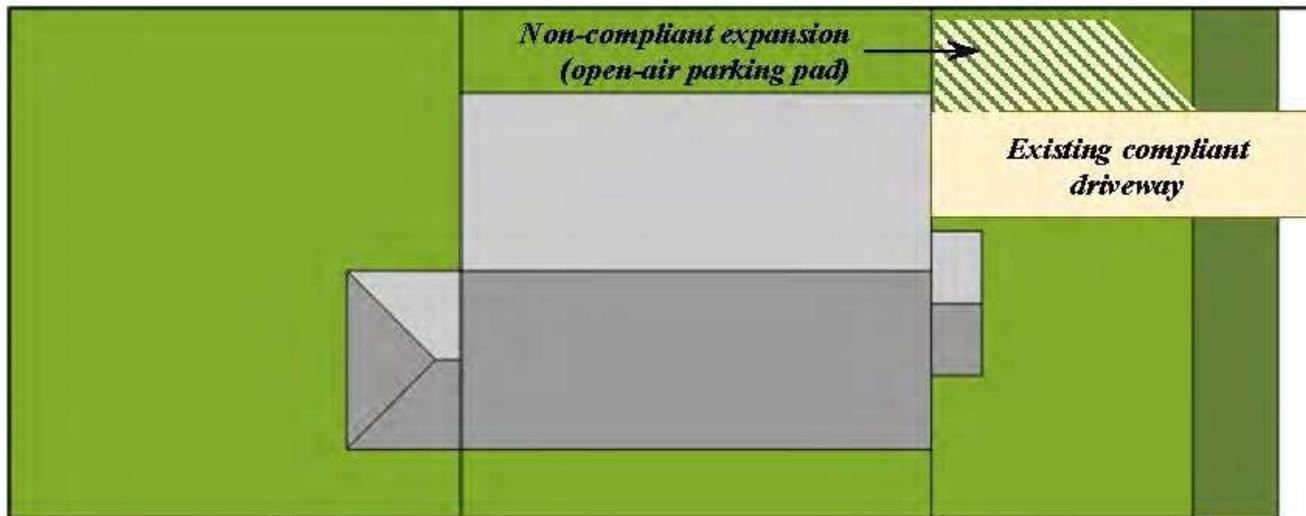
- Garage conversions to living spaces have been denied
- Would result in existing driveway being converted to an open-air parking pad



Zoning Officer Interpretations

Driveway expansions when access to a legal parking space is not enhanced

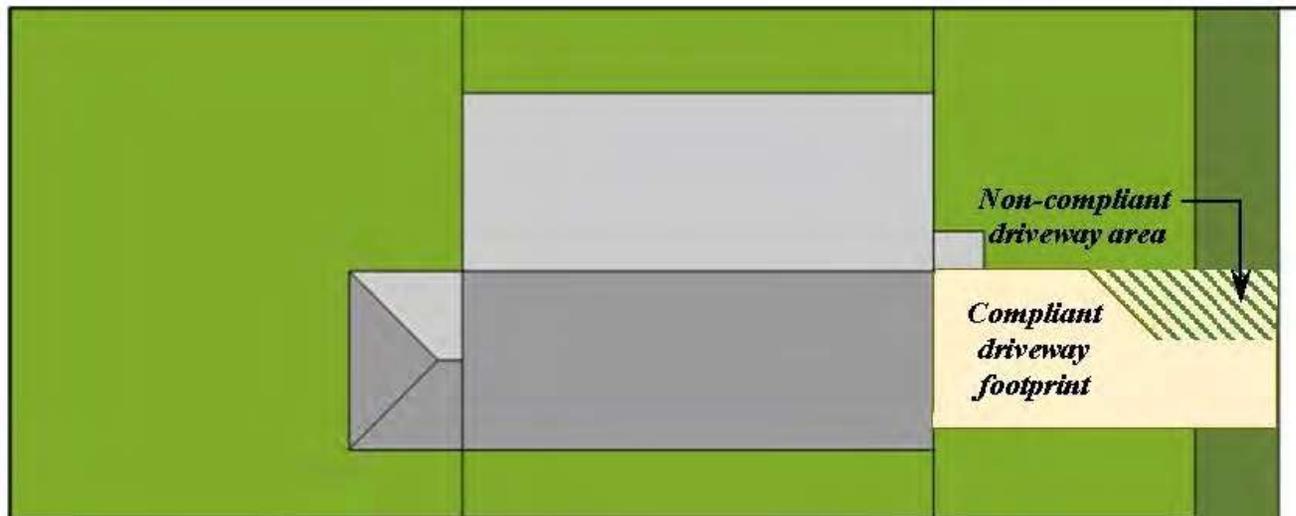
- Driveway widenings have been denied
- Denial based on the widened area not providing access to another legal parking space
- Would serve solely as a new open-air parking pad



Zoning Officer Interpretations

Maximum permitted width at the lot line

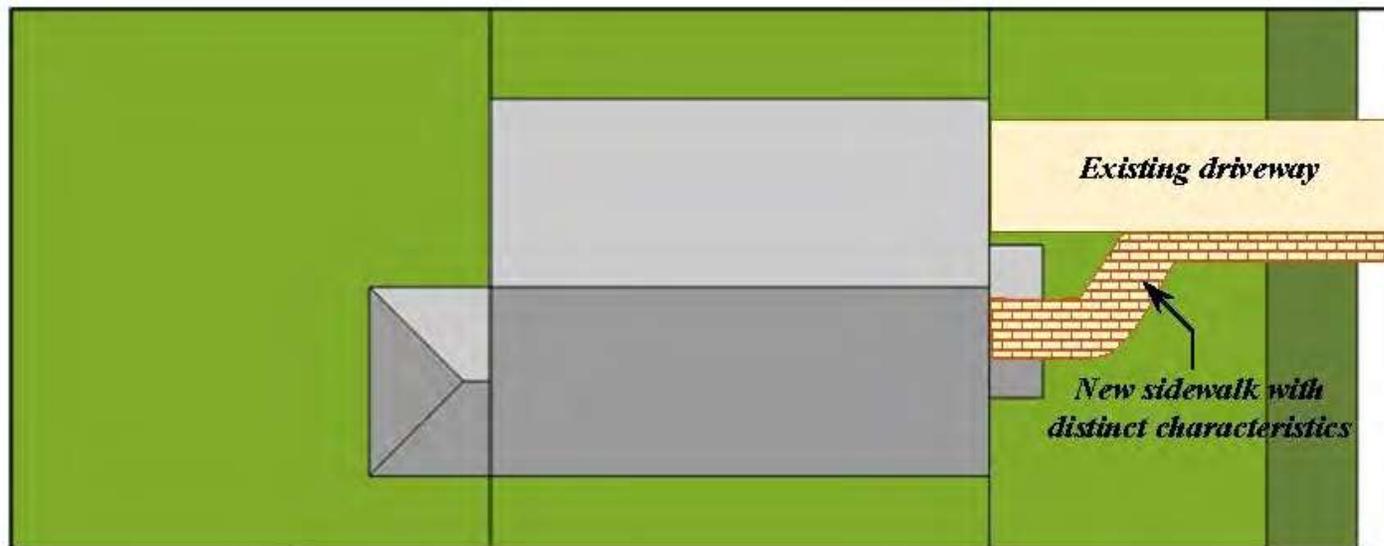
- Maximum permitted width enforced at the lot line, even if driveway needs to be wider to serve multi-car garage
- Taper required between garage and lot line



Zoning Officer Interpretations

Adjacent impervious surfaces not counted as “driveway expansion”

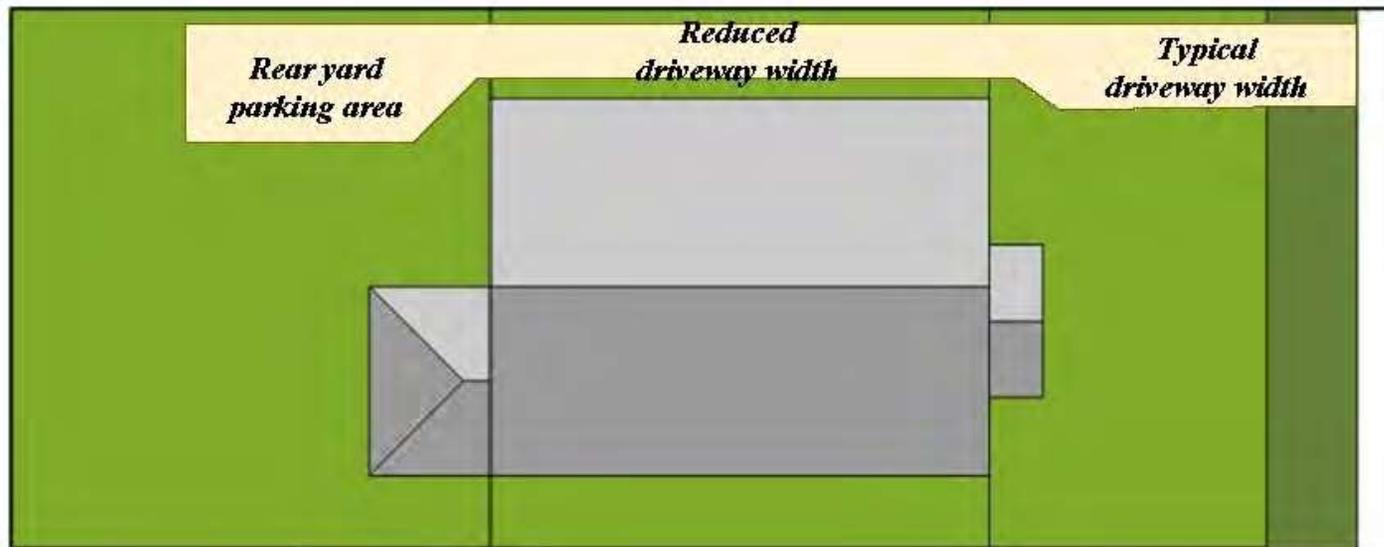
- Some property owners have added sidewalks adjacent to driveways
- Required to be distinct in design (i.e. separated by expansion joints, different paver materials, etc.)



Zoning Officer Interpretations

Substandard driveway width

- Some have sought approval for driveways with substandard width
- Zoning Ordinance does not establish specific minimum width
- Could result in areas functioning as other elements (i.e. patios) with different zoning requirements



2016 Zoning Text Amendment

Many of the interpretations noted earlier are based on zoning language impacted by a Text Amendment in 2016

Prior to 2016:

- Open-air parking pads were permitted in the interior side yard or rear yard of residential properties

After 2016:

- Open-air parking pads are permitted only in rear yards for residential properties

Several residential property owners point to examples in their surrounding area when their applications are denied

- Staff explains this Text Amendment and the fact that those spaces would have existed prior to 2016
- 

Related Variation Request

Zoning Variation request regarding an open-air parking pad was made in 2017 for 7235 North Keating Avenue

- Sought approval to install a parking pad in the front yard, noting that there is no opportunity to provide a driveway to the rear yard

ZBA recommended approval of the request by a 3-2 vote

Village Board failed to pass a motion directing the drafting of an Ordinance approving the request

- Several Trustees expressed concerns regarding neighborhood aesthetics
 - No formal action was taken by the Village Board
 - Petitioner withdrew their request before being denied by expiration
- 

Policy Questions

1. Do Trustees concur with the current language of Section 7.06(5) of the Zoning Ordinance that prohibits open-air parking spaces in the front, corner side, and interior side yards of residential properties?
2. Does Trustees concur with staff's interpretations regarding the establishment of open-air parking spaces related to:
 - Instances where the conversion of a garage to living space results in an open-air parking pad in the front or interior side yard; or
 - Instances where the expansion of an existing driveway would result in additional capacity for parking in an open-air parking space?

Policy Questions (cont'd.)

3. Do Trustees concur with staff's interpretations regarding dimensional and design characteristics of residential driveways related to:

- The tapering of a driveway so that it complies with its maximum permitted width between the property line and curb;
- The differentiation of a sidewalk adjacent to a driveway through expansion joint or paver materials?

4. Do Trustees believe the Zoning Ordinance should establish a minimum residential driveway width to ensure the feasibility of access legal parking spaces (either enclosed in a garage or rear yard open-air parking pads)?

Requested Action

Staff requests the following from the Village Board Committee of the Whole:

- Direction regarding the policy questions presented by staff
 - Referral of the matter to the Plan Commission if any Zoning Text Amendments are necessary to change or clarify current regulations
- 

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
MEETING OF THE COMMITTEE OF THE WHOLE
GERALD C. TURRY VILLAGE BOARD ROOM
JANUARY 8, 2024**

DRAFT

Call to Order

President Patel called the Committee of the Whole Meeting of the Lincolnwood Board of Trustees to order at 6:35 P.M., Monday, January 8, 2024, in the Gerald C. Turry Village Board Room of the Municipal Complex at 6900 N. Lincoln Avenue, Village of Lincolnwood, County of Cook, and State of Illinois.

Upon roll call by Village Clerk Herman, the following were:

PRESENT: President Patel, Trustees Klatzco, Saleem, Halevi, Martel, Diaz Herrera

ABSENT: Sargon

A quorum was present.

Trustee Sargon will be joining on line. It will be noted.

Also present: Village Manager Anne Marie Gaura, Assistant Village Manager Chuck Meyer, Community Development Director Scott Mangum, Planning and Economic Development Manager Doug, and Assistant to the Village Manager Lamar Jones.

Approval of Minutes

The December 19, 2023, Committee of the Whole minutes were presented for approval.

Trustee Klatzco moved to approve the minutes of the December 19, 2023, Committee of the Whole meeting minutes. Trustee Martel seconded the motion.

Upon Roll Call, the results were:

AYES: Trustees Saleem, Halevi, Diaz Herrera, Saleem, Martel

NAYS: None

ABSENT: Sargon

The motion passed

Regular Business

1. Open Air Parking Pads and Residential Driveway Design

Planning and Economic Development Manager Doug stated that the Community Development Department regularly fields questions regarding residential driveway design. Mr. Hammel said staff seeks to present information about current regulations and staff interpretations. Chapter Six of the Village Code states no driveway approach can be constructed for the sole purpose of being a parking space. The width of the driveway at the lot line cannot exceed the maximum width established in the Zoning Ordinance, and the flare of the driveway approach shall not extend over the property line when extended to the curb.

Chapter 15 of the Village Code states that In residential districts, open-air parking pads are only permitted in rear yards and are prohibited in front, corner side, and interior side yards. For standard driveways, the maximum driveway width is the lesser of 1/3 of the lot width or 20 feet. For circular drives, the maximum driveway width is the lesser of 1/3 of the lot width or 12 feet, and the minimum distance between the driveway and the side lot line is one foot.

Trustee Saleem said this is good when you have room along the sideyard. He asked if you are allowed to open the same door as a pass-through garage.

Mr. Hammel said that once you get to the garage, the parking space would have to reach the rear yard. In theory, it is permissible.

Mr. Hammel said Zoning Officer interpretations include new open-air parking pads in a front or interior side yard have been denied; they do not provide access to a legal parking space. Driveway expansions when access to a legal parking space is not enhanced and adjacent impervious surfaces are not counted as “driveway expansion.”

Trustee Martel asked if there is a minimum setback for a driveway.

Mr. Hammel said it is a one-foot setback.

Mr. Hammel said that before 2016, open-air parking pads were permitted in the interior side yard or rear yard of residential properties. After 2016, open-air parking pads are permitted only in rear yards for residential properties.

Trustee Martel asked when it gives a minimum and maximum driveway width if it's only on the curb up to the property line.

Mr. Hammel said the maximum driveway width is from the curb to the property line. After that, a property owner can flare it out to provide access.

President Patel asked if there isn't a prohibition on parking on a driveway.

Mr. Hammel said correct.

Mr. Hammel outlined policy questions: 1) Does the Village Board concur with the current language of Section 7.06(5) of the Zoning Ordinance that prohibits open-air parking spaces in the front, corner side, and interior side yards of residential properties? 2) Does the Village Board concur with staff's interpretations regarding establishing open-air parking spaces? 3) Does the Village Board concur with staff's interpretations regarding dimensional and design characteristics of residential driveways? 4) Does the Village Board believe the Zoning Ordinance should establish a minimum residential driveway width to ensure the feasibility of access legal parking spaces (either enclosed in a garage or rear yard open-air parking pads)?

Mr. Hammel said that staff requests the Village Board provide direction regarding the policy questions presented by staff and the referral of the matter to the Plan Commission if any Zoning Text Amendments are necessary to change or clarify current regulations.

Trustee Saleem said that when people convert their garages into living spaces, they would be required to take the driveway out. Is it required to remove the curb cut also?

Mr. Hammel, yes, the footprint of the driveway would be removed.

Trustee Saleem said he does not favor it because he doesn't want to see backyards full of cars.

Trustee Martel said that the interpretations staff have been doing are right. Furthermore, it makes sense to have a minimum residential driveway width. Trustee Martel stated that he is concerned with the aesthetics and that the Village would need to make some rule changes, such as having a clear stormwater requirement.

President Patel asked if there is a percentage when a property owner is adding impervious areas.

Mr. Hammel said it would have to be at least 500 feet of new impervious area, and the percentage of the property is over 50%.

Trustee Saleem said he is not against garages in backyards. What he is against is the open parking pads in backyards, which he thinks would not look good.

Trustee Klatzco said he is in favor of a minimum driveway width requirement. Furthermore, he said he would like to see a sort of landscaping requirement to beautify the area.

Trustee Herrera said she is worried about property owners who do not have garages because they are more limited. Cars in the backyard may be the only option for some of these homes.

Trustee Halevi said she has seen homes in the Village that have a circular drive and lots of cars parked. She asked how it fits into the definition of parking pads.

President Patel said that is why he asked this topic to be placed on the agenda for the Board to discuss.

Mr. Hammel said from a Zoning Approval standpoint, circular driveway is treated the same as a straight-in driveway, as long as it is part of a driveway system, providing access to a legal parking space, it is permitted.

Trustee Martel stated that there needs to be sensible monitoring.

Trustee Klatzco said he does not have an issue with a circular drive. He stated that the Village can make it where circular drives have to be pervious. He said he doesn't think that property owners should have both a garage and front parking.

Trustee Diaz Herrera said that she does not want to penalize property owners who don't have a garage. She does agree that she is not in favor of seeing many cars in backyards and that there should be a minimum size.

The consensus of the Village Board is to discuss the topic at a future Committee of the Whole to allow staff to gather data on the stormwater implications and other parking pad data before referring it to the Plan Commission.

Adjournment

Trustee Klatzco moved to adjourn the Committee of the Whole at 7:30 P.M., seconded by Trustee Martel.

The meeting was adjourned by roll call vote.

Meeting Adjourned

Respectfully Submitted,

Beryl Herman
Village Clerk



MEMORANDUM

TO: Anne Marie Gaura, Village Manager

FROM: Doug Hammel, AICP, Planning & Economic Development Manager

DATE: September 17, 2024

SUBJECT: Open-Air Parking Spaces and Residential Driveway Design

Background

In January 2024, the Village Board Committee of the Whole was presented information regarding the permissibility of open-air parking spaces for residential properties. Currently, a combination of regulations found in Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways, and Chapter 15 Zoning, establish standards related to the design of driveways and the permitted locations of open-air parking spaces. Most relevantly, those regulations allow for open-air parking spaces in the rear yards of residential properties, but not in the front, interior side or corner side yards. This provision has been referenced when denying new driveways, the expansion of an existing driveway in a manner that it would create an additional parking space in a prohibited location, and the conversion of garage spaces into living space (resulting in the driveway becoming the only on-site parking space in a prohibited location).

At that time, Trustees provided the following direction to staff:

- Staff's interpretation and application of relevant regulations has been appropriate when denying permit applications that would result in open-air parking spaces in prohibited locations;
- The Zoning Ordinance should establish a minimum driveway width to ensure appropriate access to required spaces;
- The Village could consider a landscaping requirement if the code were amended to allow open-air spaces where they are currently prohibited;
- Trustees stated support for the continued permissibility of circular driveways;
- Some Trustees feel that not allowing open-air parking spaces may be penalizing property owners whose lots cannot accommodate a garage;
- Some Trustees stated that permitted open-air parking spaces could eliminate cars parked in rear yards, which could be a nuisance to neighbors;

- Trustees are open to considering greater flexibility related to the location of open-air parking spaces, and requested that staff provide additional research regarding existing open-air parking spaces.

The remainder of this report aims to summarize analysis conducted by staff, with the intent of providing various options for Trustees to consider based on zoning district or certain property characteristics.

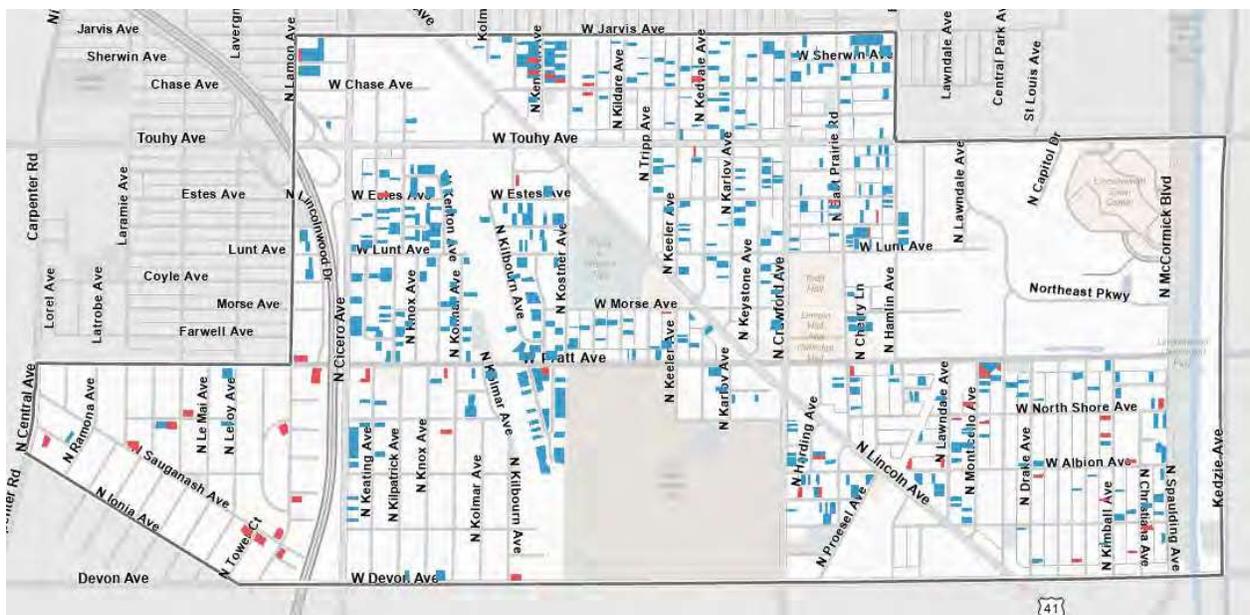
Existing Open-Air Parking Spaces

Staff worked with the GIS Consortium to inventory and analyze conditions related to existing open-air parking spaces. While a more complete inventory of staff's analysis is provided as an attachment to this report, this section summarizes the most relevant findings related to legal non-conforming parking spaces on residential properties.

In total, there are 3,560 residential lots in the Village. Based on staff analysis, 347 of those lots (9.7%) have legal non-conforming open-air parking spaces. Of those 347 legal non-conforming properties:

- 74 lots have an alternative parking configuration that is compliant (such as a separate driveway leading to garage spaces, or separate access to an alley-loaded garage).
- 160 legal non-conforming open-air parking spaces are in a front yard, and 187 are in a side yard.
- The vast majority of legal non-conforming open-air spaces (291 of 347) are in the R-3 zoning district. This represents 11.8% of all the lots in that zoning district.
- The R-4 district has the highest percentage of lots with legal non-conforming open-air parking spaces, at 13.0% (39 of its 300 lots).
- Of the lots with a legal non-conforming open-air parking space, 171 of them are on properties with a width between 25 feet and 50 feet. Another 95 of the lots are on properties with a width of 50-100 feet. Only 11 lots over 100 feet in width have legal non-conforming open-air parking spaces.

***Properties with Legal Non-Conforming Driveways
(red fill indicates legal non-conforming circular driveways)***



Potential Zoning Scenarios

This section presents various potential zoning scenarios that may be considered if Trustees are inclined to allow open-air parking spaces in some circumstances. The scenarios presented include the following:

- Allowing open-air parking spaces in certain parts of a residential lot, but only when there is no garage at the property;
- Allowing open-air parking spaces in only certain residential zoning districts;
- Allowing open-air parking spaces based on lot width; or
- Allowing open-air parking spaces based on a combination of zoning district and lot width.

Open-Air Parking Spaces and Location on the Lot

The following table summarizes the numbers of residential properties that would be deemed compliant if the Zoning Ordinance is amended to allow open-air parking spaces on certain portions of the residential lot.

Scenario Changes Related to Yard	No. of Driveways that Become Legal	No. of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking in the front yard without a garage.	160	187	5.3%
Allow open-air parking in the side yard without a garage.	187	160	4.5%
Allow open-air parking in the front and side yards without a garage.	347	0	0%

The greatest number of legal non-conforming residential lots would benefit from an allowance of open-air parking spaces in the side yard. However, the ability of lots to accommodate such a configuration in the future would be dependent on the width of a given lot and the location and footprint of the home. Conversely, less legal non-conforming properties would benefit from the allowance of front yard open-air parking spaces, but that type of improvement is more likely to benefit a greater number of properties in the future because the feasibility of such a configuration is less dependent on lot width and building footprint.

Open-Air Parking Spaces by Zoning District

Because there is a direct zoning correlation between zoning district and certain dimensional zoning standards (i.e. lot width and lot area), it may be appropriate to consider allowing more flexibility in zoning districts whose lots face less flexibility when providing compliant open-air parking spaces. The following table summarizes the numbers of residential properties that would be deemed compliant if the Zoning Ordinance were amended to provide more flexibility based on residential zoning district.

Scenario Changes Related to Zoning Districts	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking only in R1 and R2 district.	17	330	9.3%
Allow open-air parking only in R3 and R4 district.	330	17	0.5%
Allow open-air parking only in R3 district.	291	56	1.57%

The zoning district with the greatest number of lots that would benefit from greater flexibility is the R-3 district. However, because the R-4 district allows for lots that are narrower than those in the R-3 district, it may be worth considering greater flexibility in both of those districts. If such an amendment were to be enacted, it would bring 330 of the 347 legal non-conforming lots into compliance. It would also provide a greater amount of flexibility through the majority of the community to allow open-air parking spaces in front or side yards.

Open-Air Parking Spaces and Lot Width

Rather than relying on the geography of zoning districts, it may be appropriate to allow open-air parking spaces based on lot width. For example, the wider the lot, the greater the number of viable options a resident may have to meet the current regulations. Alternatively, narrower lots may have less flexibility based on an inability to fit a driveway along the side of the house or stay under the permitted impervious area. The following table summarizes how many lots would be deemed compliant if open-air parking spaces were permitted based on certain lot widths.

Scenario Changes Related to Lot Width	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	284	7.98%
Allow open-air parking on properties with lot width less than 100 feet	273	11	0.31%
Allow open-air parking on properties with lot width less than 90 feet	271	13	0.37%
Allow open-air parking on properties with lot width less than 60 feet	231	53	1.49%
Allow open-air parking on properties with lot width less than 50 feet	178	106	2.98%

The table above shows that allowing open-air parking spaces in lots with a width of less than 100 feet would bring the vast majority of legal non-conforming lots into compliance. However, only a small percentage of those lots have widths greater than 90 or 100 feet. Lots with a width of less than 60 feet would benefit the most. Additionally, lots with that narrow width may face more challenges when trying to meet current regulations that lots with greater widths.

Combining Zoning District and Lot Width

Depending on Trustees’ willingness to allow open-air parking spaces in front and side yards more widely across the Village, it may be appropriate to consider factors that would further limit that allowance. The following table summarizes how many lots would be deemed compliant if open-air parking spaces were permitted based on a combination of zoning district and lot width.

Scenario Changes Related to Lot Width	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	284	7.98%
Allow open-air parking on R4 properties with lot width less than 60 feet	22	226	6.35%
Allow open-air parking on R3 and R4 properties with lot width less than 60 feet	229	55	1.54%
Allow open-air parking on R3 properties with lot width less than 60 feet	207	41	1.15%
Allow open-air parking on R3 and R4 properties with lot width less than 80 feet	269	15	0.42%

Other Zoning Consideration: Minimum Driveway Width

In addition to various property characteristics that may dictate the permissibility of open-air parking spaces in residential lots, it may be important to consider establishing a minimum driveway width so that any spaces provided on a property are assured appropriate means of access. As a separate matter, the Village Board will be considering a Plan Commission recommendation to establish a minimum clear dimension of 7.5’ for access to spaces provided in residential garages. This same standard could be considered for a minimum clear driveway width. If Trustees are inclined to consider this, then it is worth noting the relationship between minimum driveway width and lot width. Residential lots are required to provide a minimum side yard setback of 10% of the lot width. Therefore, any lot over 90 feet in width would have to provide a setback that could accommodate a driveway with a minimum width of 7.5 feet and the required one-foot driveway setback from the side lot line. This context may be helpful when considering whether lots under a certain width warrant consideration for the provision of open-air parking spaces in the front yard.

Other Zoning Consideration: Open-Air Parking Space Landscaping

Trustees previously discussed the concept of requiring landscaping if front yard open-air parking spaces are provided. However, staff has identified two concerns related to this:

1. Residential property owners often use their driveway for vehicle parking even if its primary function is to provide access to a driveway. Therefore, a landscape regulation for lots that specifically have open-air parking spaces (as opposed to driveways to a garage) would result in a more rigorous requirement even though the different types of lots are used in a similar manner; and
2. The Zoning Ordinance allow front yard landscape screening, but only if it is maintained at a height of no more than 30 inches and does not encroach into the public right-of-way. A provision requiring landscape screening could result in a situation where a requirement in creating confusion or challenges when it comes to working with residents on maintaining compliant landscaping.

If Trustees are supportive of a landscape requirement for open-air parking spaces, staff will consider the most appropriate set of related policy discussions to bring forth to the Plan Commission as part of a public hearing.

Financial Impact

None

Recommendation

Staff requests feedback from the Village Board Committee of the Whole regarding the zoning concepts set forth in this report, including whether to:

- Allow open-air parking spaces in certain parts of a residential lot;
- Allow open-air parking spaces in only certain residential zoning districts;
- Allow open-air parking spaces based on lot width;
- Allow open-air parking spaces based on a combination of zoning district and lot width;
- Establish a minimum standard for clear driveway width; and
- Establish landscape requirements for open-air parking spaces.

Should the Committee of the Whole determine that any Zoning Text Amendments are appropriate to either change or clarify regulations, the matter can be referred to the Plan Commission for public hearing.

Documents Attached

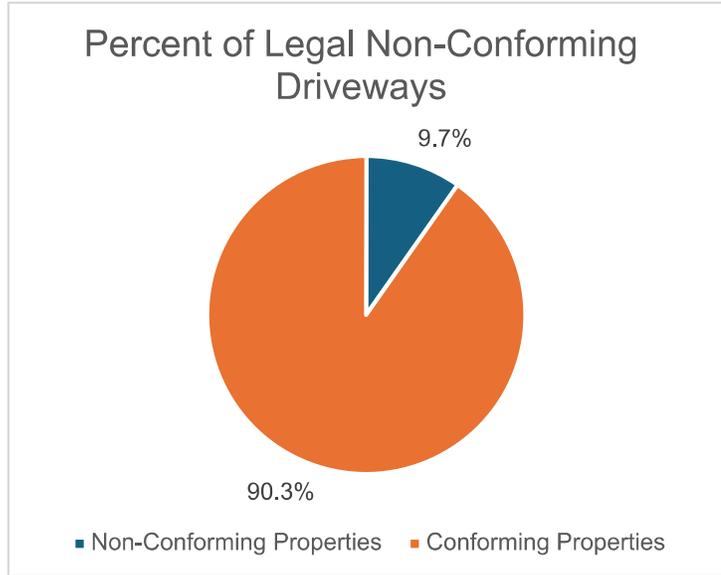
1. Staff Research Regarding Open-Air Parking Spaces
2. Relevant Regulations
3. PowerPoint Presentation

Attachment #1. Staff Research Regarding Open-Air Parking Spaces

Overall

9.7% of the Village residential properties have legal, non-conforming driveways.

347 of the 3,560 properties



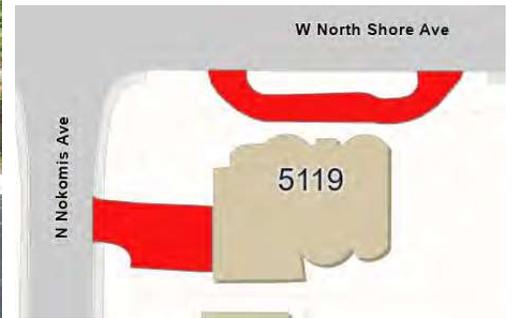
Properties with Legal Non-Conforming Driveways



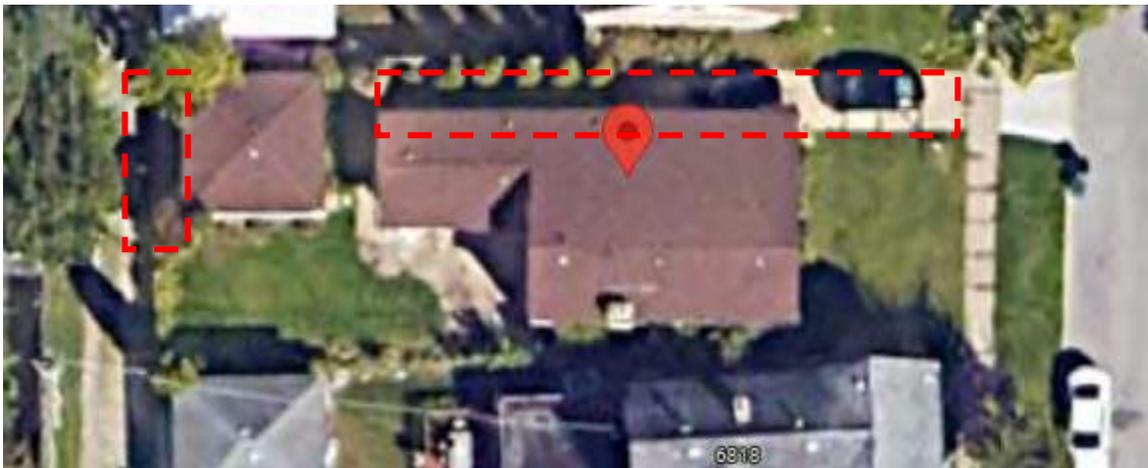
Breakdown of Legal, Non-Conforming (Open-air) Parking

Of the 347 properties with legal, non-conforming driveways:

- 74 have an alternative driveway option that is compliant. Examples include:
 - Properties with both an open-air circle drive and a driveway to a garage (20 properties)



- Properties with both an open-air parking driveway and an alley driveway to a garage



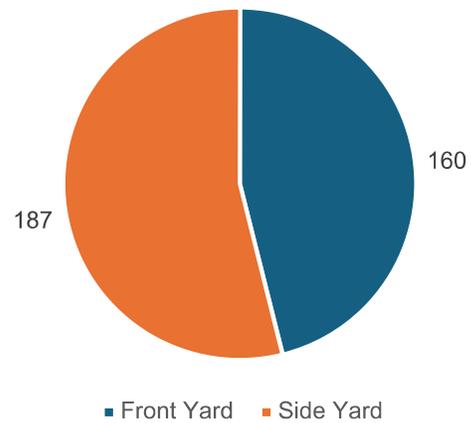
- Properties with both an open-air parking pad and a main driveway to a garage



Of the 347 legal, non-conforming driveways:

- 160 are in the **front** yard
- 187 are in the **side** yard

Legal Non-Conforming Driveways by Yard

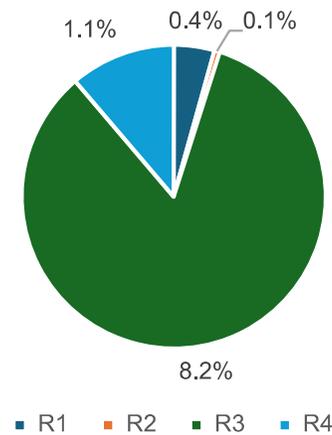


Of the 347 legal non-conforming driveways:

- A majority are in the R3 zoning district.

Zoning District	Number of Driveways	Percentage
R1	15	0.4%
R2	2	0.1%
R3	291	8.2%
R4	39	1.1%
Total	347	9.7%

Legal Non-Conforming Driveways by Zoning District



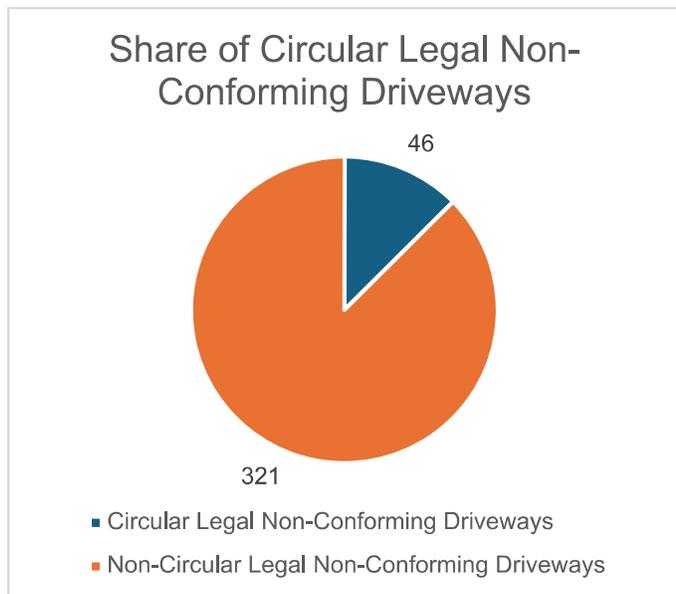
- However, R4 has the largest relative share of legal, non-conforming parking.

Zoning District	Non-Conforming Driveways	Properties in District	Share of Zoning District
R1	15	393	3.8%
R2	2	487	0.4%
R3	291	2,468	11.8%
R4	39	300	13.0%
Total	347	3,648	

Of the 347 legal non-conforming driveways:

- 46 are circular
- R3 has the highest number of circle drives

Circular Legal Non-Conforming Driveways by District	
R1	11
R2	1
R3	28
R4	6
Total	46



Properties with Circular Legal Non-Conforming Driveways



Summary of Legal Non-Conforming Driveway Property Lot Widths

Lot Width Range	Number of Properties				
	Total	R1	R2	R3	R4
0-25	7	0	0	0	7
25-50	171	0	1	160	10
50-100	95	1	0	84	10
Over 100	11	1	0	4	6
Total Number of Legal Non-Conforming Driveways	284	2	1	248	33

Lot Width Range	Number of Properties				
	Total	R1	R2	R3	R4
0-30	14	0	0	5	9
30-60	217	0	1	203	13
60-90	40	0	0	35	5
Over 90	13	2	0	5	6
Total Number of Legal Non-Conforming Driveways	284	2	1	248	33

Zoning District	Average Lot Size
Village	51.8
R1	111.0
R2*	43.0
R3	50.4
R4	59.5

*Only one property in the district

Zoning Amendment Scenarios

Scenario Changes Related to <i>Yard</i>	# of Driveways that Become Legal	# of Driveways that Become Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking in the <i>front</i> yard without a garage.	160	187	5.3%
Allow open-air parking in the <i>side</i> yard without a garage.	187	160	4.5%
Allow open-air parking in the <i>front and side</i> yards without a garage.	347	0	0%

Scenario Changes Related to <i>Zoning Districts</i>	# of Driveways that Become Legal	# of Driveways that Become Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking only in R1 and R2 district.	17	330	9.3%
Allow open-air parking only in R3 and R4 district.	330	17	0.5%
Allow open-air parking only in R3 district.	291	56	1.57%

Scenario Changes Related to <i>Lot Width</i>	# of Driveways that Become Legal	# of Legal Non-Conforming Driveways Remaining	% of Legal Non-Conforming Driveways in the Village After Zoning Change
No Zoning Change	0	284	7.98%
Allow open-air parking on R4 properties with lot sizes smaller than 60 feet	22	226	6.35%
Allow open-air parking on properties with lot sizes larger than 60 feet	53	231	6.49%
Allow open-air parking on properties with lot sizes larger than 50 feet	106	178	5.00%
Allow open-air parking on properties with lot sizes smaller than 50 feet	178	106	2.98%
Allow open-air parking on R3 and R4 properties with lot sizes smaller than 60 feet	229	55	1.54%
Allow open-air parking on properties with lot sizes smaller than 60 feet	231	53	1.49%
Allow open-air parking on R3 properties with lot sizes smaller than 60 feet	207	41	1.15%
Allow open-air parking on R3 and R4 properties with lot sizes smaller than 80 feet	269	15	0.42%
Allow open-air parking on properties with lot sizes smaller than 90 feet	271	13	0.37%
Allow open-air parking on properties with lot sizes smaller than 100 feet	273	11	0.31%

Scenarios to Allow Open-air Parking	# of Driveways that	# of Legal Non-Conforming Driveways Remaining	% of Legal Non-Conforming Driveways in
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	Become Legal		the Village After Zoning Change
No Zoning Change	0	292	8.2%
Allow in R1 and R2 district.	5	287	8.1%
Allow on properties with lot sizes larger than 60 feet .	53	231	6.5%
Allow on R4 properties with lot sizes smaller than 60 feet .	22	226	6.3%
Allow in the front yard.	113	179	5.0%
Allow on properties with lot sizes larger than 50 feet .	106	178	5.0%
Allow in the side yard.	179	113	3.2%
Allow on properties with lot sizes smaller than 50 feet .	178	106	3.0%
Allow on R3 and R4 properties with lot sizes smaller than 60 feet .	229	55	1.5%
Allow on properties with lot sizes smaller than 60 feet .	231	53	1.5%
Allow on R3 properties with lot sizes smaller than 60 feet .	207	41	1.2%
Allow only in R3 district.	255	37	1.0%
Allow on R3 and R4 properties with lot sizes smaller than 80 feet .	269	15	0.4%
Allow on properties with lot sizes smaller than 90 feet .	271	13	0.4%
Allow on properties with lot sizes smaller than 100 feet .	273	11	0.3%
Allow only in R3 and R4 district.	287	5	0.1%
Allow in the front and side yards.	292	0	0.0%

No Change to the Village

Most Change to the Village

Attachment #2. Relevant Regulations

Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways

6-1-5 Driveways and driveway approaches.

(A) Definitions. The following definitions shall apply in the interpretation and enforcement of this Section 6-1-5:

DRIVEWAY: A place on private property for the operation of automobiles and other vehicles.

DRIVEWAY APPROACH: That portion of a right-of-way that provides vehicular access from the roadway to an adjoining lot.

ROADWAY: That portion of a right-of-way improved, designed or ordinarily used for vehicular travel; provided, however, that the term "roadway" shall not include the berm, shoulder, or parkway, if any. In the event that a right-of-way includes two or more separate roadways, the term "roadway" shall refer only to each separate roadway, and not to all roadways collectively.

(B) Permit fee. No permit authorizing a driveway approach shall be issued until the fee therefor has been paid to the Village pursuant to Article 2 of this Chapter 6.

(C) Construction regulations.

(1) It shall be unlawful to construct any curb or driveway approach or break out or remove any curb without first securing a permit as required pursuant to Article 2 of this Chapter 6.

(2) No driveway approach shall be constructed or used so as to impede the flow of surface water in the street gutter or a drainage ditch.

(3) No driveway approach to residential properties shall be constructed or used for the sole purpose as a parking space.

(4) A maximum driveway approach width of 14 feet shall be allowed for driveway approaches to circular driveways on parcels of property used for single-family residential purposes.

(D) Approaches; location. No driveway approach shall be located so as to interfere with municipal or public utility facilities such as poles, traffic signals, signposts, catch basins, fire hydrants, crosswalks, or other street structures. Driveway approaches shall be located so as to avoid existing parkway trees. Driveway approaches must be constructed at a minimum distance away from existing trees of one foot per diameter inch of the tree, up to a maximum distance of 10 feet. If it is not feasible to comply with the minimum distance requirement set forth in this Section 6-1-5(D), the property owner may remove the tree in accordance with the applicable provisions of this Code. If such tree removal would result in the distance to the next closest trees to be more than 25 feet, the property owner must pay a tree replacement fund fee in the amount of \$150 per inch of diameter of the tree removed. Removal of any parkway trees shall be subject to the Village Parkway Landscaping Ordinance set forth in Article 5 of this Chapter 6.

(E) Driveway approach construction standards. Driveway approaches shall be constructed to the following standards:

(1) Surface. All driveway approaches which give access to an improved street with curb and gutters shall be surfaced with a permanent dustproof surface: either concrete (six inches) over five inches CA-6, crushed stone aggregate, bituminous surface (eight inches CA-6, crushed stone aggregate, and three-inch asphalt), brick (over six inches of concrete) or other material approved by the Village.

(2) Widths. The total width of driveways measured at the property line on a parcel of property used for residential purposes shall not exceed the applicable standard set forth in Chapter 15 of this Code (Zoning Ordinance). The total width of driveways measured at the property line on a parcel of property used for nonresidential purposes shall not exceed 1/2 the lot frontage, and no single driveway approach shall exceed 30 feet measured at the property line. The width of the driveway approach measured at the curb shall in no case be greater than five feet more than the width measured at the property line.

(3) Location of drives. On a parcel of property used for residential purposes, no driveway approach or driveway flare shall extend over the property line extended to the curb; provided, however, where the Board of Trustees finds that there is a particular hardship to the owner, a driveway that has been in existence in excess of 25 years may be reconstructed in its present location even if the driveway approach or driveway flare extends over the property line extended to the curb. On a parcel of property used for nonresidential purposes, no driveway approach shall be located within five feet of the property line, or within 10 feet of any other driveway approach as measured at the property line.

(4) Consistency with Zoning Ordinance. All driveway approaches shall be constructed in a manner and at locations necessary to facilitate direct vehicular travel onto adjacent driveways on private property, which driveways shall be constructed as required pursuant to Chapter 15 of this Code (Zoning Ordinance).

(F) Restoration by Village. In the event that the Village removes any portion of a driveway approach constructed pursuant to this Section 6-1-5 in connection with any maintenance, construction, or repair activities within the right-of-way, the Village shall only be required to replace the driveway approach with one or more materials approved pursuant to Section 6-1-5(E)(1) of this Code.

6-1-6 Maintenance of driveway approaches.

No snow or ice may be artificially placed or deposited onto any portion of a sidewalk adjacent to a nonresidential property over which a driveway approach crosses. This Section 6-1-6 does not apply to snow plowing operations provided by or on behalf of the Village.

6-1-7 Abandoned driveway approaches.

If, at any time, a driveway approach is abandoned, the curb and gutter at the edge of the street and sidewalk shall be replaced in accordance with current Village specifications by, and at the expense of, the owner abandoning the curb cut.

Chapter 15 (Zoning), Article 7 Off-street Parking

7.06 General standards for off-street parking facilities.

Off-street parking facilities shall be provided in accordance with regulations hereinafter set forth.

(5) In yards. Subject to the provisions set forth in this Section 7.06, open-air, off-street parking spaces may be located in: (a) any rear yard, in any zoning district; and (b) in a front yard or a side yard abutting a street, but only within the B-1, B-2, B-3, O-1, M-B, and P Districts, and only upon the issuance of a special use permit therefor pursuant to the procedures set forth in Section 5.17 of this Zoning Ordinance.

7.13 Additional driveway regulations for single-family residential properties.

Driveways on private properties used for single-family residential purposes shall comply with the applicable provisions of Chapter 6 of this Code and with the additional requirements set forth in Table 7.13.01 below:

Maximum width of circular driveways	The lesser of 1/3 of the lot frontage, or 12 feet
Width of all other driveways	The lesser of 1/3 of the lot frontage, or 20 feet
Minimum lot frontage for circular driveways	60 feet
Minimum distance between driveway and side lot line	1 foot

Background

January 2024: COTW was presented information regarding the permissibility of open-air parking spaces for residential properties

- Currently, a combination of regulations found in Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways, and Chapter 15 Zoning, establish standards related to the driveway design and permitted locations of open-air parking spaces
- Allow for open-air parking spaces in the rear yards of residential properties, but not in the front, interior side, or corner side yards
- Provision has been referenced when denying new driveways, the expansion of an existing driveway to create a parking space in a prohibited location, and the conversion of garage spaces into living space

Background

Trustees provided the following direction at that time

- Staff's interpretation of relevant regulations has been appropriate when denying permit applications
 - The Zoning Ordinance should establish a minimum driveway width to ensure appropriate access to required spaces
 - The Village could consider a landscaping requirement if the code were amended to allow open-air spaces where they are currently prohibited
 - Trustees stated support for the continued permissibility of circular driveways
 - Some Trustees feel that not allowing open-air parking spaces may be penalizing property owners whose lots cannot accommodate a garage
 - Some Trustees stated that permitted open-air parking spaces could eliminate cars parked in rear yards, which could be a nuisance to neighbors
 - Trustees are open to considering greater flexibility related to the location of open-air parking spaces
- 

Tonight's Discussion

Potential zoning scenarios for allowing open-air parking spaces:

- Allowing open-air parking spaces in certain parts of a residential lot, but only when there is no garage at the property;
- Allowing open-air parking spaces in only certain residential zoning districts;
- Allowing open-air parking spaces based on lot width; or
- Allowing open-air parking spaces based on a combination of zoning district and lot width.

Minimum driveway width

Open-air parking space landscaping



Tonight's Discussion

Summary of findings from staff research

Potential zoning scenarios for allowing open-air parking spaces:

- Allowing open-air parking spaces in certain parts of a residential lot, but only when there is no garage at the property;
- Allowing open-air parking spaces in only certain residential zoning districts;
- Allowing open-air parking spaces based on lot width; or
- Allowing open-air parking spaces based on a combination of zoning district and lot width.

Minimum driveway width

Open-air parking space landscaping



Summary of Staff Research

347 of 3,560 residential lots (9.7%) have legal non-conforming open-air parking spaces

Of those lots:

- 74 lots have an alternative parking configuration that is compliant (such as a separate driveway leading to garage spaces, or separate access to an alley-loaded garage)
- 160 legal non-conforming open-air parking spaces are in a front yard, and 187 are in a side yard
- Majority of legal non-conforming open-air spaces (291 of 347) are in the R-3 zoning district (11.8% of all the lots in that zoning district)
- The R-4 district has the highest percentage of lots with legal non-conforming open-air parking spaces, at 13.0% (39 of its 300 lots).
- Of the lots with a legal non-conforming open-air parking space, 171 of them are on properties with a width between 25 feet and 50 feet, and 95 of the lots are on properties with a width of 50-100 feet
- Only 11 lots over 100 feet in width have legal non-conforming open-air parking spaces

Potential Zoning Scenarios

Open-Air Parking Spaces and Location on the Lot

- Greatest number of legal non-conforming residential lots would benefit from an allowance of open-air parking spaces in the side yard
 - However, the ability of lots to accommodate such a configuration in the future would be dependent on the width of a given lot and the location and footprint of the home
 - Less legal non-conforming properties would benefit from the allowance of front yard open-air parking spaces
 - That type of improvement is more likely to benefit a greater number of properties in the future because feasibility is less dependent on lot width and building footprint
- 

Potential Zoning Scenarios

Open-Air Parking Spaces and Location on the Lot

Scenario Changes Related to Yard	No. of Driveways that Become Legal	No. of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking in the front yard without a garage.	160	187	5.3%
Allow open-air parking in the side yard without a garage.	187	160	4.5%
Allow open-air parking in the front and side yards without a garage.	347	0	0%

Potential Zoning Scenarios

Open-Air Parking Spaces by Zoning District

- The zoning district with the greatest number of lots that would benefit from greater flexibility is the R-3 district
 - However, because the R-4 district allows for lots that are narrower than those in the R-3 district, it may be worth considering greater flexibility in both of those districts
 - If enacted, such an amendment would bring 330 of the 347 legal non-conforming lots into compliance
 - It would also provide a greater amount of flexibility through the majority of the community to allow open-air parking spaces in front or side yards.
- 

Potential Zoning Scenarios

Open-Air Parking Spaces by Zoning District

Scenario Changes Related to Zoning Districts	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking only in R1 and R2 district.	17	330	9.3%
Allow open-air parking only in R3 and R4 district.	330	17	0.5%
Allow open-air parking only in R3 district.	291	56	1.57%

Potential Zoning Scenarios

Open-Air Parking Spaces and Lot Width

- Allowing open-air parking spaces in lots with a width of less than 100 feet would bring the vast majority of legal non-conforming lots into compliance
- However, only a small percentage of those lots have widths greater than 90 or 100 feet
- Lots with a width of less than 60 feet would benefit the most and would face more challenges when trying to meet current regulations that lots with greater widths

Potential Zoning Scenarios

Open-Air Parking Spaces and Lot Width

Scenario Changes Related to Lot Width	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	284	7.98%
Allow open-air parking on properties with lot width less than 100 feet	273	11	0.31%
Allow open-air parking on properties with lot width less than 90 feet	271	13	0.37%
Allow open-air parking on properties with lot width less than 60 feet	231	53	1.49%
Allow open-air parking on properties with lot width less than 50 feet	178	106	2.98%

Potential Zoning Scenarios

Combining Zoning District and Lot Width

Scenario Changes Related to Lot Width	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	284	7.98%
Allow open-air parking on R4 properties with lot width less than 60 feet	22	226	6.35%
Allow open-air parking on R3 and R4 properties with lot width less than 60 feet	229	55	1.54%
Allow open-air parking on R3 properties with lot width less than 60 feet	207	41	1.15%
Allow open-air parking on R3 and R4 properties with lot width less than 80 feet	269	15	0.42%

Other Zoning Considerations

Minimum Driveway Width

- May be appropriate to consider establishing a minimum driveway width so to ensure appropriate means of access
- As a separate matter, the Village Board will be considering a Plan Commission recommendation to establish a minimum clear dimension of 7.5' for access to spaces provided in residential garages
- This same standard could be considered for a minimum clear driveway width
- Relationship between minimum driveway width and lot width
 - Residential lots have a minimum side yard setback of 10% of the lot width
 - Any lot over 90 feet in width would have to provide a setback that could accommodate a driveway with a minimum width of 7.5 feet and the required one-foot driveway setback from the side lot line

Other Zoning Considerations

Open-Air Parking Space Landscaping

- Trustees previously discussed concept of requiring landscaping for an open-air parking space
- Staff has identified two possible concerns:
 - If applied only to lots with open-air parking spaces (as opposed to driveways to a garage), it would be a more rigorous requirement even though the different types of lots are used in a similar manner
 - Could result in confusion or challenges when it comes to working with residents on maintaining compliant landscaping and enforcing front yard landscape screening regulations
- Staff will follow Trustees' direction if landscaping is preferred as a component of a public hearing

Requested Action

Staff requests direction from the COTW regarding the various zoning concepts summarized in this presentation:

- Allow open-air parking spaces in certain parts of a residential lot
- Allow open-air parking spaces in only certain residential zoning districts
- Allow open-air parking spaces based on lot width
- Allow open-air parking spaces based on a combination of zoning district and lot width
- Establish a minimum standard for clear driveway width
- Establish landscape requirements for open-air parking spaces

If Text Amendments are deemed appropriate, staff would request a referral to the Plan Commission for a public hearing



Supporting Materials



Background

Community Development regularly fields questions regarding residential driveway design

- Permitted locations of open-air parking pads
- Permitted driveway dimensions

Staff seeks to:

- Present information about current regulations and staff interpretations
 - COTW feedback regarding interpretations going forward and any appropriate Zoning Text Amendments
- 

Regulatory Context for Residential Driveways

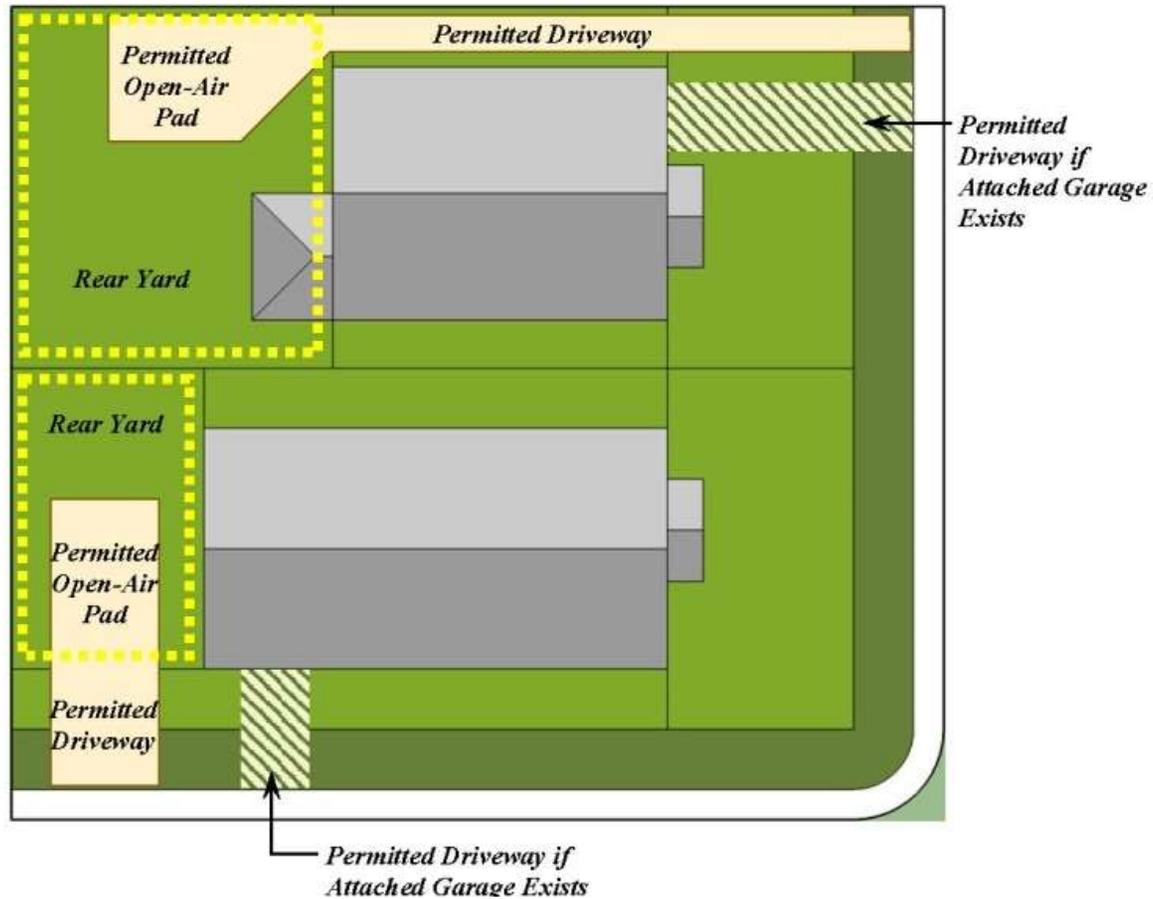
Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways:

- No driveway approach can be constructed for the sole purpose of being a parking space.
- The width of the driveway at the lot line cannot exceed the maximum width established in the Zoning Ordinance.
- The flare of the driveway approach shall not extend over the property line when extended to the curb.

Chapter 15 (Zoning), Article 7 Off-street Parking:

- In residential districts, open-air parking pads are only permitted in rear yards and are prohibited in front, corner side, and interior side yards.
 - For standard driveways, the maximum driveway width is the lesser of 1/3 of the lot width or 20 feet.
 - For circular drives, the maximum driveway width is the lesser of 1/3 of the lot width or 12 feet.
 - The minimum distance between the driveway and side lot line is one foot.
- 

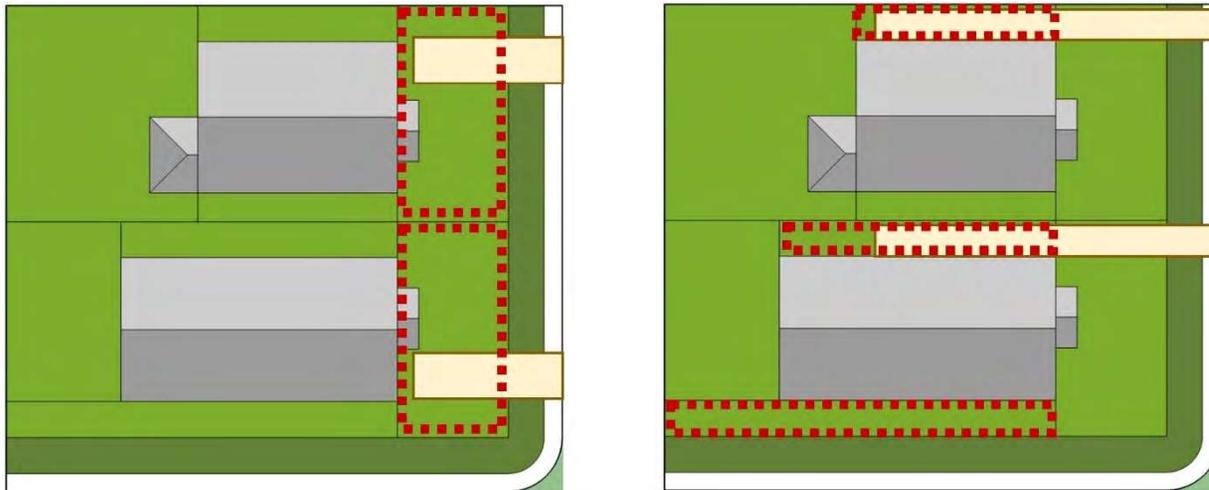
Regulatory Context for Residential Driveways



Zoning Officer Interpretations

Permitted driveway locations

- Driveways leading to attached garages, detached garages, or legal open-air parking pads have been approved; they are providing access a legal parking space and not serving solely as open-air parking pads
- New open-air parking pads in a front or interior side yard have been denied; they do not provide access to a legal parking space

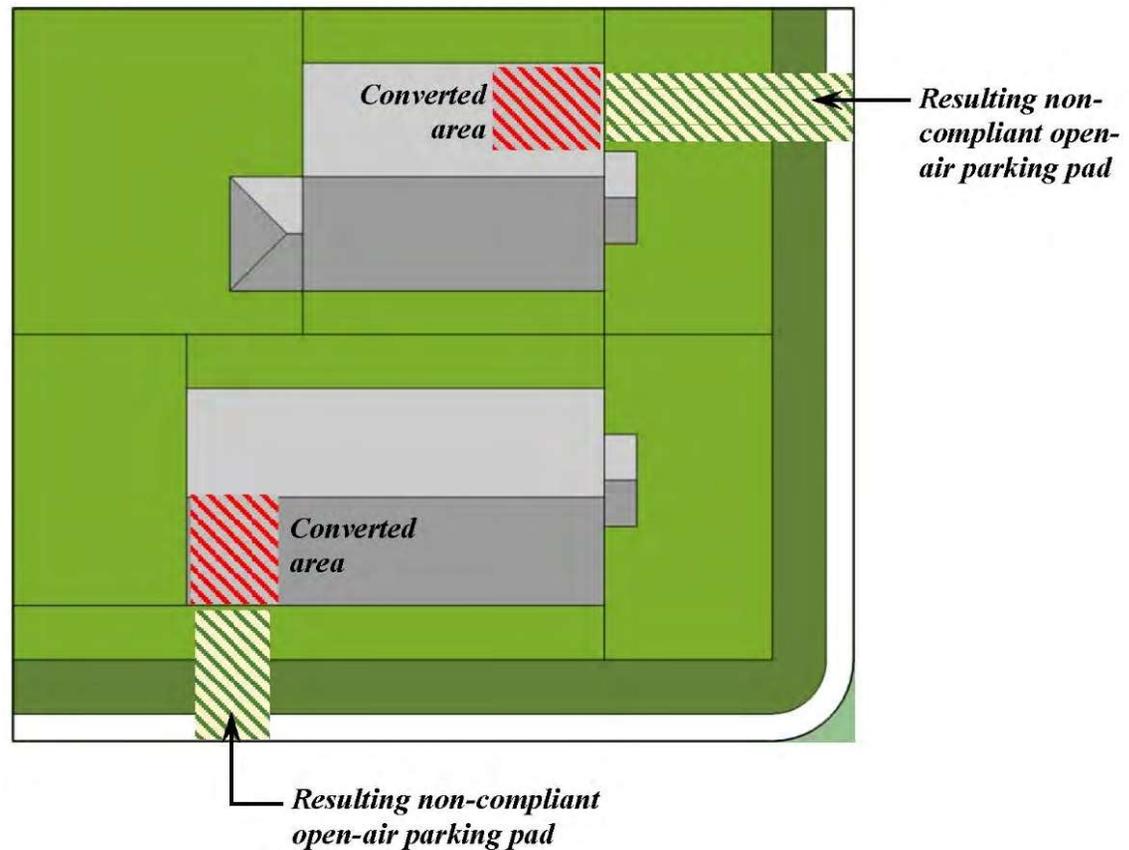


Examples of prohibited open-air parking pad locations

Zoning Officer Interpretations

Interior improvements that create non-compliant parking pads

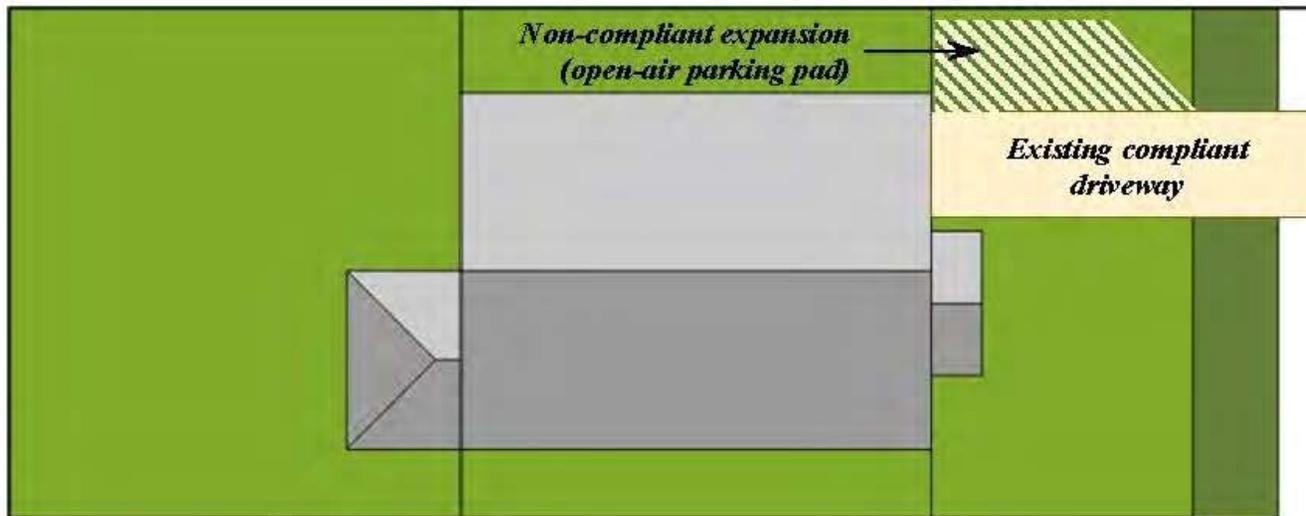
- Garage conversions to living spaces have been denied
- Would result in existing driveway being converted to an open-air parking pad



Zoning Officer Interpretations

Driveway expansions when access to a legal parking space is not enhanced

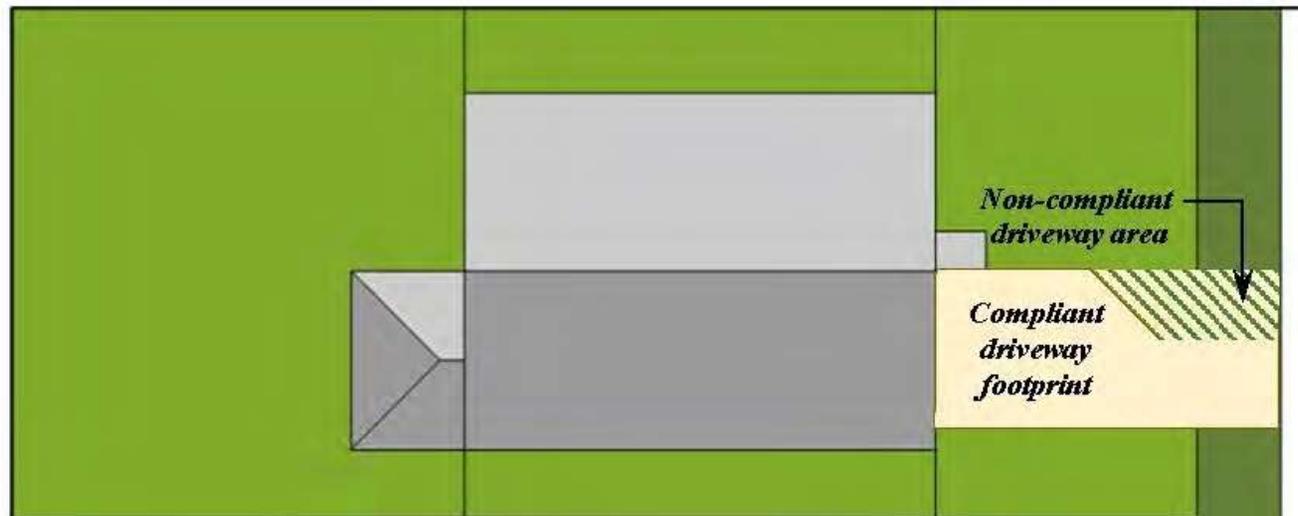
- Driveway widenings have been denied
- Denial based on the widened area not providing access to another legal parking space
- Would serve solely as a new open-air parking pad



Zoning Officer Interpretations

Maximum permitted width at the lot line

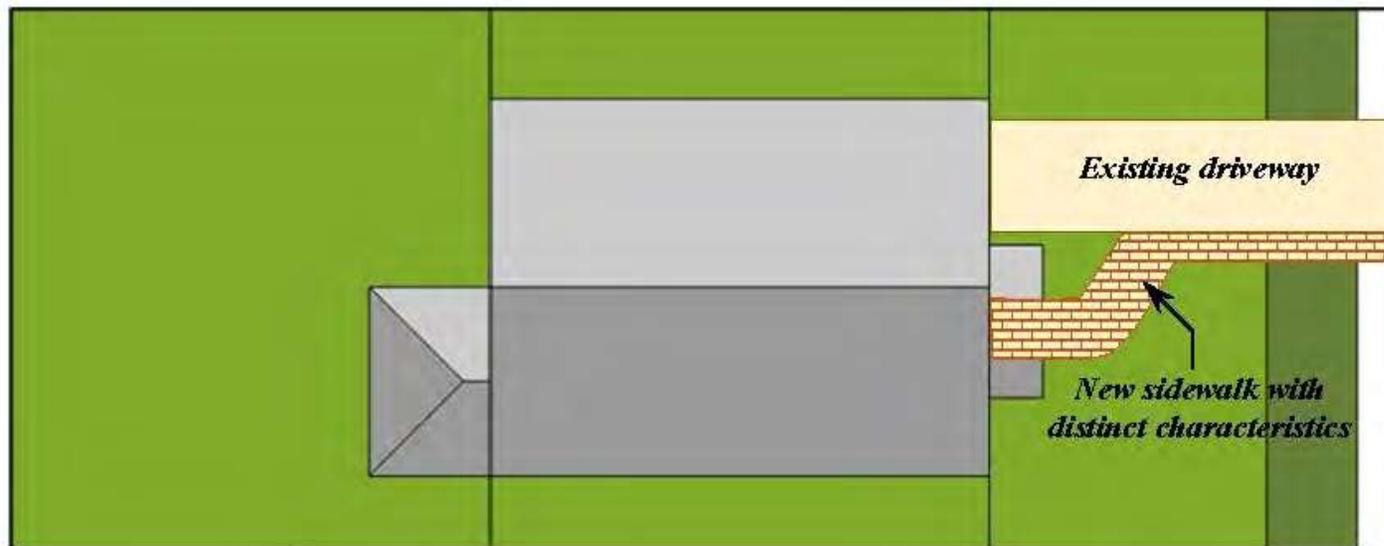
- Maximum permitted width enforced at the lot line, even if driveway needs to be wider to serve multi-car garage
- Taper required between garage and lot line



Zoning Officer Interpretations

Adjacent impervious surfaces not counted as “driveway expansion”

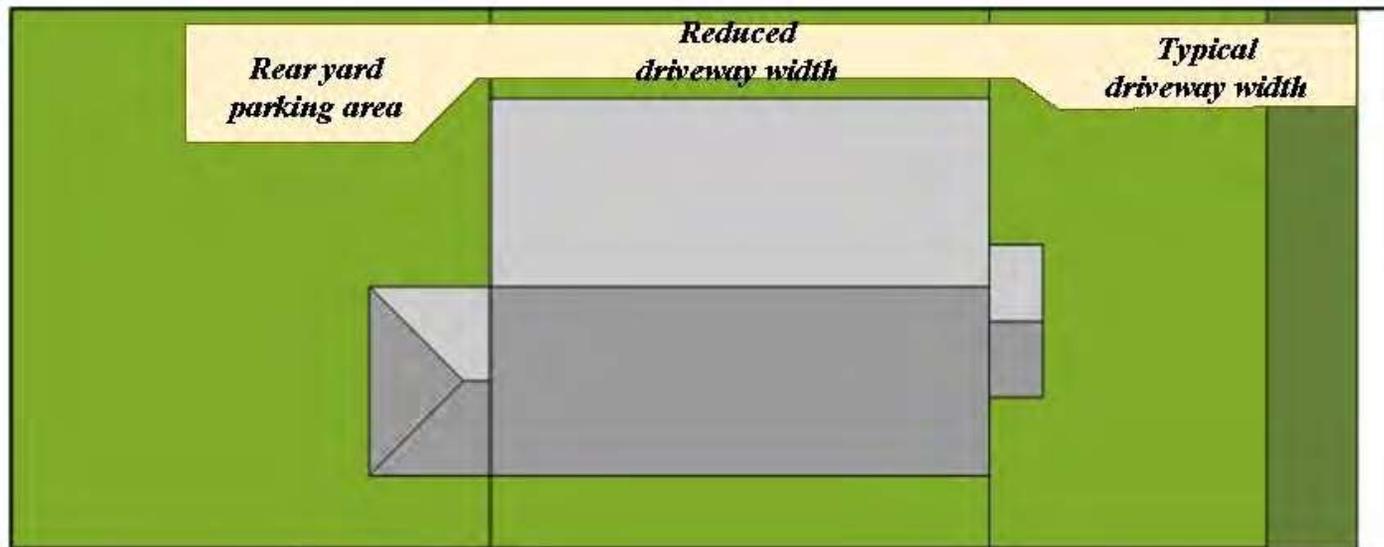
- Some property owners have added sidewalks adjacent to driveways
- Required to be distinct in design (i.e. separated by expansion joints, different paver materials, etc.)



Zoning Officer Interpretations

Substandard driveway width

- Some have sought approval for driveways with substandard width
- Zoning Ordinance does not establish specific minimum width
- Could result in areas functioning as other elements (i.e. patios) with different zoning requirements



2016 Zoning Text Amendment

Many of the interpretations noted earlier are based on zoning language impacted by a Text Amendment in 2016

Prior to 2016:

- Open-air parking pads were permitted in the interior side yard or rear yard of residential properties

After 2016:

- Open-air parking pads are permitted only in rear yards for residential properties

Several residential property owners point to examples in their surrounding area when their applications are denied

- Staff explains this Text Amendment and the fact that those spaces would have existed prior to 2016

Related Variation Request

Zoning Variation request regarding an open-air parking pad was made in 2017 for 7235 North Keating Avenue

- Sought approval to install a parking pad in the front yard, noting that there is no opportunity to provide a driveway to the rear yard

ZBA recommended approval of the request by a 3-2 vote

Village Board failed to pass a motion directing the drafting of an Ordinance approving the request

- Several Trustees expressed concerns regarding neighborhood aesthetics
 - No formal action was taken by the Village Board
 - Petitioner withdrew their request before being denied by expiration
- 

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
GERALD C. TURRY VILLAGE BOARD ROOM
SEPTEMBER 17, 2024**

Call to Order

Mayor Patel called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:34 P.M. Tuesday, September 17, 2024, in the Gerald C. Turry Village Board Room of the Municipal Complex at 6900 N. Lincoln Avenue, Village of Lincolnwood, County of Cook, and State of Illinois.

Pledge to the Flag

Trustee Klatzco led the pledge of allegiance.

Roll Call

On roll call by Deputy Village Clerk Madeline Farrell, the following were:

Present: Mayor Patel, Trustees Klatzco, Diaz Herrera, Sargon, Saleem, Ikezoe-Halevi

Absent: Trustees Martel

A quorum was present.

Also present: Village Manager Anne Marie Gaura, Assistant Village Manager Madeline Farrell, Human Resources Manager Lamar Jones, Community Development Director Scott Mangum, Planning and Economic Development Manager Douglas Hammel, Police Chief Jason Parrott, Parks and Recreation Director Karen Hawk, Public Works Director John Welch, Management Analyst Elijah Bebor, Management Analyst Natalie Benner and Village Attorney Steve Elrod.

Approval of Minutes

The minutes of the September 5, 2024 Village Board meeting were presented for Village Board approval.

Trustee Sargon moved to approve the minutes of the September 5, 2024 Village Board meeting. The motion was seconded by Trustee Klatzco

Upon voice vote the results were:

AYES: Trustees Klatzco, Diaz Herrera, Sargon, Saleem, Ikezoe-Halevi

NAYS: None

The minutes were approved.

Warrant Approval

Trustee Klatzco presented the warrants in the amount of \$2,739,512.15. Trustee Klatzco moved to approve the warrants as presented. The motion was seconded by Trustee Sargon.

Upon roll call, the results were:

AYES: Trustees Klatzco, Diaz Herrera, Sargon, Saleem, Ikezoe-Halevi

NAYS: None

The motion passed

President's Report

1. Madeleine Grant Volunteer of the Year Recognition

Mayor Patel recognized the recipient of this year's Madeleine Grant Volunteer of the Year Award. He provided a brief history of Madeleine Grant's contributions to the Village, including her work with the League of Women Voters to create Lincolnwood's Library, her role as the Village's first Library President from 1978 to 1990, and her tenure as Mayor. During her time as Mayor, Grant focused on improving the Village's finances, investing in infrastructure, supporting ethnic diversity, and making Lincolnwood a home rule community.

This year's award was presented to Caren Ex, a long-time community volunteer. Ms. Ex was recognized for her commitment to improving the lives of others, including her efforts in founding the Harice Leavitt Memorial Angel Fund, which helps residents in need with utility bills. She has volunteered in various capacities for over 25 years and was one of the first commissioners on the Lincolnwood Human Relations Commission, created by Mayor Grant in 1997.

Ms. Ex was presented with a crystal bowl and her name will be added to the plaque in the Village Hall, alongside past recipients of the Madeleine Grant Recognition Award.

Ms. Ex took a moment to thank the community for their support.

A brief recess was held to fully recognize the award winner.

The meeting was called to order at 7:58pm.

2. Centennial Park Cleanup

Mayor Patel announced that the Village will be hosting a Fall Cleanup event at Centennial Park on Sunday, September 22, from 11:00 a.m. to 1:00 p.m. Volunteers are invited to meet in the public parking lot off McCormick Blvd. Supplies, including gloves, vests, bags, and trash grabbers will be provided. He encouraged everyone to participate and looks forward to seeing volunteers at the event.

3. Turkey Trot Registration and Volunteer Opportunities

Mayor Patel announced that registration for the 48th Annual Lincolnwood Turkey Trot is now open. The race will take place on Sunday, November 24. Participants are encouraged to register before October 4 to take advantage of the discounted rate, as rates will increase after that date. Additionally, those interested in volunteering for the event should contact Julie Glowacki at jglowacki@lwd.org. There are also sponsorship opportunities available more information can be found on the Village website.

4. Art Gallery

Mayor Patel highlighted the current artwork on display at Village Hall, created by artist Melanie Deal. Deal's work is made from paper and mixed media. Residents are invited to stop by Village Hall to view the exhibit, which is open Monday through Friday from 9:00 a.m. to 5:00p.m.

5. Bike Safety

Mayor Patel reminded residents to wear bike helmets and use lights on their bikes when riding during dawn or dusk, as daylight hours are changing. He also urged everyone to exercise caution at intersections, noting that just because you can see cars, it doesn't mean the drivers can see you. Safety should be a priority for all cyclists.

6. Village Clerk Speedy Recovery

Mayor Patel took a moment to wish Village Clerk Beryl Herman a speedy recovery and expressed hope to see her back at Village Hall soon.

Village Trustees' Report

Trustee Klatzco highlighted that there is a Traffic Commission meeting on September 26th. Trustee Sargon highlighted the fall clean up event and that there will be an Environmental Commission meeting on September 23rd at 7pm and a Plan Commission meeting on September 30th at 7pm.

Boards and Commissions Report

None

Village Clerk's Report

None

Village Manager's Report

Manager Gaura mentioned that the Board should stay late for the photo opportunity for the community survey award.

Public Forum

Jovy Jensen Shahid spoke in opposition to the sale of wild animals in the village.

Jodie Wiederkehr spoke in opposition to the sale of wild animals in the village.

Village Manager Gaura requested an alternative meeting date for the Special Finance meeting. A new proposed date of September 26th at 12:15 p.m. was suggested. The importance of having an in-person quorum for the meeting was emphasized, as the agenda will include discussion of the annual audit.

Consent Agenda

1. Approval of the July 16, 2024 Village Board Meeting, August 5, 2024 Part A Special Village Board Meeting, August 5, 2024 Part B Special Village Board Meeting, and August 20, 2024 Committee of the Whole Closed Session Minutes
2. Approval of a Resolution Approving a Concession Agreement with Munchies Gyros II, Inc., of Lincolnwood, Illinois
3. Approval of a Resolution Approving an Agreement with Confluence, of Chicago, Illinois, for a Parks and Recreation Feasibility Study
4. Approval of a Resolution Approving an Amended and Restated Agreement with Paramedic Services of Illinois, Inc. for Fire Protection and Emergency Medical Services.
5. Approval of a Resolution Authorizing the Purchase and Planting of 129 Trees to be Purchased from the Suburban Tree Consortium in an Amount not to Exceed \$60,000
6. Approval of a Resolution Authorizing the Filing of an Application for an Illinois Transportation Enhancement Program Grant, and Pledging \$628,000 in Village Funds, for the Pratt Avenue Pedestrian Bridge Project
7. Approval of an Ordinance Approving an Amendment to the Pratt/McCormick Planned Unit Development

Trustee Sargon motioned to approve Consent Agenda as item 7 amended. The motion was seconded by Trustee Klatzco.

Upon Roll Call, the results were:

AYES: Trustees Klatzco, Diaz Herrera, Sargon, Saleem, Ikezoe-Halevi

NAYS: None

The motion passed.

Regular Business

8. Consideration of an Ordinance Amending the Village of Lincolnwood Zoning Ordinance Regarding Minimum Width for Garage Doors

Planning and Economic Development Manager Douglas Hammel presented information to the Village Board via PowerPoint regarding the width of residential garage doors. He shared that the Plan Commission, during its September 3 meeting, recommended that standard residential

garage doors must provide a clear dimension of at least 7.5 feet when in the open position, which corresponds to an 8-foot garage door.

The floor was opened for questions.

Trustee Sargon moved to approve the Ordinance amending the Village of Lincolnwood Zoning Ordinance regarding minimum width for garage doors. Trustee Klatzco seconded the motion.

Upon Roll Call, the Results were:

AYES: Trustees Klatzco, Diaz Herrera, Sargon, Saleem, Ikezoe-Halevi

NAYS: None

The motion passed

9. Consideration of a Resolution Approving a Supplement to the Agreement with Chastain & Associates, LLC for Design Engineering Services

Public Works Director John Welch presented information regarding a supplemental agreement with Chastain & Associates for Design Engineering Services in the amount of \$32,846. This fee covers the completion of an additional 47 lead service line investigations along Pratt Avenue, from Central Avenue to McCormick Boulevard. Director Welch also provided details on the overall project costs.

The floor was opened for questions.

Trustee Sargon moved to approve the Resolution approving a supplement to the agreement with Chastain & Associates, LLC for Design Engineering Services. Trustee Ikezoe-Halevi seconded the motion.

Upon Roll Call, the Results were:

AYES: Trustees Klatzco, Diaz Herrera, Sargon, Saleem, Ikezoe-Halevi

NAYS: None

The motion passed

10. Discussion Concerning Aquatic Center Fees and Policies

This item was heard at the Committee of the Whole earlier in the evening.

11. Discussion Concerning Open-Air Spaces and residential Driveway Design

Planning and Economic Development Manager Douglas Hammel presented a PowerPoint on the permissibility of open-air parking spaces for residential properties, currently allowed only in rear yards. Trustees previously discussed this in January and provided guidance, supporting staffs interpretation of regulations, recommending a minimum driveway width, and considering landscaping requirements if open-air parking spaces are expanded. Trustees supported circular driveways and noted that prohibiting open-air parking could penalize properties without garages, while allowing it could reduce rear-yard parking nuisances.

Development Manager Hammel outlined zoning scenarios for open-air parking, including options for allowing it in specific areas of lots without garages, in certain zoning districts, based on lot width, or a combination of both. The presentation also included discussions on minimum driveway width and landscaping requirements.

Staff requested direction from the Village Board on these zoning concepts, and if text amendments are deemed appropriate, a referral to the Plan Commission for a public hearing was requested.

During discussion, Mayor Patel asked for comments. Trustee Saleem inquired about parking pads in the R4 zoning district. Trustee Klatzco raised concerns about stormwater, double parking, curb cuts, and parking pad capacity. Mayor Patel clarified that stormwater and impervious lot requirements would not change. Trustees Diaz Herrera, Sargon, and Ikezoe-Halevi echoed concerns about aesthetics, stormwater, and applying strong discretion.

Development Manager Hammel and Director Welch noted potential impacts on parkway trees. Mayor Patel stated parkway trees should not be removed, but residents' needs must be considered.

The item was referred to the Plan Commission for review.

Public Forum

No additional public forum was requested.

Adjournment

At 8:49 P.M., Mayor Patel called for adjournment of the Regular Village Board meeting. Trustee Sargon moved to adjourn, seconded by Trustee Klatzco.

The meeting was adjourned by roll call.

Resrra:1

Caroline Dick
Deputy Village Clerk



**MEETING MINUTES
OF THE
PLAN COMMISSION / ZONING BOARD OF APPEALS – Regular Meeting
April 16, 2025 – 6:00 P.M.**

**LINCOLNWOOD VILLAGE HALL
6900 NORTH LINCOLN AVENUE
LINCOLNWOOD, ILLINOIS 60712**

Present: Chairman Bruce Heller, Commissioners, Rizwan Hussain, Steven Jakubowski, Jennifer Spino, and Henry Novoselsky

Absent: Commissioners Mark Yohanna and Sue Auerbach

Staff Present: Interim Planning Manager Doug Pollock, Village Trustee Atour Sargon, Community Development Coordinator Marcos Classen, Village Engineer Liz Jensen, and Village Attorney Caitlyn Culberson

I. Call to Order

A call to order was made at 6:03 pm.

II. Pledge of Allegiance

Chairman Heller stated that Village Staff has requested that the two text amendments on the agenda be continued. He suggested that the PC/ZBA take these out of order and consider this request at this time.

VI. Case #TXTA-07-25: Text Amendment - Zoning Text Amendments – Regulations for the Residential Fence Orientation

A motion was made by Commissioner Novoselsky to continue Case #TXTA-04-25 To the June 18th meeting.

Motion was seconded by Commissioner Spino

Aye: Chairman Heller, Commissioners Hussain, Jakubowski, Novoselsky, and Spino

Nay:

Abstain:

Motion Approved: 5-0

VII. Case # TXXA-04-25: Zoning Text Amendments – Regarding Regulations for Open-Air, Off-Street parking spaces (a.k.a. Parking Pads) in Residential Zoning Districts

A motion was made by Commissioner Spino to continue Case #TXXA-07-25 To June 18th 2025, meeting.

Seconded by Commissioner Novoselsky

Prior to a vote, Sabih Ahmed from 7107 N Tripp addressed the commission with a public comment regarding how long this item has been an issue. He noted that he has been waiting for a while for this discussion to take place as he was not able to move forward with a permit under the current regulations regarding parking pads. Chairman Heller noted that the request to move the text amendment to a future meeting was made by staff and that the commission is acknowledging that staff needs additional time to fully research this item before being brought back to the PC/ZBA. He also noted that Mr. Ahmed should work with Mr. Pollock on looking at other options he has while the text amendment is on hold.

Aye: Chairman Heller, Commissioners Hussain, Jakubowski, Novoselsky, and Spino

Nay:

Abstain:

Motion Approved: 5-0

III. Approval of Minutes

A Motion was made by Commissioner Spino to approve the March 5, 2025, meeting minutes.

The motion was seconded by Commissioner Jakobowski.

Aye: Chairman Heller, Commissioners Hussain, Jakubowski, and Spino

Nay:

Abstain: Novoselsky

Motion Approved: 4-0

IV. Case #VAR-05-25: 7101 N Kenton Avenue – Variations for Front Setback and Side Daylight Plane

Interim Planning Manager Doug Pollock gave a brief overview of the subject property and the variation requests in regard to a front setback with existing legal non-conforming setback and an encroachment into the side daylight plane.

Petitioners: Zahoor Abbasy and Hannah Abbasy; owners

Mike Anzalone; Architect

7101 N Kenton Ave

Mr. Abbasi shared that his family has been living in Lincolnwood for some time and they do not want to move out of their village which is why they want to add the additions. They are seeking more living space and storage for the family.

Project Architect, Mr, Anzalone shared that the lot has a weird configuration so the proposed design is the best option as it is effective for the family in many means, along with maintaining building and façade standards. He shared that many different designs were made and the proposed one is the least awkward. Commissioner Hussain asked about potential changes to height. Mr. Anzalone responded that the house would look weird if height was lowered for 3rd story.

Commissioner Novoselsky asked for discussion about hardship; its definition and what it constitutes. He stated that he believes the encroachment is minimal and will enhance the façade of the property. Commissioner Spino stated that while the encroachment is minimal she doesn't see the problem with decreasing it by a foot but states that the nearby homes are already a 2 story building.

A motion was made by Commissioner Novoselsky to recommend approval of the variations as presented.

Motion was seconded by Commissioner Hussain.

Aye: Chairman Heller and Commissioners Hussain, Jakubowski, Novoselsky, and Spino

Nay:

Abstain:

Motion approved: 5-0

V. **Case #SUS-VAR-06-25 4010 W Touhy Avenue – Variations for Screening Wall, Building Materials, and Access**

Chairman Heller recused himself from the discussion and voting due to being the long-term landlord for the petitioner at their current location.

Mr. Doug Pollock gave a presentation about the subject property (a new Dunkin Donuts) along with the history of the development. He shared previous approvals granted by the Village Board for the development. The following shows the granted ordinance:

Ordinance No. 2022-3643:

- Special Uses related to the operation of a drive-through facility, extended hours of operation to begin at 4:00 AM for employees and 4:30 AM for customers, and parking in the front yard; and

- Variations related to a fence in a portion of the front yard of the property, transition yard setback to allow the menu board to be closer to the rear lot line, reduction in the percentage of high-quality building materials for three of the four facades, reduction in the area of parking lot islands for four planting islands, waiver of foundation landscaping along the east and north facades of the building, reduction in on-site parking from 21 to 12 spaces, and the amount and size of wall signs.

Additional approvals were given by the Village Board in 2023 for this development. Ordinance No. 2023-3725 amended the 2022 ordinance with the following additional variations:

- To extend the deadline for obtaining a building permit by 180 days.
- To permit an additional planting island within the parking lot at a width smaller than a parking stall.

Mr. Pollock shared that the building permit had been acquired.

The petitioners are seeking three additional variations.

1. A variation to reduce the length of the masonry wall to ensure adequate sight lines at the intersection of Keystone Avenue and the adjacent alley. The wall would be replaced by a double row of landscaping curved to maintain the sight line. An additional benefit of this landscaping replacement is that an existing tree will be preserved.
2. A variation to improve the east wall with similar materials as the south wall, due to removed screening wall
3. The Petitioner is asking for approval to allow the restaurant to open using only the Keystone Avenue ingress and egress until such time that IDOT approval is granted and the improvements on Touhy Avenue may be completed.

Important considerations include screening wall requirement in the zoning ordinance, reduction in number of parking spaces and stacking on Keystone Avenue.

Village Engineer noted concerns about traffic on keystone and Touhy.

Mr. Pollock noted that he received a phone call from resident who wanted to relay that she objects to the access to relief, she expressed concerns about increased traffic on Keystone, whether permanent or temporary

Discussion ensued between commissioners and Mr. Doug Pollock about the IDOT status. How do we grant a variance without the IDOT ruling. Commissioner Spino shared about the amending process subject to IDOT

Commissioner Jakubowski shared concerns about the nature of the project without IDOT approval and Commissioner Hussain asked if it was normal practice for a village permit to be given without IDOT approval.

Petitioners: Nadeem and Nasser Meherally; owners

4010 W Touhy Ave

Mr. Meherally noted that the business has been in Lincolnwood for 3 decades and they are looking at this new location to revitalize their business. He noted that they believe that fencing the entire lot line would require the removal of a tree and would jeopardize sightlines. The petitioners shared more insight into IDOT involvement and process. Discussion ensued between petitioners and commissioners.

Village Staff would not offer a Certificate of Occupancy without IDOT approval and without finishing access and site improvements; left turn lane, access, and everything else on approved site plan. This Variance would allow a temporary or partial Certificate of Occupancy to be issued.

Public Comment:

Susan Pfandt

7231 N Keystone

Ms. Pfandt shared concerns about the extent of letter due to the traffic impact, stating it is an all Village matter thus more residents than within 250 feet of the property should be notified. Additional concerns were shared about safety on Keystone in regards to people backing out of driveways, alley usage, and the presence of children.

Mr. Meherally shared information about a potential 30-day permit for commercial use; suggesting a soft launch until IDOT and municipal approval. Commissioner Jakubowski inquired about the IDOT permit process, time frame, and past experiences dealing with IDOT for projects.

Further discussion ensued among commissioners about permit process, certificate of temporary occupancy, and future construction.

Steve Kolber; Architect

4010 W Touhy Ave

Mr. Kolber stated that upon permit issuance, the Touhy construction is contracted to take around 2 weeks. Additionally, he shared that the initial approved plans by IDOT did not have ingress, egress plan until requested by the municipality.

Further discussion about hours of operation and operating without drive thru until approval.

Liz Jensen

Christopher Burke Engineering/ Village Engineer

She shared that the petitioners seem compliant with IDOT requests and are in the final stretch for issuance. She shared experience with the IDOT permit process and familiarity with long permit process with IDOT. Ms. Jensen agreed with petitioner that one month from plan approval to approval permit is typical. Initial traffic study did not recommend approval of drive thru along with noting safety concerns for Keystone/Touhy. According to analysis, 180 cars in peak am time and 40 peak evening; this is with drive thru.

Further discussion among commissioners and petitioners about car volume, customer volume, and hours of operation.

A motion was made by Commissioner Spino to recommend approval of the variation for reduced masonry wall length as presented.

The motion was seconded by Commissioner Hussain

Aye: Commissioners Spino, Jakubowski, Novoselsky, and Hussain

Abstain: Chairman Heller

Motion Approved: 4-0

A motion was made by Commissioner Novoselsky to approve the 2nd variation as presented.

The motion was seconded by Commissioner Spino

Aye: Commissioners Hussain, Jakubowski, Novoselsky, and Spino

Abstain: Chairman Heller

Motion approved: 4-0

A motion was made by Commissioner Jakubowski to recommend approval of the 3rd variation subject to the restrictions that there is no usage of the drive thru or marketing of the drive thru prior to IDOT permit issuance and village approval of completed construction.

The motion was seconded by Commissioner Spino

Aye: Commissioners Spino, Novoselsky, Jakubowski, and Hussain

Abstain: Chairman Heller

Motion approved: 4-0

VIII. Public Comment

Sabih Ahmed

7107 N Tripp Ave

Mr. Ahmed shared concerns about parking on his property due to the delayed hearing of text amendment (Case #TXTA-04-25) in June and inquired more about the process and his option for his property while the bigger discussion is on hold.

IX. Adjournment

A Motion was made by Commissioner Jakubowski to adjourn the meeting.

The motion was seconded by Commissioner Hussain.

Aye: Chairman Heller, Commissioners Hussain, Jakubowski, Novoselsky, and Spino,

Nay:

Abstain:

Motion Approved: 5-0

The meeting ended at 8:17 pm.

Respectfully submitted,

Abigail Honeycutt - Community Development Intern



Plan Commission/Zoning Board of Appeals Staff Report Case # TXTA-04-25 May 21, 2025

Nature of Request:

Consideration of a referral by the Village Board Committee of the Whole (COTW) to amend Article 7 of the Zoning Ordinance regarding the location and configuration of open-air, off-street parking pads in residential districts.

Notification: Notice was published in the Lincolnwood Review on February 7, 2025.

Background

The COTW discussed open-air, off-street parking pads in residential districts at its January 8, 2024, and September 17, 2024 meetings. This issue was brought to the COTW by the Community Development Department in response to inquiries received from residents regarding the location and construction of parking on residential properties. Generally, residents have expressed a need for such parking so that vehicles may be parked off-street.

Attached are Staff Reports and Minutes from the referenced COTW meetings. After discussion at the September 17, 2024 meeting, the COTW referred this matter to the Plan Commission, whose duties are now covered by the Plan Commission/Zoning Board of Appeals (PC/ZBA).

Current Regulations

Chapter 6 (Public Parks, Ways, and Properties) of the Municipal Code provides regulations regarding those portions of a driveway that are in the public right-of-way (i.e. driveway apron). Chapter 15 (Zoning) includes driveway and parking regulations on private property. The regulations relevant to this consideration include the following:

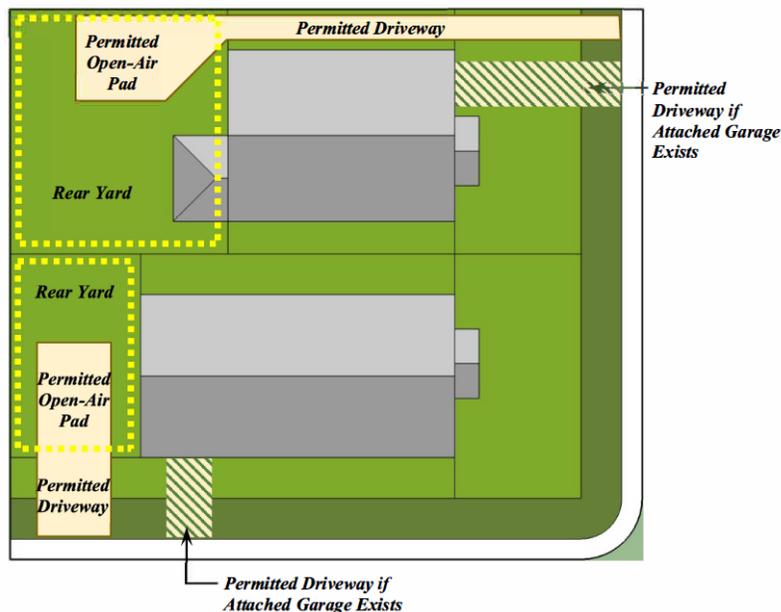
- Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways:
 - No driveway approach can be constructed for the sole purpose of being a parking space.
 - The width of the driveway at the lot line cannot exceed the maximum width established in the Zoning Ordinance.
 - The flare of the driveway approach shall not extend over the property line when extended to the curb.

- Chapter 15 (Zoning), Article 7 Off-street Parking:
 - In residential districts, open-air parking pads are only permitted in rear yards and are prohibited in front, corner side, and interior side yards.
 - For standard driveways, the maximum driveway width is 1/3 of the lot width or 20 feet, whichever is less.
 - For circular drives, the maximum driveway width is 1/3 of the lot width or 12 feet whichever is less.
 - The minimum distance between the driveway and side lot line is one foot.

The specific regulation for open-air, off-street parking is found in Chapter 15, Article VII, Section 7.06(5) which states that:

“...open-air, off-street parking spaces may be located in: (a) any rear yard, in any zoning district; and (b) in a front yard or a side yard abutting a street, but only within the B-1, B-2, B-3, O-1, M-B, and P Districts, and only upon the issuance of a special use permit...”

Staff has interpreted and applied this regulation to prohibit any driveway that does not lead to a garage as being an “open-air, off-street parking space”. Thus, all conforming driveways must lead to either a garage or an open-air parking space located in the rear yard of the property. The graphic below shows examples of permitted open-air parking spaces on single-family residential properties. Note that those driveways identified as “Permitted Driveway if Attached Garage Exists” would not be permitted if there was no attached garage.

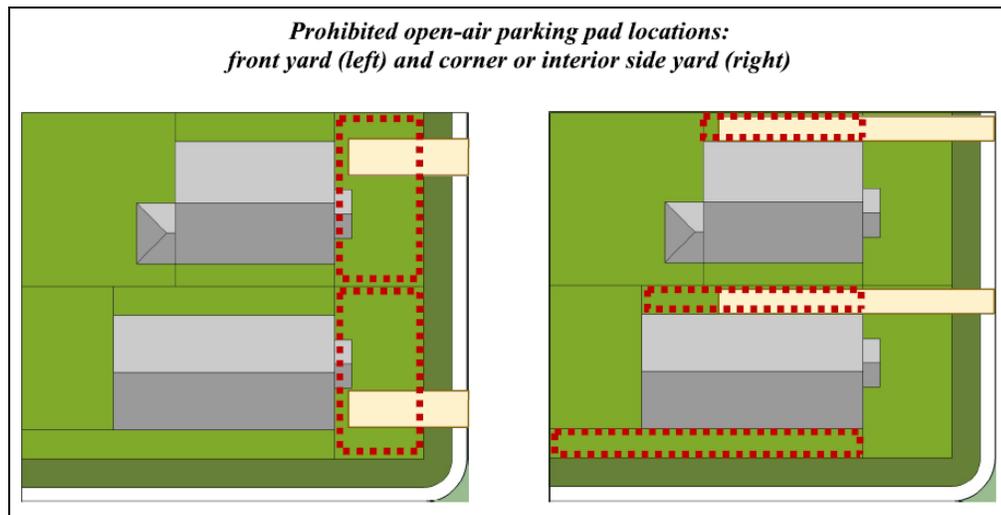


Staff has consistently applied these regulations in a number of scenarios brought forth by property owners. Examples of these include the following:

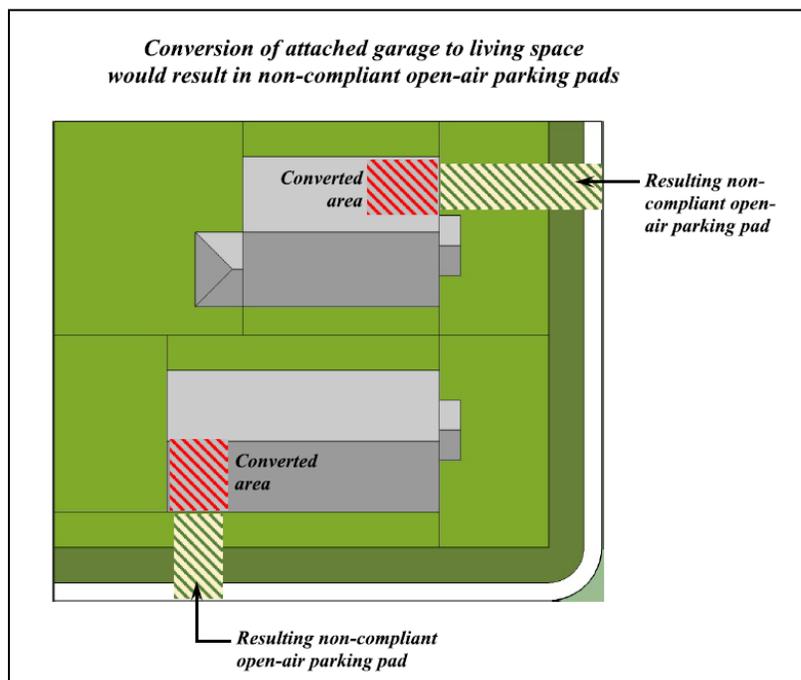
- Driveways leading to attached or detached garages have been approved because they provide access to a legal parking space and not serving solely as open-air

parking pads, even though they are often used as parking spaces on residential properties.

- Driveways leading to open-air parking located in a rear yard have been approved because they are providing access to a permitted, open-air parking pad in the rear yard. Again, various portions of these driveways within a side or front yard are permitted to be used for parking because the driveways lead to a permitted parking pad.
- Permit applications have been received to install new open-air parking pads in a front or interior side yard. Those applications have been denied because they would be in violation of the Zoning Ordinance provisions summarized above.

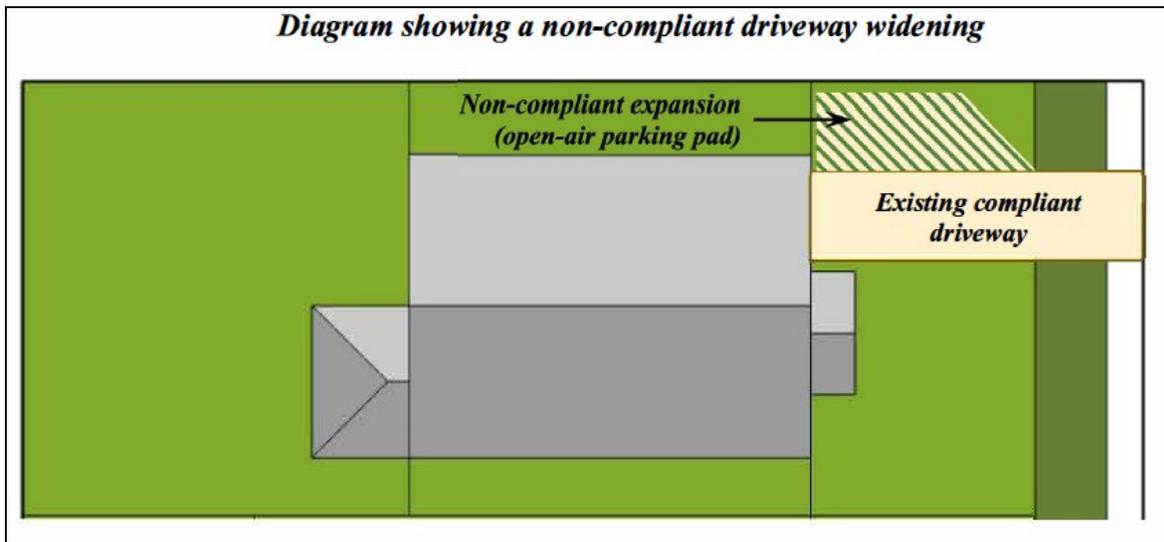


- Permit applications have been received to convert an attached garage to living space. Those applications have been approved but with the requirement that the driveway and driveway apron must be removed. This is because the conversion of the attached garage makes the driveway non-conforming.

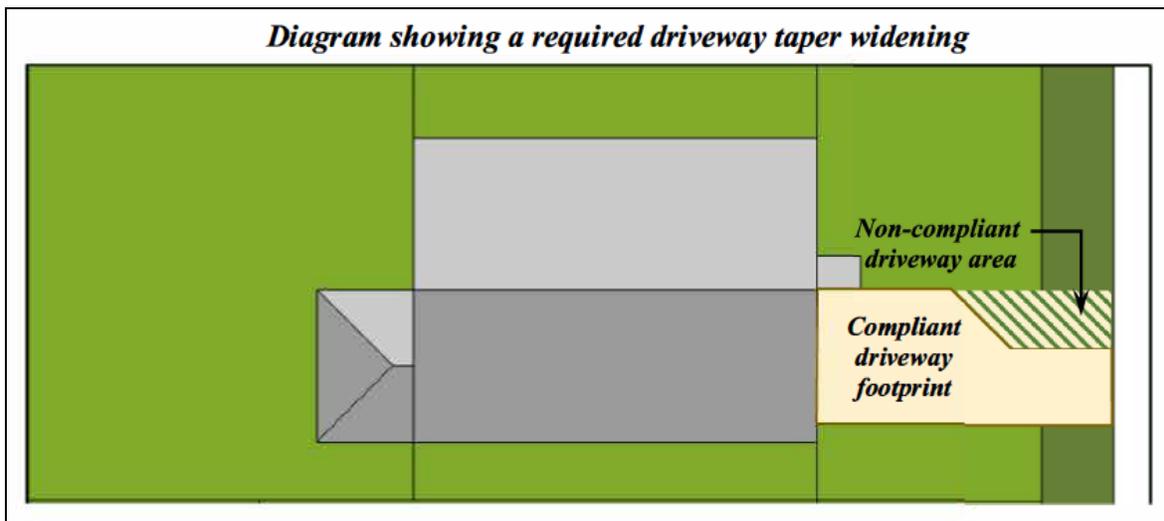


- Permit applications to widen an existing driveway or open-air parking pad have been denied when the widening would result in the increased

capacity for open-air parking in a prohibited location and would not be associated with the expansion of a garage or another legal parking space that the widened area would provide access to.

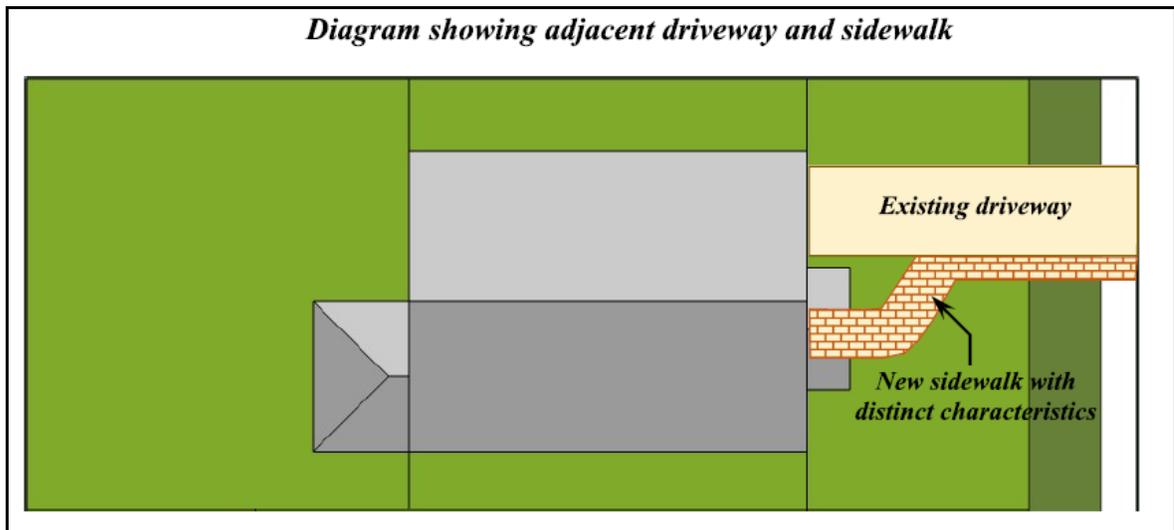


- Several property owners have submitted permit applications for a driveway that serves a two-car garage and maintains a 20-foot width all the way to the curb. Those applications have been denied when the permitted driveway width is less than 20 feet. The Zoning Officer has worked with those applicants to revise the plans so that the driveway tapers down to the permitted width between the garage and the lot line, resulting in a compliant width in the public right-of-way between the lot line and the curb.



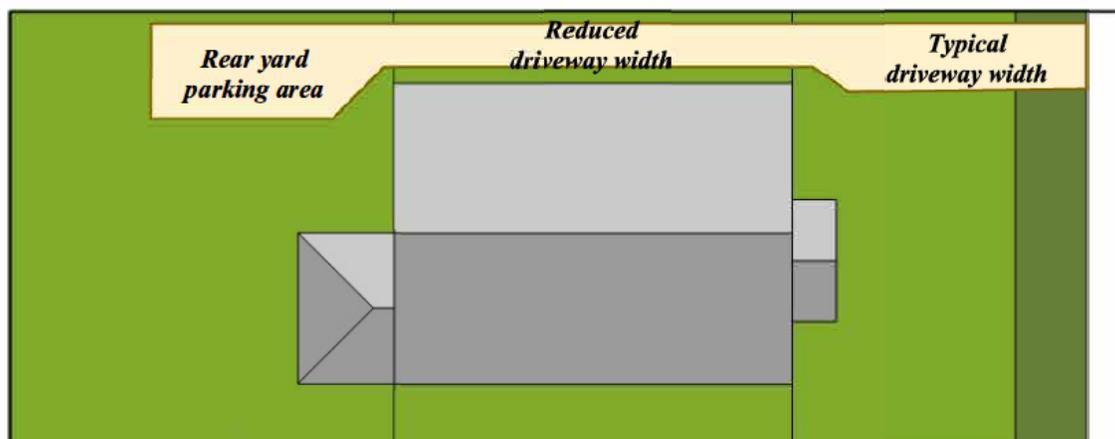
- In a few instances, property owners have been permitted to install a sidewalk adjacent to an existing driveway. In those instances, the Zoning Officer has required that the sidewalk be distinct from and separated from the driveway by an expansion joint, different paver materials, or some other design characteristic. The

intent of that requirement is to clearly distinguish between the driveway and the sidewalk, rather than the overall impervious area appearing to be an expanded driveway.



- There have been a few cases where property owners sought approval of a rear yard parking space accessed by a new driveway along the side of the house, However, the feasibility of the width of the proposed driveway (when considering the building setback and required one-foot setback for the driveway from the side lot line) was questionable. Because the Zoning Ordinance does not establish a minimum driveway width for residential properties, staff had little guidance regarding the permissibility of such an improvement.

Diagram showing possibly infeasible driveway access



2016 Zoning Text Amendment

Many of the interpretations noted above are based on zoning language that was the subject of a Text Amendment in 2016. Prior to that Text Amendment, open-air parking pads were permitted in the interior side yard or rear yard of residential properties. However, the 2016

amendment prohibited open-air parking pads in interior side yards for residential properties but provided the opportunity for non-residential properties to seek approval of a Special Use permit for open-air parking spaces in front or corner side yards.

Several residential property owners, when made aware of a denial of their permit applications, point to examples in their surrounding area where open-air parking pads exist in the front or interior side yards. Those existing open-air parking pads were most likely built before the current regulations were in place and are legally, non-conforming.

Committee of the Whole

The COTW discussed this matter at two separate meetings (January 8, 2024, and September 17, 2024). Minutes from those meetings are attached.

At the January 8, 2024 meeting, the COTW provided the following direction in response to specific questions asked by staff:

- Does the Village Board concur with the current language of Section 7.06(5) of the Zoning Ordinance that prohibits open-air parking pads in the front, corner side, and interior side yards of residential properties?

The COTW confirmed that the current regulations prohibit open-air parking pads in front, corner side, and interior side yards on residential properties.

- Does the COTW concur with the staff's interpretations regarding establishing open-air parking spaces and dimensional and design characteristics of residential driveways?

The COTW concurred with staff's interpretation (see details above).

- Does COTW believe the Zoning Ordinance should establish a minimum residential driveway width to ensure the feasibility of access legal parking spaces (either enclosed in a garage or rear yard open-air parking pads)?

The COTW indicated that a minimum driveway width should be considered to ensure access to legal parking pads/spaces.

Other discussion by the COTW included statements that open-air parking in rear yards is not attractive, that not allowing parking pads in front or side yards inappropriately penalizes properties that do not have garages and that landscaping around front yard open-air parking pads may be desirable.

At the September 17, 2024 meeting, the COTW continued the discussion and ultimately referred the matter to the Plan Commission, whose duties are now covered by the PC/ZBA. Further discussion included concerns about the impact on stormwater, curb cuts, parkway trees and the number of parking spaces that may be located in the front yard. It was also noted that there appears to be a need by residents for additional off-street parking.

Existing Open-Air Off-Street Parking Pads

Staff worked with the GIS Consortium to inventory and analyze conditions related to existing open-air parking spaces. While a more complete inventory of staff's analysis is provided as an attachment to the September 17, 2024 COTW Staff Memo, this section

summarizes the most relevant findings related to legal non-conforming parking spaces on residential properties.

In total, there are 3,560 residential lots in the Village. Based on staff analysis, 347 of those lots (9.7%) have legal non-conforming open-air parking spaces. Of those 347 legal non-conforming properties:

- 74 lots have an alternative parking configuration that is compliant (such as a separate driveway leading to garage spaces, or separate access to an alley-loaded garage).
- 160 legal non-conforming open-air parking spaces are in a front yard, and 187 are in a side yard.
- Most legal non-conforming open-air spaces (291 of 347) are in the R-3 zoning district. This represents 11.8% of all the lots in that zoning district.
- The R-4 district has the highest percentage of lots with legal non-conforming open-air parking spaces, at 13.0% (39 of its 300 lots).
- Of the lots with a legal non-conforming open-air parking space, 171 of them are on properties with a width between 25 feet and 50 feet. Another 95 of the lots are on properties with a width of 50-100 feet. Only 11 lots over 100 feet in width have legal non-conforming open-air parking spaces.

Potential Zoning Considerations

This section presents various options for expanding the opportunity for open-air parking pads on residential properties.

Open-Air Parking Spaces and Location on the Lot

The following table summarizes the numbers of residential properties that would be deemed compliant if the Zoning Ordinance is amended to allow open-air parking spaces on certain portions of the residential lot.

Scenario Changes Related to Yard	No. of Driveways that Become Legal	No. of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking in the front yard without a garage.	160	187	5.3%
Allow open-air parking in the side yard without a garage.	187	160	4.5%
Allow open-air parking in the front and side yards without a garage.	347	0	0%

The greatest number of legal non-conforming residential lots would benefit from an allowance of open-air parking spaces in the side yard. However, the ability of lots to accommodate such a configuration in the future would be dependent on the width of a

given lot and the location and footprint of the home. Conversely, less legal non-conforming properties would benefit from the allowance of front yard open-air parking spaces, but that type of improvement is more likely to benefit a greater number of properties in the future because the feasibility of such a configuration is less dependent on lot width and building footprint.

Open-Air Parking Spaces by Zoning District

Because there is a direct zoning correlation between zoning district and certain dimensional zoning standards (i.e. lot width and lot area), it may be appropriate to consider allowing more flexibility in zoning districts whose lots face less flexibility when providing compliant open-air parking spaces. The following table summarizes the numbers of residential properties that would be deemed compliant if the Zoning Ordinance were amended to allow open-air parking pads in front and side yards based on zoning district.

Scenario Changes Related to Zoning Districts	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking only in R1 and R2 district.	17	330	9.3%
Allow open-air parking only in R3 and R4 district.	330	17	0.5%
Allow open-air parking only in R3 district.	291	56	1.57%

The zoning district with the greatest number of lots that would benefit from greater flexibility is the R-3 district. However, because the R-4 district allows for lots that are narrower than those in the R-3 district, it may be worth considering greater flexibility in both of those districts. If such an amendment were to be enacted, it would bring 330 of the 347 legal non-conforming lots into compliance. It would also provide a greater amount of flexibility through the majority of the community to allow open-air parking spaces in front or side yards.

Open-Air Parking Spaces and Lot Width

Rather than relying on the geography of zoning districts, it may be appropriate to allow open-air parking spaces based on lot width. For example, the wider the lot, the greater the number of viable options a resident may have to meet the current regulations. Alternatively, narrower lots may have less flexibility based on an inability to fit a driveway along the side of the house or stay under the permitted impervious area. The following table summarizes how many lots would be deemed compliant if open-air parking spaces were permitted in front and side yards based on lot width.

Scenario Changes Related to Lot Width	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	284	7.98%
Allow open-air parking on properties with lot width less than 100 feet	273	11	0.31%
Allow open-air parking on properties with lot width less than 90 feet	271	13	0.37%
Allow open-air parking on properties with lot width less than 60 feet	231	53	1.49%
Allow open-air parking on properties with lot width less than 50 feet	178	106	2.98%

The table above shows that allowing open-air parking spaces in lots with a width of less than 100 feet would bring most legal non-conforming lots into compliance. However, only a small percentage of those lots have widths greater than 90 or 100 feet. Lots with a width of less than 60 feet would benefit the most. Additionally, lots with that narrow width may face more challenges when trying to meet other regulations.

Combining Zoning District and Lot Width

It may also be appropriate to consider combining lot width and zoning district as criteria for open-air parking pads. The following table summarizes how many lots would be deemed compliant if open-air parking spaces were permitted in front and side yards based on a combination of zoning district and lot width.

Scenario Changes Related to Lot Width	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	284	7.98%
Allow open-air parking on R4 properties with lot width less than 60 feet	22	226	6.35%
Allow open-air parking on R3 and R4 properties with lot width less than 60 feet	229	55	1.54%
Allow open-air parking on R3 properties with lot width less than 60 feet	207	41	1.15%
Allow open-air parking on R3 and R4 properties with lot width less than 80 feet	269	15	0.42%

Other Zoning Consideration: Parking Pads only if there is no Garage

If the intent is to accommodate properties with limited options for off-street parking, one option would be to allow front and side yard parking pads only when there is no garage. This would allow a property to convert an attached garage to living space without removing the driveway. It would also allow other properties that were built without a garage to construct a driveway parking pad in a front or side yard.

Other Zoning Consideration: Minimum Driveway Width

In addition to various property characteristics that may dictate the permissibility of open-air parking spaces in residential lots, it may be important to consider establishing a minimum driveway width so that any spaces provided on a property are assured of appropriate means of access. As a separate matter, the Village Board has considered a Plan Commission recommendation to establish a minimum clear dimension of 7.5' for access to spaces provided in residential garages. This same standard could be considered for a minimum clear driveway width.

It is worth noting the relationship between minimum driveway width and lot width. Residential lots are required to provide a minimum side yard setback of 10% of the lot width. Therefore, any lot over 90 feet in width would have to provide a setback that could accommodate a driveway with a minimum width of 7.5 feet and the required one-foot driveway setback from the side lot line. This context may be helpful when considering whether lots under a certain width warrant consideration for the provision of open-air parking spaces in the front yard.

Other Zoning Consideration: Open-Air Parking Space Landscaping

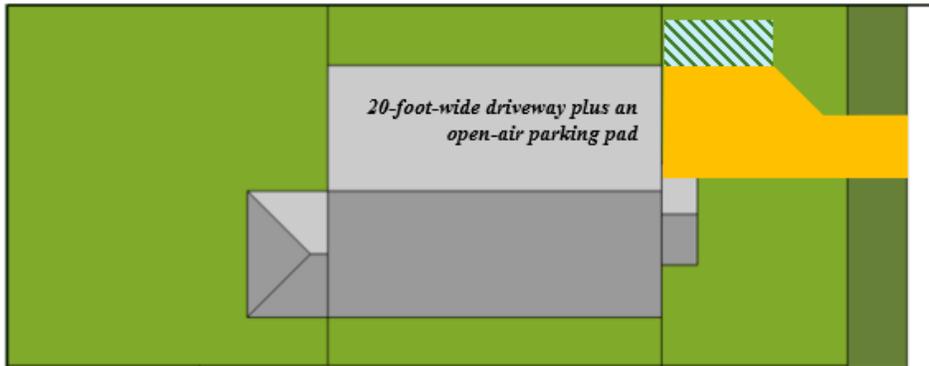
If there are concerns regarding the appearance of open-air parking pads in front yards, landscape screening of front yard parking pads could be considered. Factors to consider, however, include the following:

1. Residential property owners often use their driveway for vehicle parking even if its primary function is to provide access to a driveway. Therefore, a landscape regulation for lots that specifically have open-air parking pads (as opposed to driveways to a garage) would result in a more rigorous requirement even though the different types of lots are used in a similar manner; and
2. The Zoning Ordinance allows front yard landscape screening, but only if it is maintained at a height of no more than 30 inches and does not encroach into the public right-of-way. A provision requiring landscape screening could result in a situation where a requirement in creating confusion or challenges when it comes to working with residents on maintaining compliant landscaping.

Other Considerations: Maximum Width of a Combined Driveway and Parking Pad

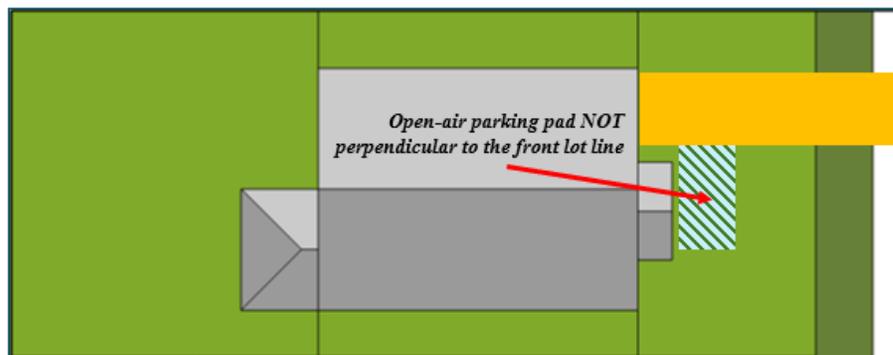
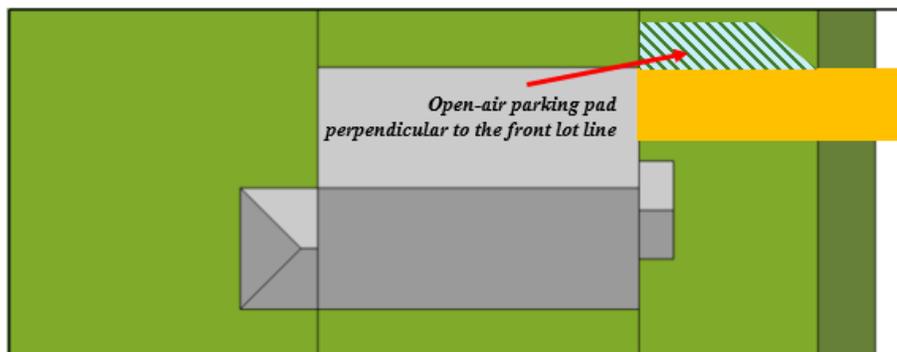
Another consideration is whether to allow a parking pad to be added to a driveway that serves a two-car garage and is already at the maximum driveway width of 20 feet. Given that such a driveway already provides at least two parking spaces in the driveway and that adding a parking pad would significantly exceed the maximum driveway width, it may be appropriate to limit parking pads to driveways that do not exceed 12 feet or to set a limit of

20 feet on a combined driveway and parking pad. Below is a graphic of a 20-foot-wide driveway with a parking pad added.



Other Zoning Consideration: Front Yard Parking Orientation

The PC/ZBA may want to consider whether front yard parking pads should be required to be perpendicular to the front lot line or allowed to be parallel to the front lot line. The graphics below show those options.



Public Comment

At the time of the drafting of this report, staff had not received any public comment regarding this matter. Any comments received after the distribution of this report will be provided to the PC/ZBA during the public hearing.

Requested Action

Staff requests feedback from the Plan Commission/Zoning Board of Appeals regarding the proposed Zoning Text Amendment set forth in this report. Should the PC/ZBA conclude that the proposed Zoning Text Amendment is appropriate, staff will prepare a draft for further review by the PC/ZBA prior to any recommendation to the Village Board.

Documents Attached

1. 2024-01-08 COTW Memo and Attachments
2. 2024-01-08 COTW Minutes
3. 2024-09-17 COTW Memo and Attachments
4. 2024-09-17 BOT Minutes
5. Relevant Regulations



MEMORANDUM

TO: President Patel and Members of the Village Board

FROM: Anne Marie Gaura, Village Manager

DATE: January 4, 2023

SUBJECT: January 8, 2024 Meeting of the Committee of the Whole

The Committee of the Whole (COTW) meeting is scheduled for 6:30 P.M. on Thursday evening. Please find below a summary of the items for discussion.

1. Open Air Parking Pads and Residential Driveway Design (6:30-7:30 P.M.)

Over the past few years, the Community Development Department has fielded questions regarding the permitted locations of open-air parking pads for residential properties. As property owners have considered options permitted by the Zoning Ordinance, questions have been raised about permitted dimensions of driveways and how regulations are being interpreted and applied. This report provides regulatory context regarding the location and dimensions of open-air parking pads, and challenges staff has faced in ensuring consistent interpretation of those regulations. [Attached](#) is a memo from the Planning & Economic Development Manager presenting different scenarios that staff has encountered regarding open air parking pads and residential driveway design. Staff is seeking direction from the Village Board on this topic.

If you should have any questions concerning this matter, please feel free to contact me.



MEMORANDUM

TO: Anne Marie Gaura, Village Manager

FROM: Doug Hammel, AICP, Planning & Economic Development Manager

DATE: January 8, 2024

SUBJECT: Discussion Regarding Open Air Parking Pads and Residential Driveway Design

Background

Over the past few years, the Community Development Department has fielded questions regarding the permitted locations of open-air parking pads for residential properties. As property owners have considered options permitted by the Zoning Ordinance, questions have been raised about permitted dimensions of driveways and how regulations are being interpreted and applied. This report provides regulatory context regarding the location and dimensions of open-air parking pads, and challenges staff has faced in ensuring consistent interpretation of those regulations. Ultimately, staff seeks the direction of the Village Board Committee of the Whole regarding staff's historical interpretation of these provisions. This direction could support the continued interpretation, changes in interpretation, or Text Amendments necessary to clarify the intent of the Zoning ordinance.

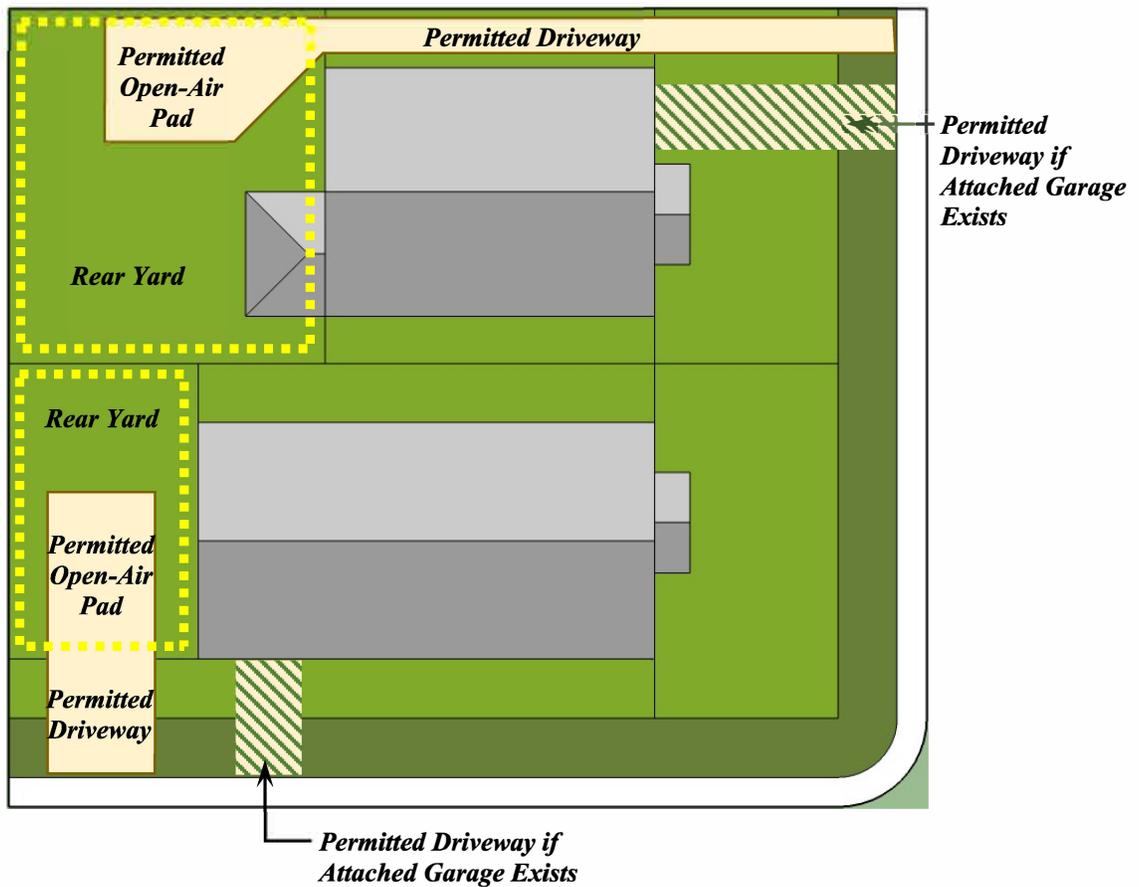
Regulatory Context

Regulations regarding driveway design and location are found in Chapter 6 (Public Parks, Ways, and Properties) and Chapter 15 (Zoning). While these articles establish regulations regarding a broader range of characteristics, they generally establish the following regarding residential driveway design and location:

- Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways:
 - No driveway approach can be constructed for the sole purpose of being a parking space.
 - The width of the driveway at the lot line cannot exceed the maximum width established in the Zoning Ordinance.
 - The flare of the driveway approach shall not extend over the property line when extended to the curb.
- Chapter 15 (Zoning), Article 7 Off-street Parking:

- In residential districts, open-air parking pads are only permitted in rear yards and are prohibited in front, corner side, and interior side yards.
- For standard driveways, the maximum driveway width is the lesser of 1/3 of the lot width or 20 feet.
- For circular drives, the maximum driveway width is the lesser of 1/3 of the lot width or 12 feet.
- The minimum distance between the driveway and side lot line is one foot.

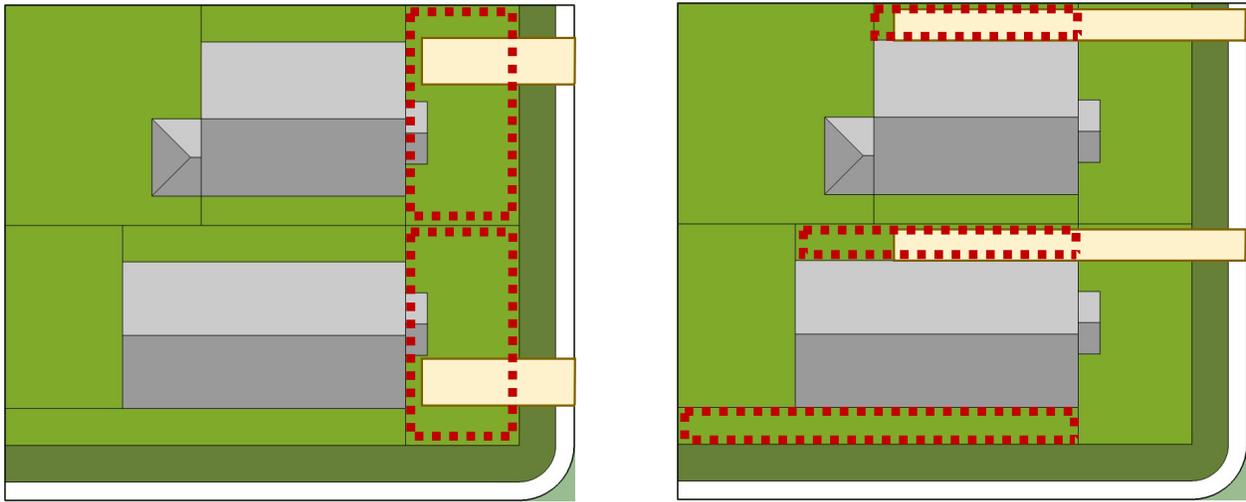
Diagram summarizing the permissibility of driveways and open-air parking pads



Over the past several years, staff has interpreted and applied these regulations in a number of scenarios brought forth by property owners. Examples of these include the following:

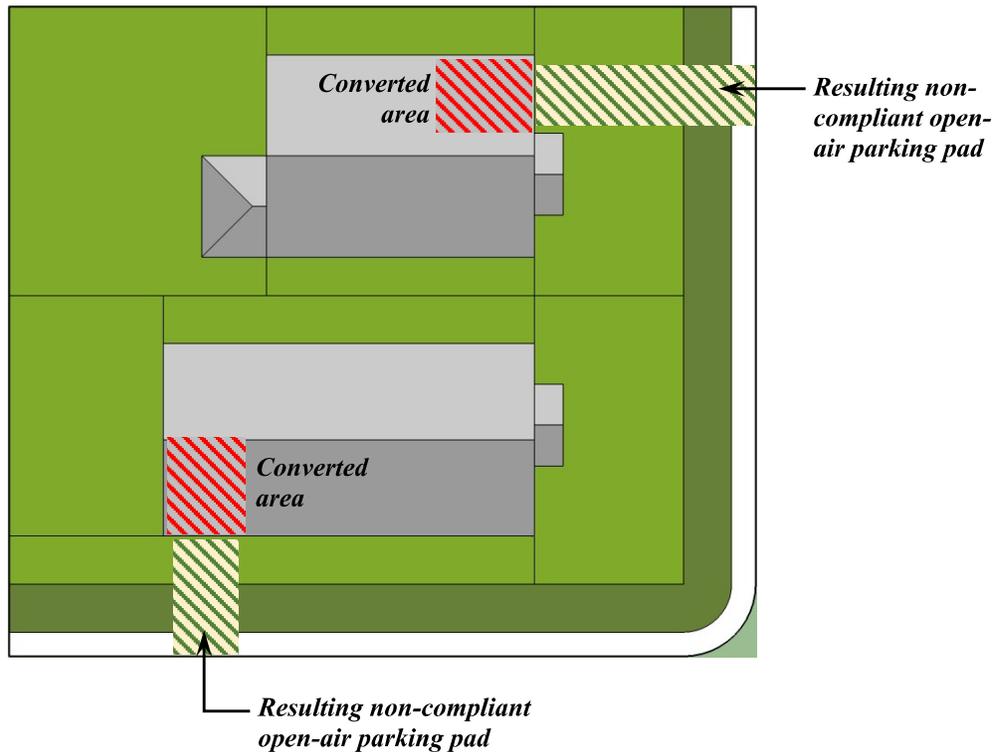
- Driveways leading to attached garages, detached garages, or open-air parking pads in the rear yard have been approved because they are providing access to a legal parking space and not serving solely as open-air parking pads, even though they are often used as parking spaces on residential properties.
- Some property owners have submitted permit applications to install a new open-air parking pad in a front or interior side yard. Those applications have been denied because they would be in violation of the Zoning Ordinance provisions summarized above.

***Prohibited open-air parking pad locations:
front yard (left) and corner or interior side yard (right)***



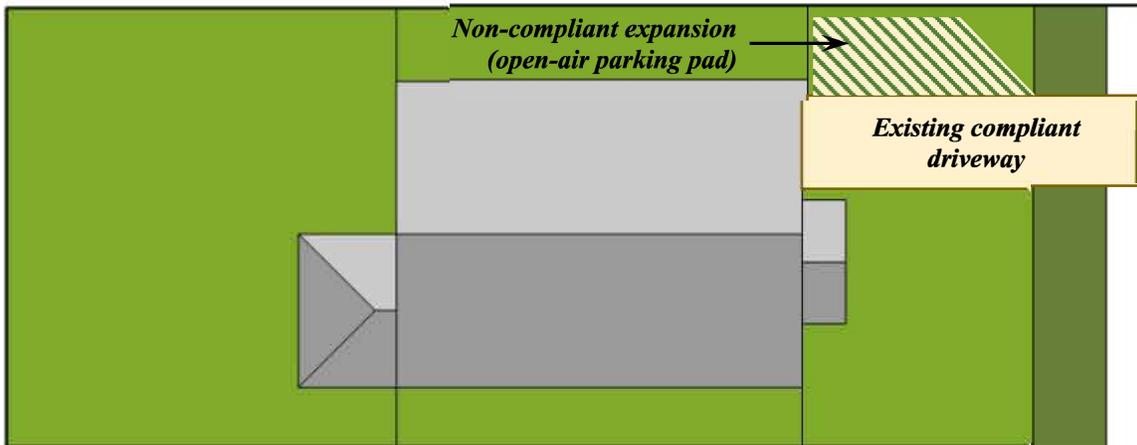
- Some property owners have submitted permit applications to convert an attached garage to a living space. Those applications have been denied because the driveway would no longer be providing access to a legal parking space and would serve solely as an open-air parking pad.

***Conversion of attached garage to living space
would result in non-compliant open-air parking pads***



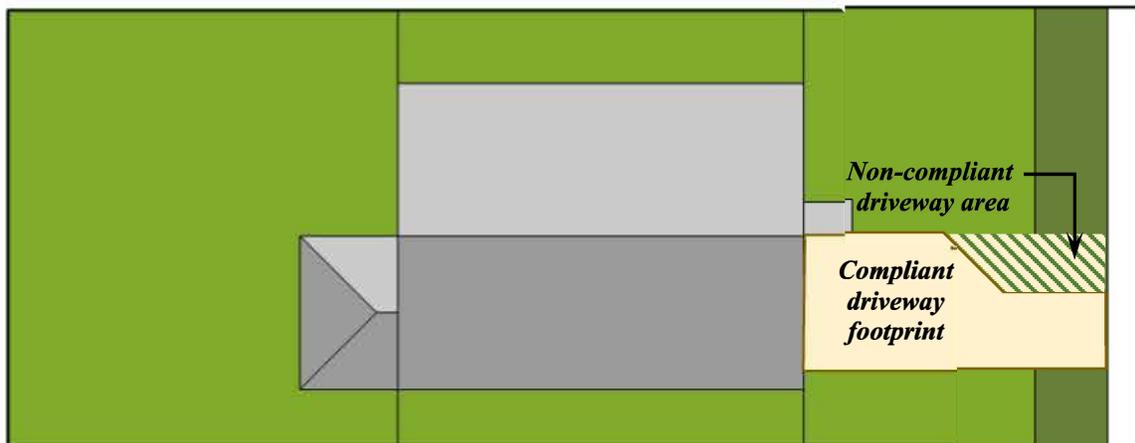
- Some property owners have submitted permit applications to widen an existing driveway or open-air parking pad. Those applications have been denied when the widening would result in the increased capacity for open-air parking in a prohibited location and would not be associated with the expansion of a garage or another legal parking space that the widened area would provide access to.

Diagram showing a non-compliant driveway widening



- Several property owners have submitted permit applications for a driveway that serves a two-car garage and maintains a 20-foot width all the way to the curb. Those applications have been denied when the permitted driveway width is less than 20 feet. The Zoning Officer has worked with those applicants to revise the plans so that the driveway tapers down to the permitted width between the garage and the lot line, resulting in a compliant width in the public right-of-way between the lot line and the curb.

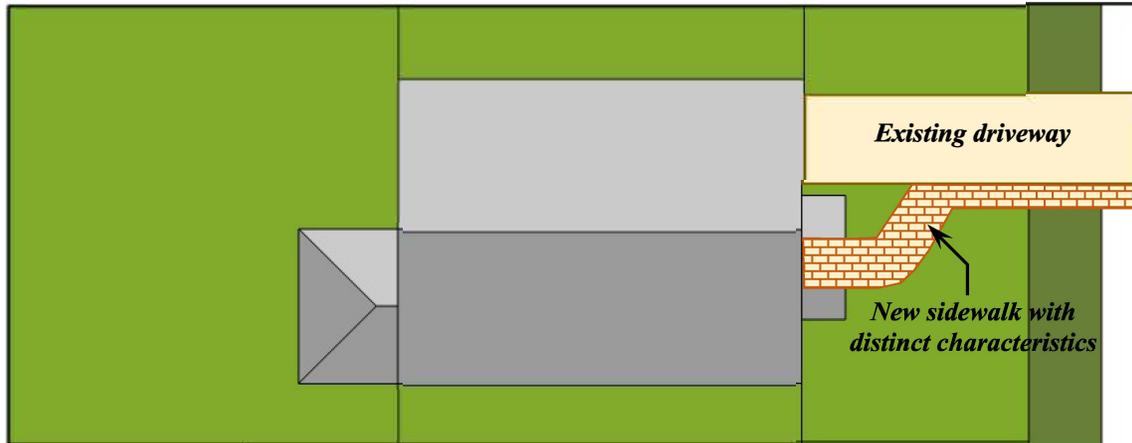
Diagram showing a required driveway taper widening



- In a few instances, property owners have been permitted to install a sidewalk adjacent to an existing driveway. In those instances, the Zoning Officer has required that the sidewalk be distinct from and separated by the driveway through the use of an expansion joint, different paver materials, or some other design characteristic. The intent of that

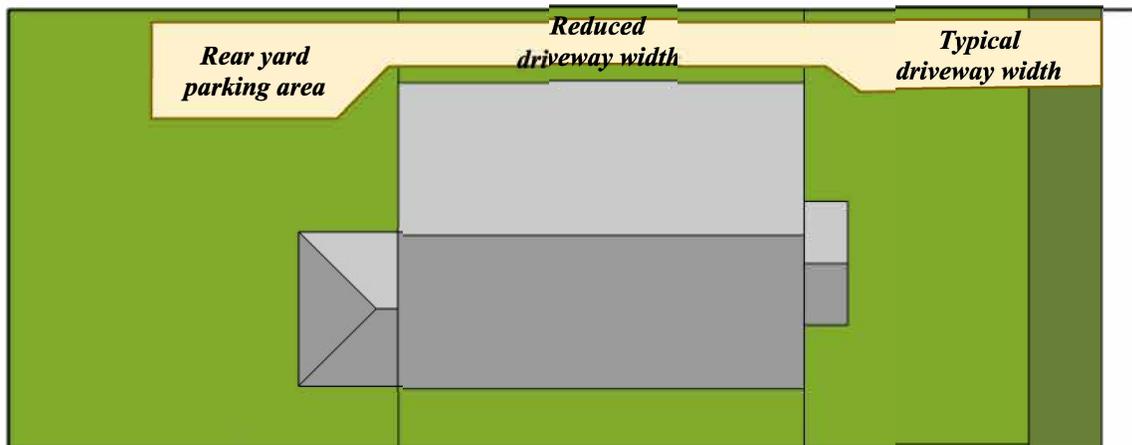
requirement is to clearly distinguish between the driveway and the sidewalk, rather than the overall impervious area appearing to be an expanded driveway.

Diagram showing adjacent driveway and sidewalk



- There have been a few cases where property owners sought approval of a rear yard parking space accessed by a new driveway along the side of the house. However, the feasibility of the width of the proposed driveway (when considering the building setback and required one-foot setback for the driveway from the side lot line) was questionable. Because the Zoning Ordinance does not establish a minimum driveway width for residential properties, staff had little guidance regarding the permissibility of such an improvement.

Diagram showing possibly infeasible driveway access



2016 Zoning Text Amendment

Many of the interpretations noted above are based on zoning language that was the subject of a Text Amendment in 2016. Prior to that Text Amendment, open-air parking pads were permitted in the interior side yard or rear yard of residential properties. However, the 2016 Text Amendment prohibited open-air parking pads in interior side yards for residential properties, but provided the

opportunity for non-residential properties to seek approval of a Special Use permit for open-air parking spaces in front or corner side yards.

Several residential property owners, when made aware of a denial of their permit applications, point to examples in their surrounding area where open-air parking spaces exist in the front or interior side yards. Staff explains this Text Amendment and the fact that those spaces would have existed prior to 2016.

Related Zoning Variation Request

The most recent Zoning Variation request regarding an open-air parking pad was made in 2017. The property at 7235 North Keating Avenue sought approval to install a parking pad in the front yard, noting that there is no opportunity to provide a driveway to the rear yard. At that time, the Zoning Board of Appeals recommended approval of the request by a 3-2 vote. However, the Village Board failed to pass a motion directing the drafting of an Ordinance approving the request. As a result, the Village Board took no formal action and the Petitioner withdrew their request.

Policy Questions

Staff seeks direction from the Village Board Committee of the Whole regarding the following policy questions:

1. Do Trustees concur with the current language of Section 7.06(5) of the Zoning Ordinance that prohibits open-air parking spaces in the front, corner side, and interior side yards of residential properties?
2. Does Trustees concur with staff's interpretations regarding the establishment of open-air parking spaces related to:
 - Instances where the conversion of a garage to living space results in an open-air parking pad in the front or interior side yard; or
 - Instances where the expansion of an existing driveway would result in additional capacity for parking in an open-air parking space?
3. Do Trustees concur with staff's interpretations regarding dimensional and design characteristics of residential driveways related to:
 - The tapering of a driveway so that it complies with its maximum permitted width between the property line and curb;
 - The differentiation of a sidewalk adjacent to a driveway through expansion joint or paver materials?
4. Do Trustees believe the Zoning Ordinance should establish a minimum residential driveway width to ensure the feasibility of access legal parking spaces (either enclosed in a garage or rear yard open-air parking pads)?

Financial Impact

None

Recommendation

Staff requests feedback from the Village Board Committee of the Whole regarding the policy questions set forth in this report. Should the Committee of the Whole determine that any Zoning Text Amendments are appropriate to either change or clarify regulations, the matter can be referred to the Plan Commission for public hearing.

Documents Attached

1. Relevant Regulations
2. PowerPoint Presentation

Attachment #1. Relevant Regulations

Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways

6-1-5 Driveways and driveway approaches.

(A) Definitions. The following definitions shall apply in the interpretation and enforcement of this Section 6-1-5:

DRIVEWAY: A place on private property for the operation of automobiles and other vehicles.

DRIVEWAY APPROACH: That portion of a right-of-way that provides vehicular access from the roadway to an adjoining lot.

ROADWAY: That portion of a right-of-way improved, designed or ordinarily used for vehicular travel; provided, however, that the term "roadway" shall not include the berm, shoulder, or parkway, if any. In the event that a right-of-way includes two or more separate roadways, the term "roadway" shall refer only to each separate roadway, and not to all roadways collectively.

(B) Permit fee. No permit authorizing a driveway approach shall be issued until the fee therefor has been paid to the Village pursuant to Article 2 of this Chapter 6.

(C) Construction regulations.

(1) It shall be unlawful to construct any curb or driveway approach or break out or remove any curb without first securing a permit as required pursuant to Article 2 of this Chapter 6.

(2) No driveway approach shall be constructed or used so as to impede the flow of surface water in the street gutter or a drainage ditch.

(3) No driveway approach to residential properties shall be constructed or used for the sole purpose as a parking space.

(4) A maximum driveway approach width of 14 feet shall be allowed for driveway approaches to circular driveways on parcels of property used for single-family residential purposes.

(D) Approaches; location. No driveway approach shall be located so as to interfere with municipal or public utility facilities such as poles, traffic signals, signposts, catch basins, fire hydrants, crosswalks, or other street structures. Driveway approaches shall be located so as to avoid existing parkway trees. Driveway approaches must be constructed at a minimum distance away from existing trees of one foot per diameter inch of the tree, up to a maximum distance of 10 feet. If it is not feasible to comply with the minimum distance requirement set forth in this Section 6-1-5(D), the property owner may remove the tree in accordance with the applicable provisions of this Code. If such tree removal would result in the distance to the next closest trees to be more than 25 feet, the property owner must pay a tree replacement fund fee in the amount of \$150 per inch of diameter of the tree removed. Removal of any parkway trees shall be subject to the Village Parkway Landscaping Ordinance set forth in Article 5 of this Chapter 6.

(E) Driveway approach construction standards. Driveway approaches shall be constructed to the following standards:

(1) Surface. All driveway approaches which give access to an improved street with curb and gutters shall be surfaced with a permanent dustproof surface: either concrete (six inches) over five inches CA-6, crushed stone aggregate, bituminous surface (eight inches CA-6, crushed stone aggregate, and three-inch asphalt), brick (over six inches of concrete) or other material approved by the Village.

(2) Widths. The total width of driveways measured at the property line on a parcel of property used for residential purposes shall not exceed the applicable standard set forth in Chapter 15 of this Code (Zoning Ordinance). The total width of driveways measured at the property line on a parcel of property used for nonresidential purposes shall not exceed 1/2 the lot frontage, and no single driveway approach shall exceed 30 feet measured at the property line. The width of the driveway approach measured at the curb shall in no case be greater than five feet more than the width measured at the property line.

(3) Location of drives. On a parcel of property used for residential purposes, no driveway approach or driveway flare shall extend over the property line extended to the curb; provided, however, where the Board of Trustees finds that there is a particular hardship to the owner, a driveway that has been in existence in excess of 25 years may be reconstructed in its present location even if the driveway approach or driveway flare extends over the property line extended to the curb. On a parcel of property used for nonresidential purposes, no driveway approach shall be located within five feet of the property line, or within 10 feet of any other driveway approach as measured at the property line.

(4) Consistency with Zoning Ordinance. All driveway approaches shall be constructed in a manner and at locations necessary to facilitate direct vehicular travel onto adjacent driveways on private property, which driveways shall be constructed as required pursuant to Chapter 15 of this Code (Zoning Ordinance).

(F) Restoration by Village. In the event that the Village removes any portion of a driveway approach constructed pursuant to this Section 6-1-5 in connection with any maintenance, construction, or repair activities within the right-of-way, the Village shall only be required to replace the driveway approach with one or more materials approved pursuant to Section 6-1-5(E)(1) of this Code.

6-1-6 Maintenance of driveway approaches.

No snow or ice may be artificially placed or deposited onto any portion of a sidewalk adjacent to a nonresidential property over which a driveway approach crosses. This Section 6-1-6 does not apply to snow plowing operations provided by or on behalf of the Village.

6-1-7 Abandoned driveway approaches.

If, at any time, a driveway approach is abandoned, the curb and gutter at the edge of the street and sidewalk shall be replaced in accordance with current Village specifications by, and at the expense of, the owner abandoning the curb cut.

Chapter 15 (Zoning), Article 7 Off-street Parking

7.06 General standards for off-street parking facilities.

Off-street parking facilities shall be provided in accordance with regulations hereinafter set forth.

(5) In yards. Subject to the provisions set forth in this Section 7.06, open-air, off-street parking spaces may be located in: (a) any rear yard, in any zoning district; and (b) in a front yard or a side yard abutting a street, but only within the B-1, B-2, B-3, O-1, M-B, and P Districts, and only upon the issuance of a special use permit therefor pursuant to the procedures set forth in Section 5.17 of this Zoning Ordinance.

7.13 Additional driveway regulations for single-family residential properties.

Driveways on private properties used for single-family residential purposes shall comply with the applicable provisions of Chapter 6 of this Code and with the additional requirements set forth in Table 7.13.01 below:

Maximum width of circular driveways	The lesser of 1/3 of the lot frontage, or 12 feet
Width of all other driveways	The lesser of 1/3 of the lot frontage, or 20 feet
Minimum lot frontage for circular driveways	60 feet
Minimum distance between driveway and side lot line	1 foot

Background

Community Development regularly fields questions regarding residential driveway design

- Permitted locations of open-air parking pads
- Permitted driveway dimensions

Staff seeks to:

- Present information about current regulations and staff interpretations
 - COTW feedback regarding interpretations going forward and any appropriate Zoning Text Amendments
- 

Regulatory Context for Residential Driveways

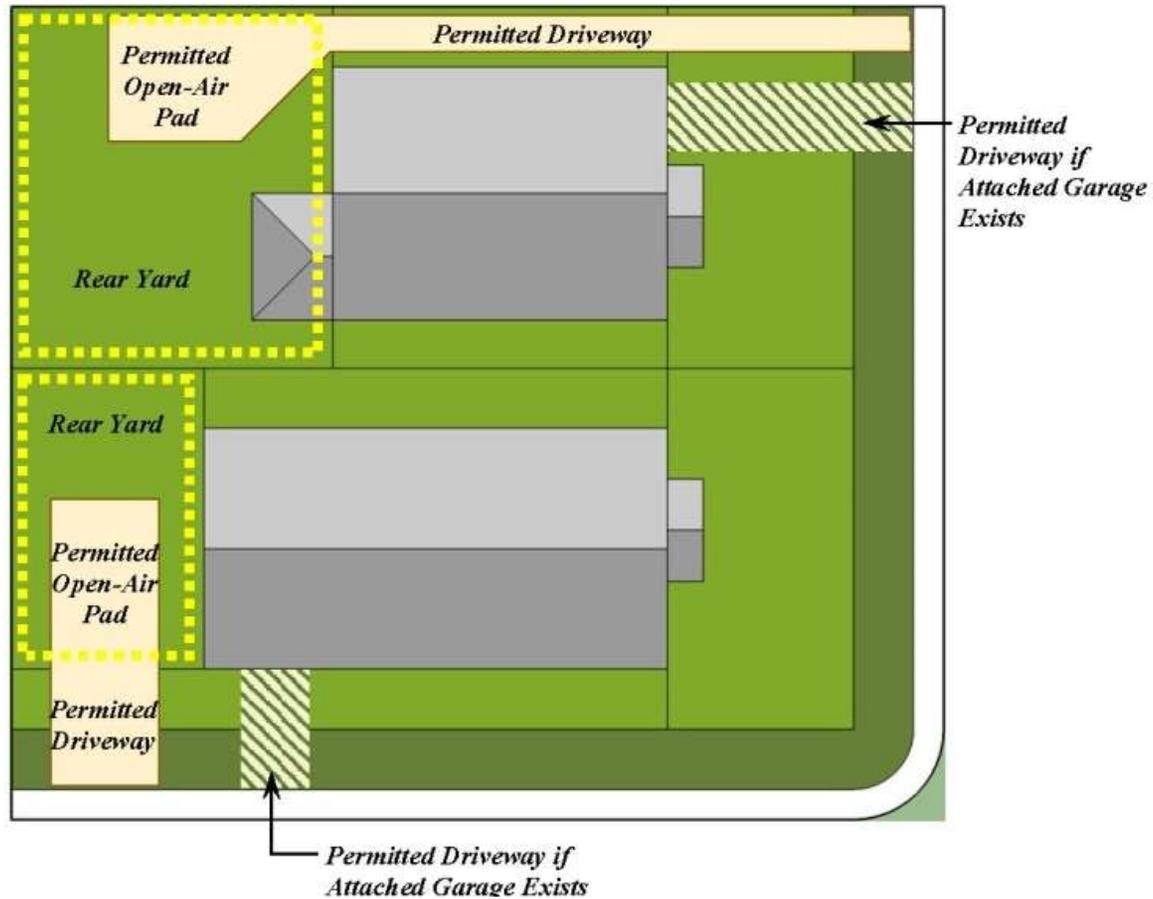
Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways:

- No driveway approach can be constructed for the sole purpose of being a parking space.
- The width of the driveway at the lot line cannot exceed the maximum width established in the Zoning Ordinance.
- The flare of the driveway approach shall not extend over the property line when extended to the curb.

Chapter 15 (Zoning), Article 7 Off-street Parking:

- In residential districts, open-air parking pads are only permitted in rear yards and are prohibited in front, corner side, and interior side yards.
 - For standard driveways, the maximum driveway width is the lesser of 1/3 of the lot width or 20 feet.
 - For circular drives, the maximum driveway width is the lesser of 1/3 of the lot width or 12 feet.
 - The minimum distance between the driveway and side lot line is one foot.
- 

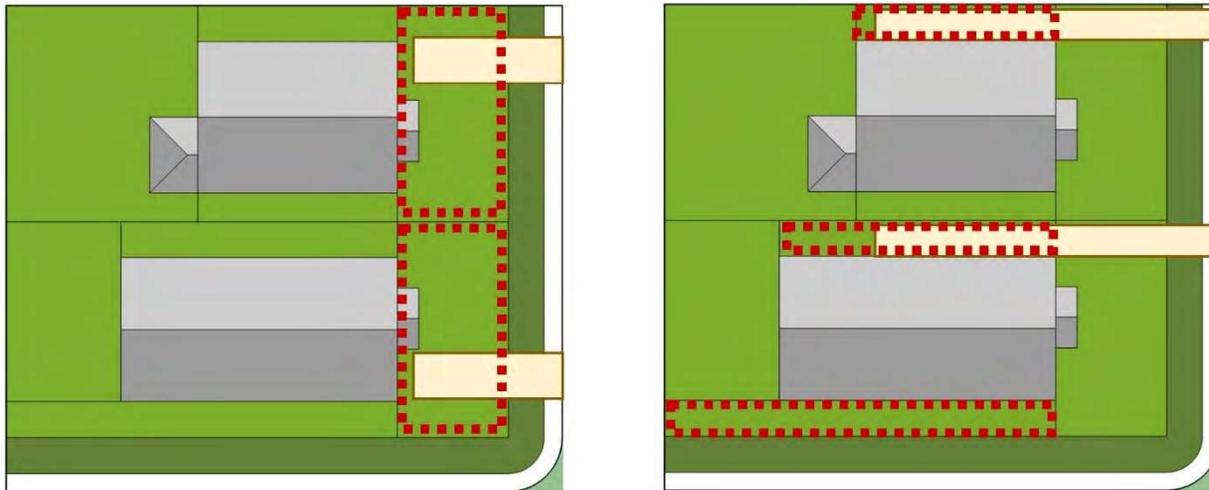
Regulatory Context for Residential Driveways



Zoning Officer Interpretations

Permitted driveway locations

- Driveways leading to attached garages, detached garages, or legal open-air parking pads have been approved; they are providing access a legal parking space and not serving solely as open-air parking pads
- New open-air parking pads in a front or interior side yard have been denied; they do not provide access to a legal parking space

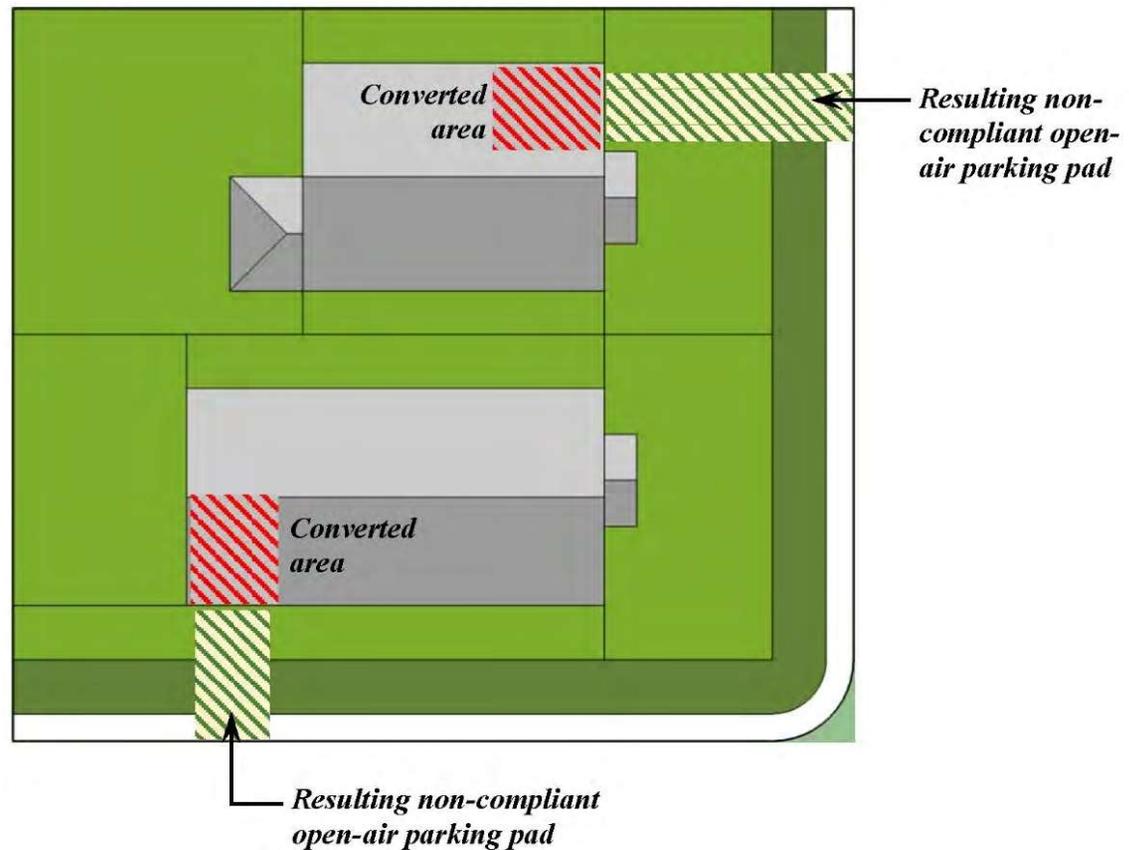


Examples of prohibited open-air parking pad locations

Zoning Officer Interpretations

Interior improvements that create non-compliant parking pads

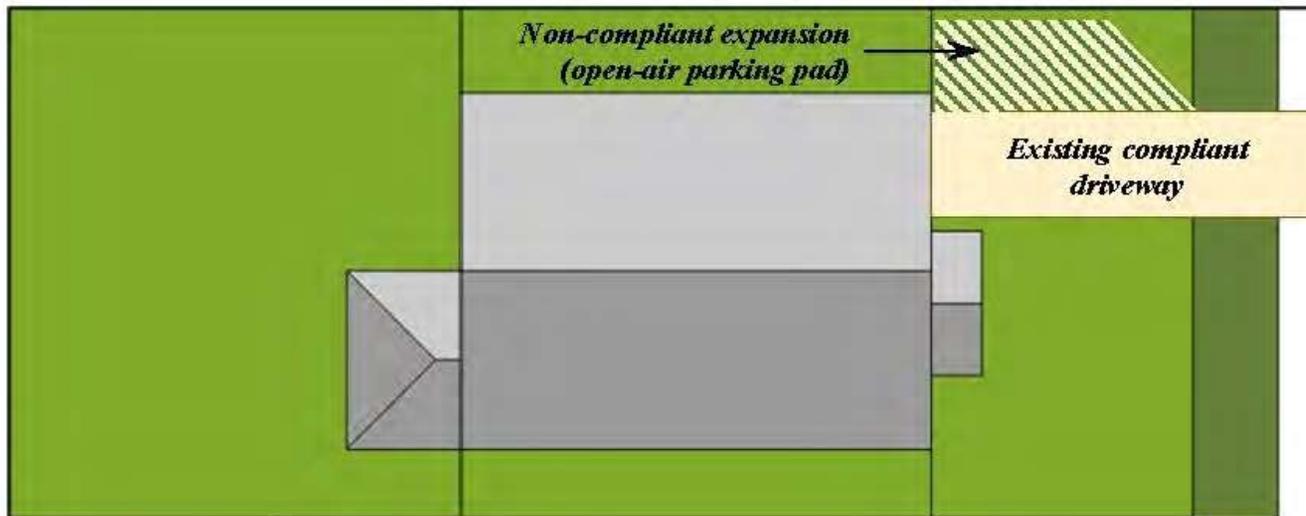
- Garage conversions to living spaces have been denied
- Would result in existing driveway being converted to an open-air parking pad



Zoning Officer Interpretations

Driveway expansions when access to a legal parking space is not enhanced

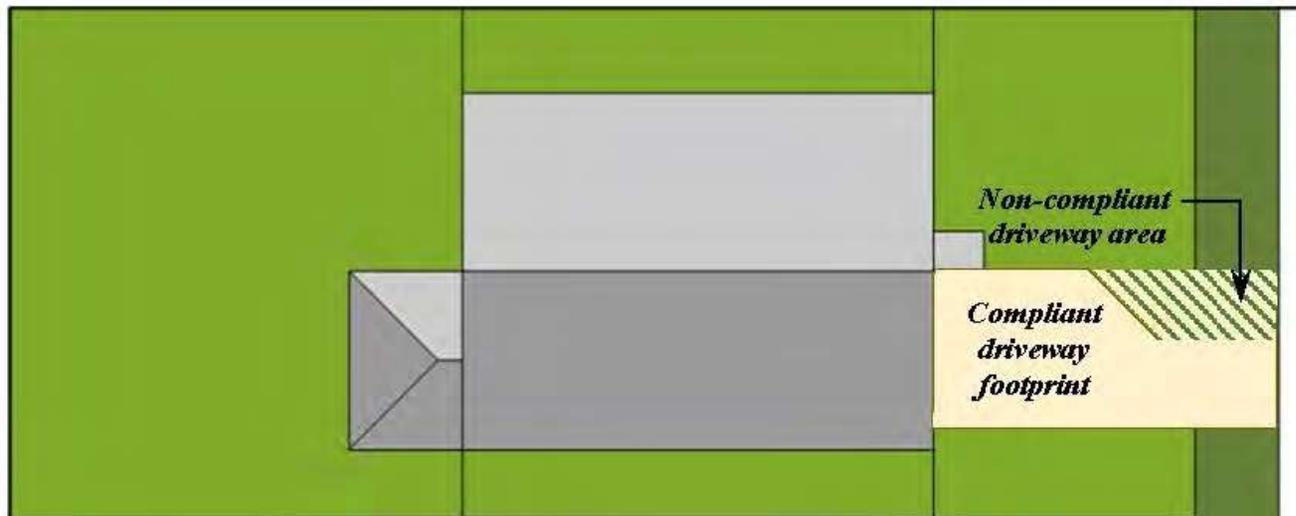
- Driveway widenings have been denied
- Denial based on the widened area not providing access to another legal parking space
- Would serve solely as a new open-air parking pad



Zoning Officer Interpretations

Maximum permitted width at the lot line

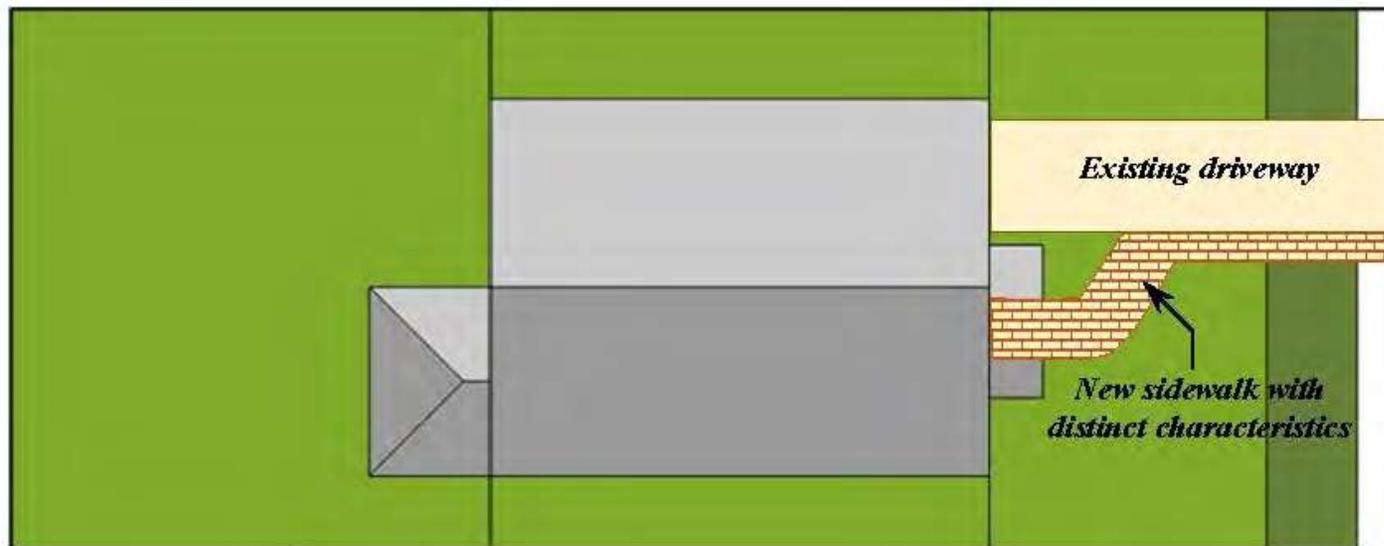
- Maximum permitted width enforced at the lot line, even if driveway needs to be wider to serve multi-car garage
- Taper required between garage and lot line



Zoning Officer Interpretations

Adjacent impervious surfaces not counted as “driveway expansion”

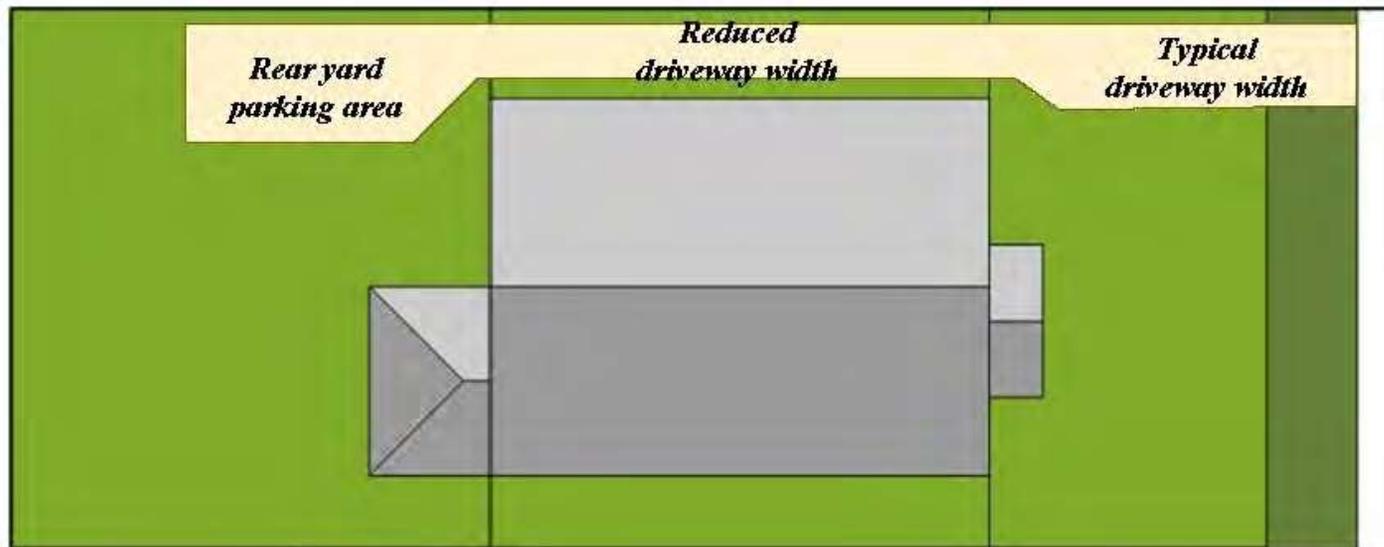
- Some property owners have added sidewalks adjacent to driveways
- Required to be distinct in design (i.e. separated by expansion joints, different paver materials, etc.)



Zoning Officer Interpretations

Substandard driveway width

- Some have sought approval for driveways with substandard width
- Zoning Ordinance does not establish specific minimum width
- Could result in areas functioning as other elements (i.e. patios) with different zoning requirements



2016 Zoning Text Amendment

Many of the interpretations noted earlier are based on zoning language impacted by a Text Amendment in 2016

Prior to 2016:

- Open-air parking pads were permitted in the interior side yard or rear yard of residential properties

After 2016:

- Open-air parking pads are permitted only in rear yards for residential properties

Several residential property owners point to examples in their surrounding area when their applications are denied

- Staff explains this Text Amendment and the fact that those spaces would have existed prior to 2016
- 

Related Variation Request

Zoning Variation request regarding an open-air parking pad was made in 2017 for 7235 North Keating Avenue

- Sought approval to install a parking pad in the front yard, noting that there is no opportunity to provide a driveway to the rear yard

ZBA recommended approval of the request by a 3-2 vote

Village Board failed to pass a motion directing the drafting of an Ordinance approving the request

- Several Trustees expressed concerns regarding neighborhood aesthetics
 - No formal action was taken by the Village Board
 - Petitioner withdrew their request before being denied by expiration
- 

Policy Questions

1. Do Trustees concur with the current language of Section 7.06(5) of the Zoning Ordinance that prohibits open-air parking spaces in the front, corner side, and interior side yards of residential properties?
2. Does Trustees concur with staff's interpretations regarding the establishment of open-air parking spaces related to:
 - Instances where the conversion of a garage to living space results in an open-air parking pad in the front or interior side yard; or
 - Instances where the expansion of an existing driveway would result in additional capacity for parking in an open-air parking space?

Policy Questions (cont'd.)

3. Do Trustees concur with staff's interpretations regarding dimensional and design characteristics of residential driveways related to:

- The tapering of a driveway so that it complies with its maximum permitted width between the property line and curb;
- The differentiation of a sidewalk adjacent to a driveway through expansion joint or paver materials?

4. Do Trustees believe the Zoning Ordinance should establish a minimum residential driveway width to ensure the feasibility of access legal parking spaces (either enclosed in a garage or rear yard open-air parking pads)?

Requested Action

Staff requests the following from the Village Board Committee of the Whole:

- Direction regarding the policy questions presented by staff
 - Referral of the matter to the Plan Commission if any Zoning Text Amendments are necessary to change or clarify current regulations
- 

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
MEETING OF THE COMMITTEE OF THE WHOLE
GERALD C. TURRY VILLAGE BOARD ROOM
JANUARY 8, 2024**

DRAFT

Call to Order

President Patel called the Committee of the Whole Meeting of the Lincolnwood Board of Trustees to order at 6:35 P.M., Monday, January 8, 2024, in the Gerald C. Turry Village Board Room of the Municipal Complex at 6900 N. Lincoln Avenue, Village of Lincolnwood, County of Cook, and State of Illinois.

Upon roll call by Village Clerk Herman, the following were:

PRESENT: President Patel, Trustees Klatzco, Saleem, Halevi, Martel, Diaz Herrera

ABSENT: Sargon

A quorum was present.

Trustee Sargon will be joining on line. It will be noted.

Also present: Village Manager Anne Marie Gaura, Assistant Village Manager Chuck Meyer, Community Development Director Scott Mangum, Planning and Economic Development Manager Doug, and Assistant to the Village Manager Lamar Jones.

Approval of Minutes

The December 19, 2023, Committee of the Whole minutes were presented for approval.

Trustee Klatzco moved to approve the minutes of the December 19, 2023, Committee of the Whole meeting minutes. Trustee Martel seconded the motion.

Upon Roll Call, the results were:

AYES: Trustees Saleem, Halevi, Diaz Herrera, Saleem, Martel

NAYS: None

ABSENT: Sargon

The motion passed

Regular Business

1. Open Air Parking Pads and Residential Driveway Design

Planning and Economic Development Manager Doug stated that the Community Development Department regularly fields questions regarding residential driveway design. Mr. Hammel said staff seeks to present information about current regulations and staff interpretations. Chapter Six of the Village Code states no driveway approach can be constructed for the sole purpose of being a parking space. The width of the driveway at the lot line cannot exceed the maximum width established in the Zoning Ordinance, and the flare of the driveway approach shall not extend over the property line when extended to the curb.

Chapter 15 of the Village Code states that In residential districts, open-air parking pads are only permitted in rear yards and are prohibited in front, corner side, and interior side yards. For standard driveways, the maximum driveway width is the lesser of 1/3 of the lot width or 20 feet. For circular drives, the maximum driveway width is the lesser of 1/3 of the lot width or 12 feet, and the minimum distance between the driveway and the side lot line is one foot.

Trustee Saleem said this is good when you have room along the sideyard. He asked if you are allowed to open the same door as a pass-through garage.

Mr. Hammel said that once you get to the garage, the parking space would have to reach the rear yard. In theory, it is permissible.

Mr. Hammel said Zoning Officer interpretations include new open-air parking pads in a front or interior side yard have been denied; they do not provide access to a legal parking space. Driveway expansions when access to a legal parking space is not enhanced and adjacent impervious surfaces are not counted as “driveway expansion.”

Trustee Martel asked if there is a minimum setback for a driveway.

Mr. Hammel said it is a one-foot setback.

Mr. Hammel said that before 2016, open-air parking pads were permitted in the interior side yard or rear yard of residential properties. After 2016, open-air parking pads are permitted only in rear yards for residential properties.

Trustee Martel asked when it gives a minimum and maximum driveway width if it's only on the curb up to the property line.

Mr. Hammel said the maximum driveway width is from the curb to the property line. After that, a property owner can flare it out to provide access.

President Patel asked if there isn't a prohibition on parking on a driveway.

Mr. Hammel said correct.

Mr. Hammel outlined policy questions: 1) Does the Village Board concur with the current language of Section 7.06(5) of the Zoning Ordinance that prohibits open-air parking spaces in the front, corner side, and interior side yards of residential properties? 2) Does the Village Board concur with staff's interpretations regarding establishing open-air parking spaces? 3) Does the Village Board concur with staff's interpretations regarding dimensional and design characteristics of residential driveways? 4) Does the Village Board believe the Zoning Ordinance should establish a minimum residential driveway width to ensure the feasibility of access legal parking spaces (either enclosed in a garage or rear yard open-air parking pads)?

Mr. Hammel said that staff requests the Village Board provide direction regarding the policy questions presented by staff and the referral of the matter to the Plan Commission if any Zoning Text Amendments are necessary to change or clarify current regulations.

Trustee Saleem said that when people convert their garages into living spaces, they would be required to take the driveway out. Is it required to remove the curb cut also?

Mr. Hammel, yes, the footprint of the driveway would be removed.

Trustee Saleem said he does not favor it because he doesn't want to see backyards full of cars.

Trustee Martel said that the interpretations staff have been doing are right. Furthermore, it makes sense to have a minimum residential driveway width. Trustee Martel stated that he is concerned with the aesthetics and that the Village would need to make some rule changes, such as having a clear stormwater requirement.

President Patel asked if there is a percentage when a property owner is adding impervious areas.

Mr. Hammel said it would have to be at least 500 feet of new impervious area, and the percentage of the property is over 50%.

Trustee Saleem said he is not against garages in backyards. What he is against is the open parking pads in backyards, which he thinks would not look good.

Trustee Klatzco said he is in favor of a minimum driveway width requirement. Furthermore, he said he would like to see a sort of landscaping requirement to beautify the area.

Trustee Herrera said she is worried about property owners who do not have garages because they are more limited. Cars in the backyard may be the only option for some of these homes.

Trustee Halevi said she has seen homes in the Village that have a circular drive and lots of cars parked. She asked how it fits into the definition of parking pads.

President Patel said that is why he asked this topic to be placed on the agenda for the Board to discuss.

Mr. Hammel said from a Zoning Approval standpoint, circular driveway is treated the same as a straight-in driveway, as long as it is part of a driveway system, providing access to a legal parking space, it is permitted.

Trustee Martel stated that there needs to be sensible monitoring.

Trustee Klatzco said he does not have an issue with a circular drive. He stated that the Village can make it where circular drives have to be pervious. He said he doesn't think that property owners should have both a garage and front parking.

Trustee Diaz Herrera said that she does not want to penalize property owners who don't have a garage. She does agree that she is not in favor of seeing many cars in backyards and that there should be a minimum size.

The consensus of the Village Board is to discuss the topic at a future Committee of the Whole to allow staff to gather data on the stormwater implications and other parking pad data before referring it to the Plan Commission.

Adjournment

Trustee Klatzco moved to adjourn the Committee of the Whole at 7:30 P.M., seconded by Trustee Martel.

The meeting was adjourned by roll call vote.

Meeting Adjourned

Respectfully Submitted,

Beryl Herman
Village Clerk



MEMORANDUM

TO: Anne Marie Gaura, Village Manager

FROM: Doug Hammel, AICP, Planning & Economic Development Manager

DATE: September 17, 2024

SUBJECT: Open-Air Parking Spaces and Residential Driveway Design

Background

In January 2024, the Village Board Committee of the Whole was presented information regarding the permissibility of open-air parking spaces for residential properties. Currently, a combination of regulations found in Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways, and Chapter 15 Zoning, establish standards related to the design of driveways and the permitted locations of open-air parking spaces. Most relevantly, those regulations allow for open-air parking spaces in the rear yards of residential properties, but not in the front, interior side or corner side yards. This provision has been referenced when denying new driveways, the expansion of an existing driveway in a manner that it would create an additional parking space in a prohibited location, and the conversion of garage spaces into living space (resulting in the driveway becoming the only on-site parking space in a prohibited location).

At that time, Trustees provided the following direction to staff:

- Staff's interpretation and application of relevant regulations has been appropriate when denying permit applications that would result in open-air parking spaces in prohibited locations;
- The Zoning Ordinance should establish a minimum driveway width to ensure appropriate access to required spaces;
- The Village could consider a landscaping requirement if the code were amended to allow open-air spaces where they are currently prohibited;
- Trustees stated support for the continued permissibility of circular driveways;
- Some Trustees feel that not allowing open-air parking spaces may be penalizing property owners whose lots cannot accommodate a garage;
- Some Trustees stated that permitted open-air parking spaces could eliminate cars parked in rear yards, which could be a nuisance to neighbors;

Potential Zoning Scenarios

This section presents various potential zoning scenarios that may be considered if Trustees are inclined to allow open-air parking spaces in some circumstances. The scenarios presented include the following:

- Allowing open-air parking spaces in certain parts of a residential lot, but only when there is no garage at the property;
- Allowing open-air parking spaces in only certain residential zoning districts;
- Allowing open-air parking spaces based on lot width; or
- Allowing open-air parking spaces based on a combination of zoning district and lot width.

Open-Air Parking Spaces and Location on the Lot

The following table summarizes the numbers of residential properties that would be deemed compliant if the Zoning Ordinance is amended to allow open-air parking spaces on certain portions of the residential lot.

Scenario Changes Related to Yard	No. of Driveways that Become Legal	No. of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking in the front yard without a garage.	160	187	5.3%
Allow open-air parking in the side yard without a garage.	187	160	4.5%
Allow open-air parking in the front and side yards without a garage.	347	0	0%

The greatest number of legal non-conforming residential lots would benefit from an allowance of open-air parking spaces in the side yard. However, the ability of lots to accommodate such a configuration in the future would be dependent on the width of a given lot and the location and footprint of the home. Conversely, less legal non-conforming properties would benefit from the allowance of front yard open-air parking spaces, but that type of improvement is more likely to benefit a greater number of properties in the future because the feasibility of such a configuration is less dependent on lot width and building footprint.

Open-Air Parking Spaces by Zoning District

Because there is a direct zoning correlation between zoning district and certain dimensional zoning standards (i.e. lot width and lot area), it may be appropriate to consider allowing more flexibility in zoning districts whose lots face less flexibility when providing compliant open-air parking spaces. The following table summarizes the numbers of residential properties that would be deemed compliant if the Zoning Ordinance were amended to provide more flexibility based on residential zoning district.

Scenario Changes Related to Zoning Districts	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking only in R1 and R2 district.	17	330	9.3%
Allow open-air parking only in R3 and R4 district.	330	17	0.5%
Allow open-air parking only in R3 district.	291	56	1.57%

The zoning district with the greatest number of lots that would benefit from greater flexibility is the R-3 district. However, because the R-4 district allows for lots that are narrower than those in the R-3 district, it may be worth considering greater flexibility in both of those districts. If such an amendment were to be enacted, it would bring 330 of the 347 legal non-conforming lots into compliance. It would also provide a greater amount of flexibility through the majority of the community to allow open-air parking spaces in front or side yards.

Open-Air Parking Spaces and Lot Width

Rather than relying on the geography of zoning districts, it may be appropriate to allow open-air parking spaces based on lot width. For example, the wider the lot, the greater the number of viable options a resident may have to meet the current regulations. Alternatively, narrower lots may have less flexibility based on an inability to fit a driveway along the side of the house or stay under the permitted impervious area. The following table summarizes how many lots would be deemed compliant if open-air parking spaces were permitted based on certain lot widths.

Scenario Changes Related to Lot Width	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	284	7.98%
Allow open-air parking on properties with lot width less than 100 feet	273	11	0.31%
Allow open-air parking on properties with lot width less than 90 feet	271	13	0.37%
Allow open-air parking on properties with lot width less than 60 feet	231	53	1.49%
Allow open-air parking on properties with lot width less than 50 feet	178	106	2.98%

The table above shows that allowing open-air parking spaces in lots with a width of less than 100 feet would bring the vast majority of legal non-conforming lots into compliance. However, only a small percentage of those lots have widths greater than 90 or 100 feet. Lots with a width of less than 60 feet would benefit the most. Additionally, lots with that narrow width may face more challenges when trying to meet current regulations that lots with greater widths.

Combining Zoning District and Lot Width

Depending on Trustees’ willingness to allow open-air parking spaces in front and side yards more widely across the Village, it may be appropriate to consider factors that would further limit that allowance. The following table summarizes how many lots would be deemed compliant if open-air parking spaces were permitted based on a combination of zoning district and lot width.

Scenario Changes Related to Lot Width	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	284	7.98%
Allow open-air parking on R4 properties with lot width less than 60 feet	22	226	6.35%
Allow open-air parking on R3 and R4 properties with lot width less than 60 feet	229	55	1.54%
Allow open-air parking on R3 properties with lot width less than 60 feet	207	41	1.15%
Allow open-air parking on R3 and R4 properties with lot width less than 80 feet	269	15	0.42%

Other Zoning Consideration: Minimum Driveway Width

In addition to various property characteristics that may dictate the permissibility of open-air parking spaces in residential lots, it may be important to consider establishing a minimum driveway width so that any spaces provided on a property are assured appropriate means of access. As a separate matter, the Village Board will be considering a Plan Commission recommendation to establish a minimum clear dimension of 7.5’ for access to spaces provided in residential garages. This same standard could be considered for a minimum clear driveway width. If Trustees are inclined to consider this, then it is worth noting the relationship between minimum driveway width and lot width. Residential lots are required to provide a minimum side yard setback of 10% of the lot width. Therefore, any lot over 90 feet in width would have to provide a setback that could accommodate a driveway with a minimum width of 7.5 feet and the required one-foot driveway setback from the side lot line. This context may be helpful when considering whether lots under a certain width warrant consideration for the provision of open-air parking spaces in the front yard.

Other Zoning Consideration: Open-Air Parking Space Landscaping

Trustees previously discussed the concept of requiring landscaping if front yard open-air parking spaces are provided. However, staff has identified two concerns related to this:

1. Residential property owners often use their driveway for vehicle parking even if its primary function is to provide access to a driveway. Therefore, a landscape regulation for lots that specifically have open-air parking spaces (as opposed to driveways to a garage) would result in a more rigorous requirement even though the different types of lots are used in a similar manner; and
2. The Zoning Ordinance allow front yard landscape screening, but only if it is maintained at a height of no more than 30 inches and does not encroach into the public right-of-way. A provision requiring landscape screening could result in a situation where a requirement in creating confusion or challenges when it comes to working with residents on maintaining compliant landscaping.

If Trustees are supportive of a landscape requirement for open-air parking spaces, staff will consider the most appropriate set of related policy discussions to bring forth to the Plan Commission as part of a public hearing.

Financial Impact

None

Recommendation

Staff requests feedback from the Village Board Committee of the Whole regarding the zoning concepts set forth in this report, including whether to:

- Allow open-air parking spaces in certain parts of a residential lot;
- Allow open-air parking spaces in only certain residential zoning districts;
- Allow open-air parking spaces based on lot width;
- Allow open-air parking spaces based on a combination of zoning district and lot width;
- Establish a minimum standard for clear driveway width; and
- Establish landscape requirements for open-air parking spaces.

Should the Committee of the Whole determine that any Zoning Text Amendments are appropriate to either change or clarify regulations, the matter can be referred to the Plan Commission for public hearing.

Documents Attached

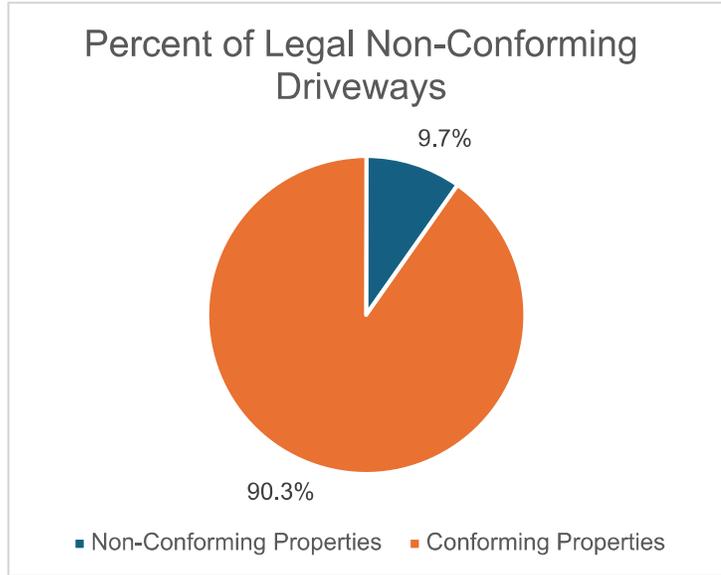
1. Staff Research Regarding Open-Air Parking Spaces
2. Relevant Regulations
3. PowerPoint Presentation

Attachment #1. Staff Research Regarding Open-Air Parking Spaces

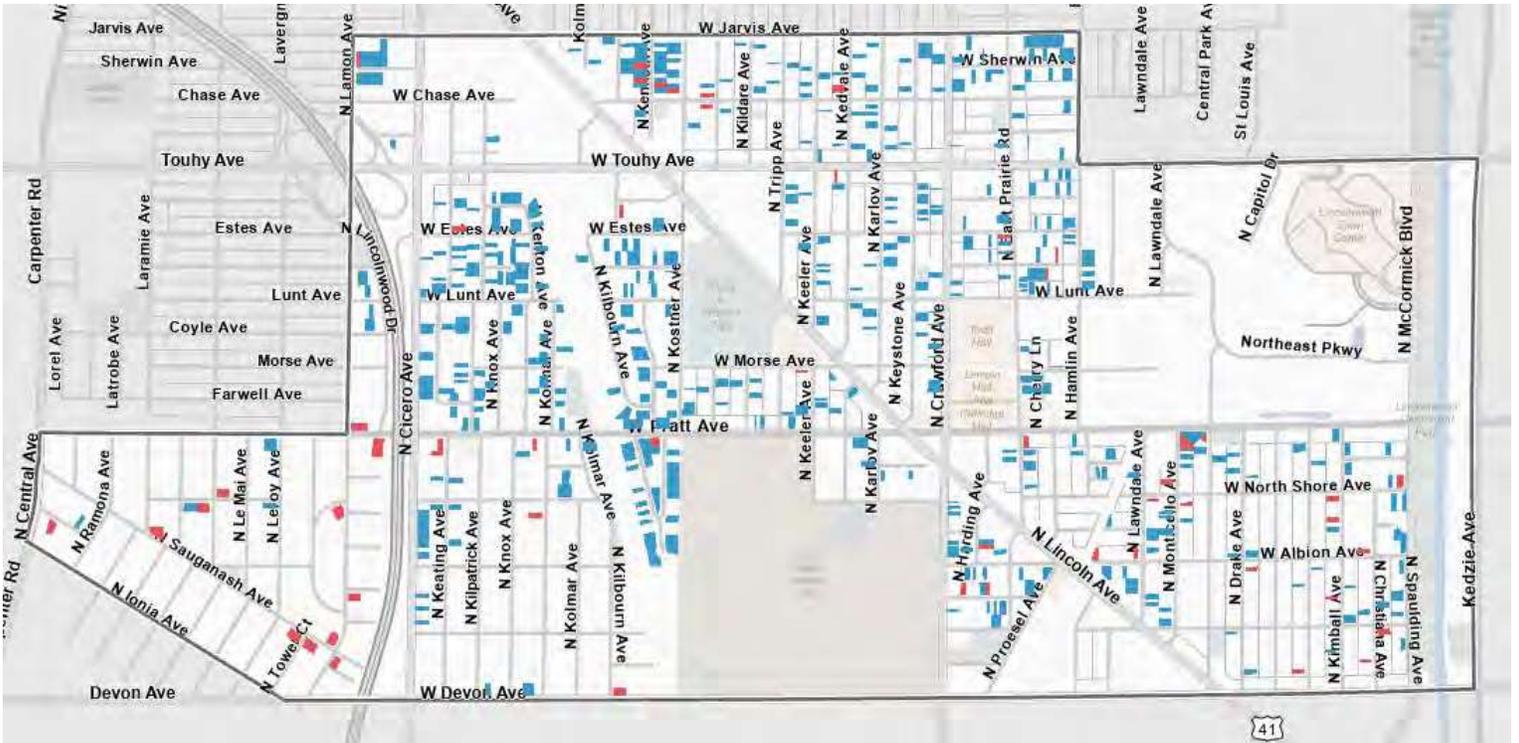
Overall

9.7% of the Village residential properties have legal, non-conforming driveways.

347 of the 3,560 properties



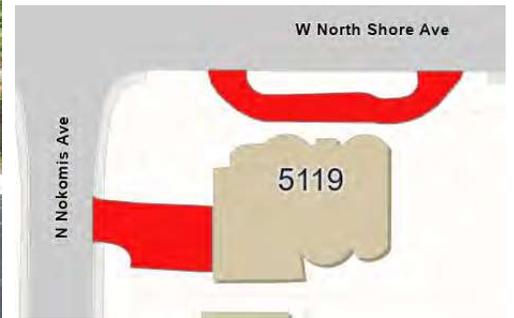
Properties with Legal Non-Conforming Driveways



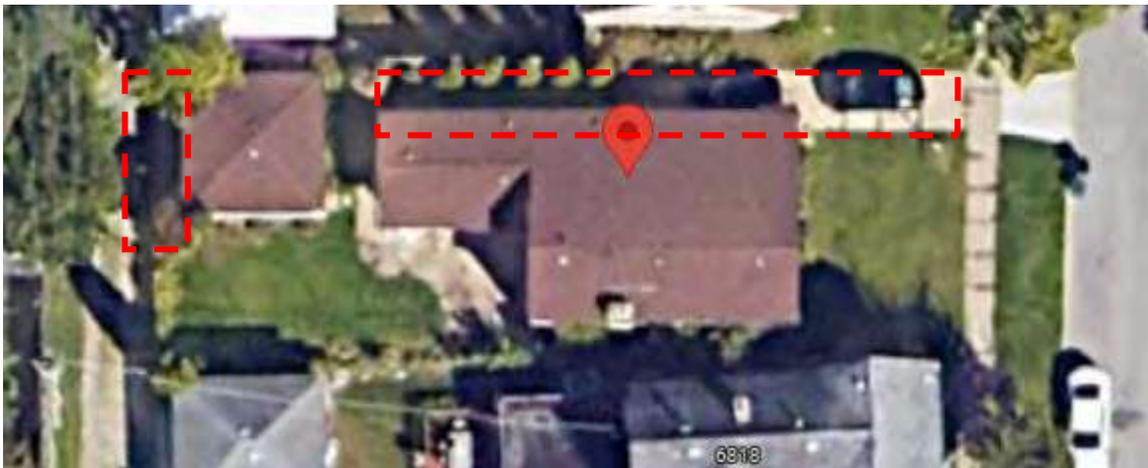
Breakdown of Legal, Non-Conforming (Open-air) Parking

Of the 347 properties with legal, non-conforming driveways:

- 74 have an alternative driveway option that is compliant. Examples include:
 - Properties with both an open-air circle drive and a driveway to a garage (20 properties)



- Properties with both an open-air parking driveway and an alley driveway to a garage



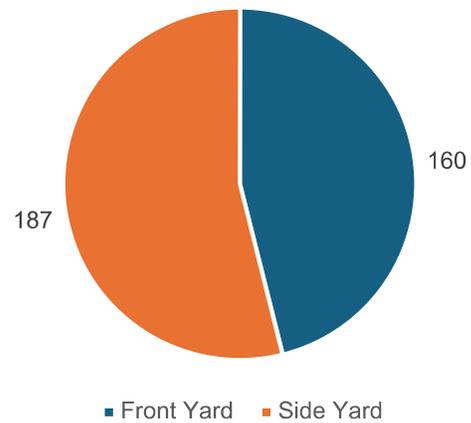
- Properties with both an open-air parking pad and a main driveway to a garage



Of the 347 legal, non-conforming driveways:

- 160 are in the **front** yard
- 187 are in the **side** yard

Legal Non-Conforming Driveways by Yard

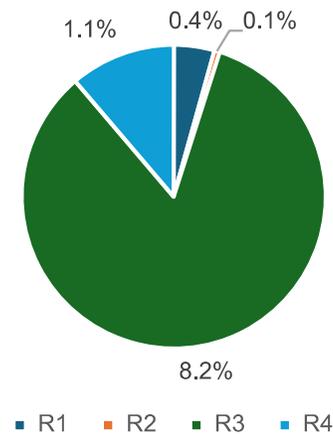


Of the 347 legal non-conforming driveways:

- A majority are in the R3 zoning district.

Zoning District	Number of Driveways	Percentage
R1	15	0.4%
R2	2	0.1%
R3	291	8.2%
R4	39	1.1%
Total	347	9.7%

Legal Non-Conforming Driveways by Zoning District



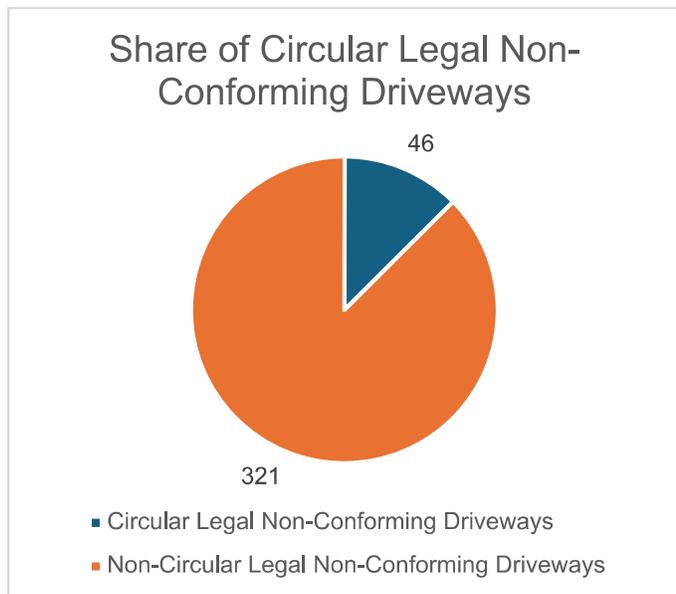
- However, R4 has the largest relative share of legal, non-conforming parking.

Zoning District	Non-Conforming Driveways	Properties in District	Share of Zoning District
R1	15	393	3.8%
R2	2	487	0.4%
R3	291	2,468	11.8%
R4	39	300	13.0%
Total	347	3,648	

Of the 347 legal non-conforming driveways:

- 46 are circular
- R3 has the highest number of circle drives

Circular Legal Non-Conforming Driveways by District	
R1	11
R2	1
R3	28
R4	6
Total	46



Properties with Circular Legal Non-Conforming Driveways



Summary of Legal Non-Conforming Driveway Property Lot Widths

Lot Width Range	Number of Properties				
	Total	R1	R2	R3	R4
0-25	7	0	0	0	7
25-50	171	0	1	160	10
50-100	95	1	0	84	10
Over 100	11	1	0	4	6
Total Number of Legal Non-Conforming Driveways	284	2	1	248	33

Lot Width Range	Number of Properties				
	Total	R1	R2	R3	R4
0-30	14	0	0	5	9
30-60	217	0	1	203	13
60-90	40	0	0	35	5
Over 90	13	2	0	5	6
Total Number of Legal Non-Conforming Driveways	284	2	1	248	33

Zoning District	Average Lot Size
Village	51.8
R1	111.0
R2*	43.0
R3	50.4
R4	59.5

*Only one property in the district

Zoning Amendment Scenarios

Scenario Changes Related to <i>Yard</i>	# of Driveways that Become Legal	# of Driveways that Become Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking in the <i>front</i> yard without a garage.	160	187	5.3%
Allow open-air parking in the <i>side</i> yard without a garage.	187	160	4.5%
Allow open-air parking in the <i>front and side</i> yards without a garage.	347	0	0%

Scenario Changes Related to <i>Zoning Districts</i>	# of Driveways that Become Legal	# of Driveways that Become Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking only in R1 and R2 district.	17	330	9.3%
Allow open-air parking only in R3 and R4 district.	330	17	0.5%
Allow open-air parking only in R3 district.	291	56	1.57%

Scenario Changes Related to <i>Lot Width</i>	# of Driveways that Become Legal	# of Legal Non-Conforming Driveways Remaining	% of Legal Non-Conforming Driveways in the Village After Zoning Change
No Zoning Change	0	284	7.98%
Allow open-air parking on R4 properties with lot sizes smaller than 60 feet	22	226	6.35%
Allow open-air parking on properties with lot sizes larger than 60 feet	53	231	6.49%
Allow open-air parking on properties with lot sizes larger than 50 feet	106	178	5.00%
Allow open-air parking on properties with lot sizes smaller than 50 feet	178	106	2.98%
Allow open-air parking on R3 and R4 properties with lot sizes smaller than 60 feet	229	55	1.54%
Allow open-air parking on properties with lot sizes smaller than 60 feet	231	53	1.49%
Allow open-air parking on R3 properties with lot sizes smaller than 60 feet	207	41	1.15%
Allow open-air parking on R3 and R4 properties with lot sizes smaller than 80 feet	269	15	0.42%
Allow open-air parking on properties with lot sizes smaller than 90 feet	271	13	0.37%
Allow open-air parking on properties with lot sizes smaller than 100 feet	273	11	0.31%

Scenarios to Allow Open-air Parking	# of Driveways that	# of Legal Non-Conforming Driveways Remaining	% of Legal Non-Conforming Driveways in
-------------------------------------	---------------------	---	--

	Become Legal		the Village After Zoning Change
No Zoning Change	0	292	8.2%
Allow in R1 and R2 district.	5	287	8.1%
Allow on properties with lot sizes larger than 60 feet .	53	231	6.5%
Allow on R4 properties with lot sizes smaller than 60 feet .	22	226	6.3%
Allow in the front yard.	113	179	5.0%
Allow on properties with lot sizes larger than 50 feet .	106	178	5.0%
Allow in the side yard.	179	113	3.2%
Allow on properties with lot sizes smaller than 50 feet .	178	106	3.0%
Allow on R3 and R4 properties with lot sizes smaller than 60 feet .	229	55	1.5%
Allow on properties with lot sizes smaller than 60 feet .	231	53	1.5%
Allow on R3 properties with lot sizes smaller than 60 feet .	207	41	1.2%
Allow only in R3 district.	255	37	1.0%
Allow on R3 and R4 properties with lot sizes smaller than 80 feet .	269	15	0.4%
Allow on properties with lot sizes smaller than 90 feet .	271	13	0.4%
Allow on properties with lot sizes smaller than 100 feet .	273	11	0.3%
Allow only in R3 and R4 district.	287	5	0.1%
Allow in the front and side yards.	292	0	0.0%

No Change to the Village

Most Change to the Village

Attachment #2. Relevant Regulations

Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways

6-1-5 Driveways and driveway approaches.

(A) Definitions. The following definitions shall apply in the interpretation and enforcement of this Section 6-1-5:

DRIVEWAY: A place on private property for the operation of automobiles and other vehicles.

DRIVEWAY APPROACH: That portion of a right-of-way that provides vehicular access from the roadway to an adjoining lot.

ROADWAY: That portion of a right-of-way improved, designed or ordinarily used for vehicular travel; provided, however, that the term "roadway" shall not include the berm, shoulder, or parkway, if any. In the event that a right-of-way includes two or more separate roadways, the term "roadway" shall refer only to each separate roadway, and not to all roadways collectively.

(B) Permit fee. No permit authorizing a driveway approach shall be issued until the fee therefor has been paid to the Village pursuant to Article 2 of this Chapter 6.

(C) Construction regulations.

(1) It shall be unlawful to construct any curb or driveway approach or break out or remove any curb without first securing a permit as required pursuant to Article 2 of this Chapter 6.

(2) No driveway approach shall be constructed or used so as to impede the flow of surface water in the street gutter or a drainage ditch.

(3) No driveway approach to residential properties shall be constructed or used for the sole purpose as a parking space.

(4) A maximum driveway approach width of 14 feet shall be allowed for driveway approaches to circular driveways on parcels of property used for single-family residential purposes.

(D) Approaches; location. No driveway approach shall be located so as to interfere with municipal or public utility facilities such as poles, traffic signals, signposts, catch basins, fire hydrants, crosswalks, or other street structures. Driveway approaches shall be located so as to avoid existing parkway trees. Driveway approaches must be constructed at a minimum distance away from existing trees of one foot per diameter inch of the tree, up to a maximum distance of 10 feet. If it is not feasible to comply with the minimum distance requirement set forth in this Section 6-1-5(D), the property owner may remove the tree in accordance with the applicable provisions of this Code. If such tree removal would result in the distance to the next closest trees to be more than 25 feet, the property owner must pay a tree replacement fund fee in the amount of \$150 per inch of diameter of the tree removed. Removal of any parkway trees shall be subject to the Village Parkway Landscaping Ordinance set forth in Article 5 of this Chapter 6.

(E) Driveway approach construction standards. Driveway approaches shall be constructed to the following standards:

(1) Surface. All driveway approaches which give access to an improved street with curb and gutters shall be surfaced with a permanent dustproof surface: either concrete (six inches) over five inches CA-6, crushed stone aggregate, bituminous surface (eight inches CA-6, crushed stone aggregate, and three-inch asphalt), brick (over six inches of concrete) or other material approved by the Village.

(2) Widths. The total width of driveways measured at the property line on a parcel of property used for residential purposes shall not exceed the applicable standard set forth in Chapter 15 of this Code (Zoning Ordinance). The total width of driveways measured at the property line on a parcel of property used for nonresidential purposes shall not exceed 1/2 the lot frontage, and no single driveway approach shall exceed 30 feet measured at the property line. The width of the driveway approach measured at the curb shall in no case be greater than five feet more than the width measured at the property line.

(3) Location of drives. On a parcel of property used for residential purposes, no driveway approach or driveway flare shall extend over the property line extended to the curb; provided, however, where the Board of Trustees finds that there is a particular hardship to the owner, a driveway that has been in existence in excess of 25 years may be reconstructed in its present location even if the driveway approach or driveway flare extends over the property line extended to the curb. On a parcel of property used for nonresidential purposes, no driveway approach shall be located within five feet of the property line, or within 10 feet of any other driveway approach as measured at the property line.

(4) Consistency with Zoning Ordinance. All driveway approaches shall be constructed in a manner and at locations necessary to facilitate direct vehicular travel onto adjacent driveways on private property, which driveways shall be constructed as required pursuant to Chapter 15 of this Code (Zoning Ordinance).

(F) Restoration by Village. In the event that the Village removes any portion of a driveway approach constructed pursuant to this Section 6-1-5 in connection with any maintenance, construction, or repair activities within the right-of-way, the Village shall only be required to replace the driveway approach with one or more materials approved pursuant to Section 6-1-5(E)(1) of this Code.

6-1-6 Maintenance of driveway approaches.

No snow or ice may be artificially placed or deposited onto any portion of a sidewalk adjacent to a nonresidential property over which a driveway approach crosses. This Section 6-1-6 does not apply to snow plowing operations provided by or on behalf of the Village.

6-1-7 Abandoned driveway approaches.

If, at any time, a driveway approach is abandoned, the curb and gutter at the edge of the street and sidewalk shall be replaced in accordance with current Village specifications by, and at the expense of, the owner abandoning the curb cut.

Chapter 15 (Zoning), Article 7 Off-street Parking

7.06 General standards for off-street parking facilities.

Off-street parking facilities shall be provided in accordance with regulations hereinafter set forth.

(5) In yards. Subject to the provisions set forth in this Section 7.06, open-air, off-street parking spaces may be located in: (a) any rear yard, in any zoning district; and (b) in a front yard or a side yard abutting a street, but only within the B-1, B-2, B-3, O-1, M-B, and P Districts, and only upon the issuance of a special use permit therefor pursuant to the procedures set forth in Section 5.17 of this Zoning Ordinance.

7.13 Additional driveway regulations for single-family residential properties.

Driveways on private properties used for single-family residential purposes shall comply with the applicable provisions of Chapter 6 of this Code and with the additional requirements set forth in Table 7.13.01 below:

Maximum width of circular driveways	The lesser of 1/3 of the lot frontage, or 12 feet
Width of all other driveways	The lesser of 1/3 of the lot frontage, or 20 feet
Minimum lot frontage for circular driveways	60 feet
Minimum distance between driveway and side lot line	1 foot

Background

January 2024: COTW was presented information regarding the permissibility of open-air parking spaces for residential properties

- Currently, a combination of regulations found in Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways, and Chapter 15 Zoning, establish standards related to the driveway design and permitted locations of open-air parking spaces
- Allow for open-air parking spaces in the rear yards of residential properties, but not in the front, interior side, or corner side yards
- Provision has been referenced when denying new driveways, the expansion of an existing driveway to create a parking space in a prohibited location, and the conversion of garage spaces into living space

Background

Trustees provided the following direction at that time

- Staff's interpretation of relevant regulations has been appropriate when denying permit applications
 - The Zoning Ordinance should establish a minimum driveway width to ensure appropriate access to required spaces
 - The Village could consider a landscaping requirement if the code were amended to allow open-air spaces where they are currently prohibited
 - Trustees stated support for the continued permissibility of circular driveways
 - Some Trustees feel that not allowing open-air parking spaces may be penalizing property owners whose lots cannot accommodate a garage
 - Some Trustees stated that permitted open-air parking spaces could eliminate cars parked in rear yards, which could be a nuisance to neighbors
 - Trustees are open to considering greater flexibility related to the location of open-air parking spaces
- 

Tonight's Discussion

Potential zoning scenarios for allowing open-air parking spaces:

- Allowing open-air parking spaces in certain parts of a residential lot, but only when there is no garage at the property;
- Allowing open-air parking spaces in only certain residential zoning districts;
- Allowing open-air parking spaces based on lot width; or
- Allowing open-air parking spaces based on a combination of zoning district and lot width.

Minimum driveway width

Open-air parking space landscaping

Tonight's Discussion

Summary of findings from staff research

Potential zoning scenarios for allowing open-air parking spaces:

- Allowing open-air parking spaces in certain parts of a residential lot, but only when there is no garage at the property;
- Allowing open-air parking spaces in only certain residential zoning districts;
- Allowing open-air parking spaces based on lot width; or
- Allowing open-air parking spaces based on a combination of zoning district and lot width.

Minimum driveway width

Open-air parking space landscaping



Summary of Staff Research

347 of 3,560 residential lots (9.7%) have legal non-conforming open-air parking spaces

Of those lots:

- 74 lots have an alternative parking configuration that is compliant (such as a separate driveway leading to garage spaces, or separate access to an alley-loaded garage)
- 160 legal non-conforming open-air parking spaces are in a front yard, and 187 are in a side yard
- Majority of legal non-conforming open-air spaces (291 of 347) are in the R-3 zoning district (11.8% of all the lots in that zoning district)
- The R-4 district has the highest percentage of lots with legal non-conforming open-air parking spaces, at 13.0% (39 of its 300 lots).
- Of the lots with a legal non-conforming open-air parking space, 171 of them are on properties with a width between 25 feet and 50 feet, and 95 of the lots are on properties with a width of 50-100 feet
- Only 11 lots over 100 feet in width have legal non-conforming open-air parking spaces

Potential Zoning Scenarios

Open-Air Parking Spaces and Location on the Lot

- Greatest number of legal non-conforming residential lots would benefit from an allowance of open-air parking spaces in the side yard
 - However, the ability of lots to accommodate such a configuration in the future would be dependent on the width of a given lot and the location and footprint of the home
 - Less legal non-conforming properties would benefit from the allowance of front yard open-air parking spaces
 - That type of improvement is more likely to benefit a greater number of properties in the future because feasibility is less dependent on lot width and building footprint
- 

Potential Zoning Scenarios

Open-Air Parking Spaces and Location on the Lot

Scenario Changes Related to Yard	No. of Driveways that Become Legal	No. of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking in the front yard without a garage.	160	187	5.3%
Allow open-air parking in the side yard without a garage.	187	160	4.5%
Allow open-air parking in the front and side yards without a garage.	347	0	0%

Potential Zoning Scenarios

Open-Air Parking Spaces by Zoning District

- The zoning district with the greatest number of lots that would benefit from greater flexibility is the R-3 district
 - However, because the R-4 district allows for lots that are narrower than those in the R-3 district, it may be worth considering greater flexibility in both of those districts
 - If enacted, such an amendment would bring 330 of the 347 legal non-conforming lots into compliance
 - It would also provide a greater amount of flexibility through the majority of the community to allow open-air parking spaces in front or side yards.
- 

Potential Zoning Scenarios

Open-Air Parking Spaces by Zoning District

Scenario Changes Related to Zoning Districts	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking only in R1 and R2 district.	17	330	9.3%
Allow open-air parking only in R3 and R4 district.	330	17	0.5%
Allow open-air parking only in R3 district.	291	56	1.57%

Potential Zoning Scenarios

Open-Air Parking Spaces and Lot Width

- Allowing open-air parking spaces in lots with a width of less than 100 feet would bring the vast majority of legal non-conforming lots into compliance
- However, only a small percentage of those lots have widths greater than 90 or 100 feet
- Lots with a width of less than 60 feet would benefit the most and would face more challenges when trying to meet current regulations that lots with greater widths

Potential Zoning Scenarios

Open-Air Parking Spaces and Lot Width

Scenario Changes Related to Lot Width	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	284	7.98%
Allow open-air parking on properties with lot width less than 100 feet	273	11	0.31%
Allow open-air parking on properties with lot width less than 90 feet	271	13	0.37%
Allow open-air parking on properties with lot width less than 60 feet	231	53	1.49%
Allow open-air parking on properties with lot width less than 50 feet	178	106	2.98%

Potential Zoning Scenarios

Combining Zoning District and Lot Width

Scenario Changes Related to Lot Width	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	284	7.98%
Allow open-air parking on R4 properties with lot width less than 60 feet	22	226	6.35%
Allow open-air parking on R3 and R4 properties with lot width less than 60 feet	229	55	1.54%
Allow open-air parking on R3 properties with lot width less than 60 feet	207	41	1.15%
Allow open-air parking on R3 and R4 properties with lot width less than 80 feet	269	15	0.42%

Other Zoning Considerations

Minimum Driveway Width

- May be appropriate to consider establishing a minimum driveway width so to ensure appropriate means of access
- As a separate matter, the Village Board will be considering a Plan Commission recommendation to establish a minimum clear dimension of 7.5' for access to spaces provided in residential garages
- This same standard could be considered for a minimum clear driveway width
- Relationship between minimum driveway width and lot width
 - Residential lots have a minimum side yard setback of 10% of the lot width
 - Any lot over 90 feet in width would have to provide a setback that could accommodate a driveway with a minimum width of 7.5 feet and the required one-foot driveway setback from the side lot line

Other Zoning Considerations

Open-Air Parking Space Landscaping

- Trustees previously discussed concept of requiring landscaping for an open-air parking space
- Staff has identified two possible concerns:
 - If applied only to lots with open-air parking spaces (as opposed to driveways to a garage), it would be a more rigorous requirement even though the different types of lots are used in a similar manner
 - Could result in confusion or challenges when it comes to working with residents on maintaining compliant landscaping and enforcing front yard landscape screening regulations
- Staff will follow Trustees' direction if landscaping is preferred as a component of a public hearing

Requested Action

Staff requests direction from the COTW regarding the various zoning concepts summarized in this presentation:

- Allow open-air parking spaces in certain parts of a residential lot
- Allow open-air parking spaces in only certain residential zoning districts
- Allow open-air parking spaces based on lot width
- Allow open-air parking spaces based on a combination of zoning district and lot width
- Establish a minimum standard for clear driveway width
- Establish landscape requirements for open-air parking spaces

If Text Amendments are deemed appropriate, staff would request a referral to the Plan Commission for a public hearing



Supporting Materials



Background

Community Development regularly fields questions regarding residential driveway design

- Permitted locations of open-air parking pads
- Permitted driveway dimensions

Staff seeks to:

- Present information about current regulations and staff interpretations
 - COTW feedback regarding interpretations going forward and any appropriate Zoning Text Amendments
- 

Regulatory Context for Residential Driveways

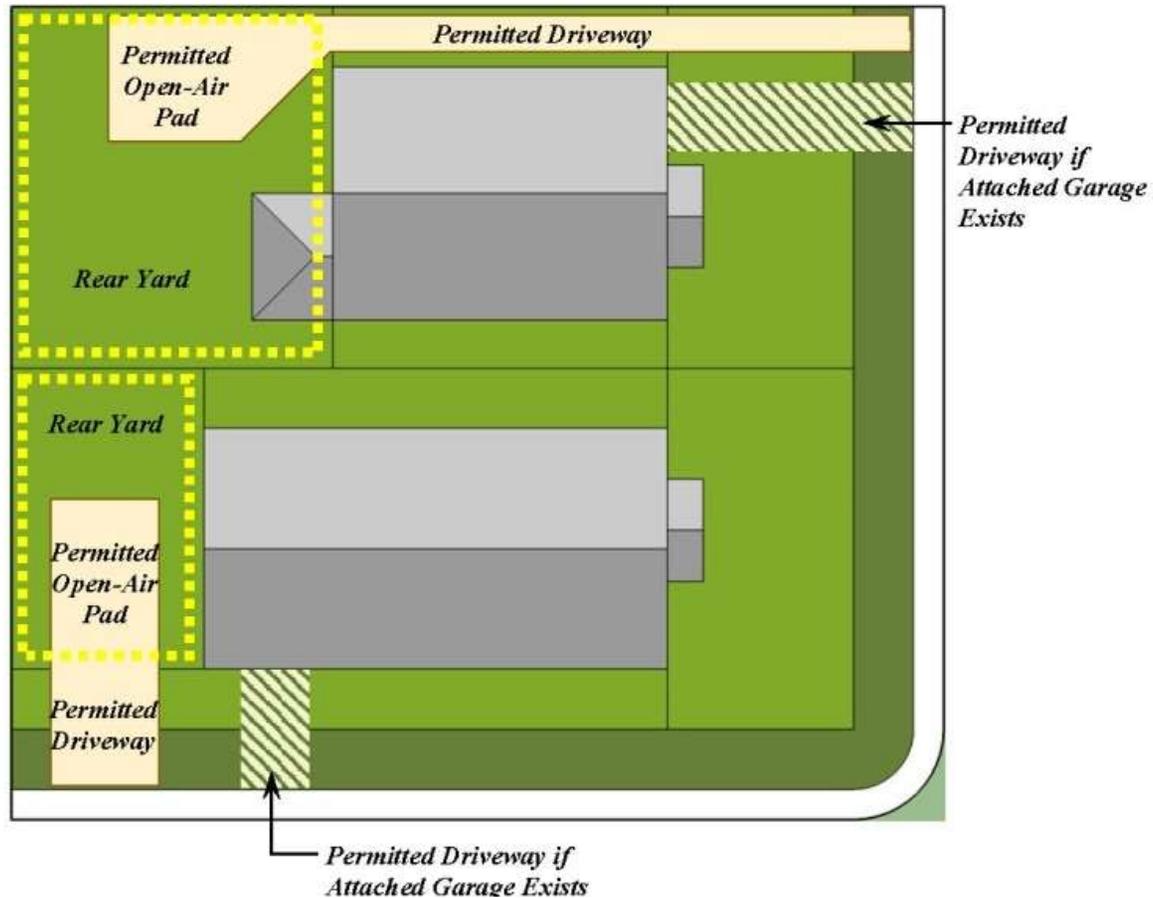
Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways:

- No driveway approach can be constructed for the sole purpose of being a parking space.
- The width of the driveway at the lot line cannot exceed the maximum width established in the Zoning Ordinance.
- The flare of the driveway approach shall not extend over the property line when extended to the curb.

Chapter 15 (Zoning), Article 7 Off-street Parking:

- In residential districts, open-air parking pads are only permitted in rear yards and are prohibited in front, corner side, and interior side yards.
 - For standard driveways, the maximum driveway width is the lesser of 1/3 of the lot width or 20 feet.
 - For circular drives, the maximum driveway width is the lesser of 1/3 of the lot width or 12 feet.
 - The minimum distance between the driveway and side lot line is one foot.
- 

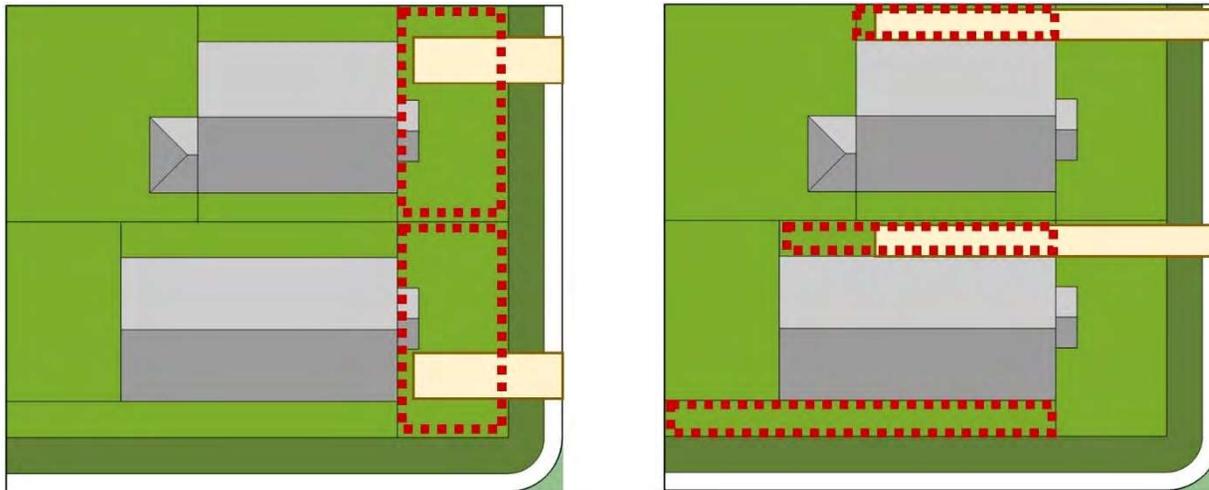
Regulatory Context for Residential Driveways



Zoning Officer Interpretations

Permitted driveway locations

- Driveways leading to attached garages, detached garages, or legal open-air parking pads have been approved; they are providing access a legal parking space and not serving solely as open-air parking pads
- New open-air parking pads in a front or interior side yard have been denied; they do not provide access to a legal parking space

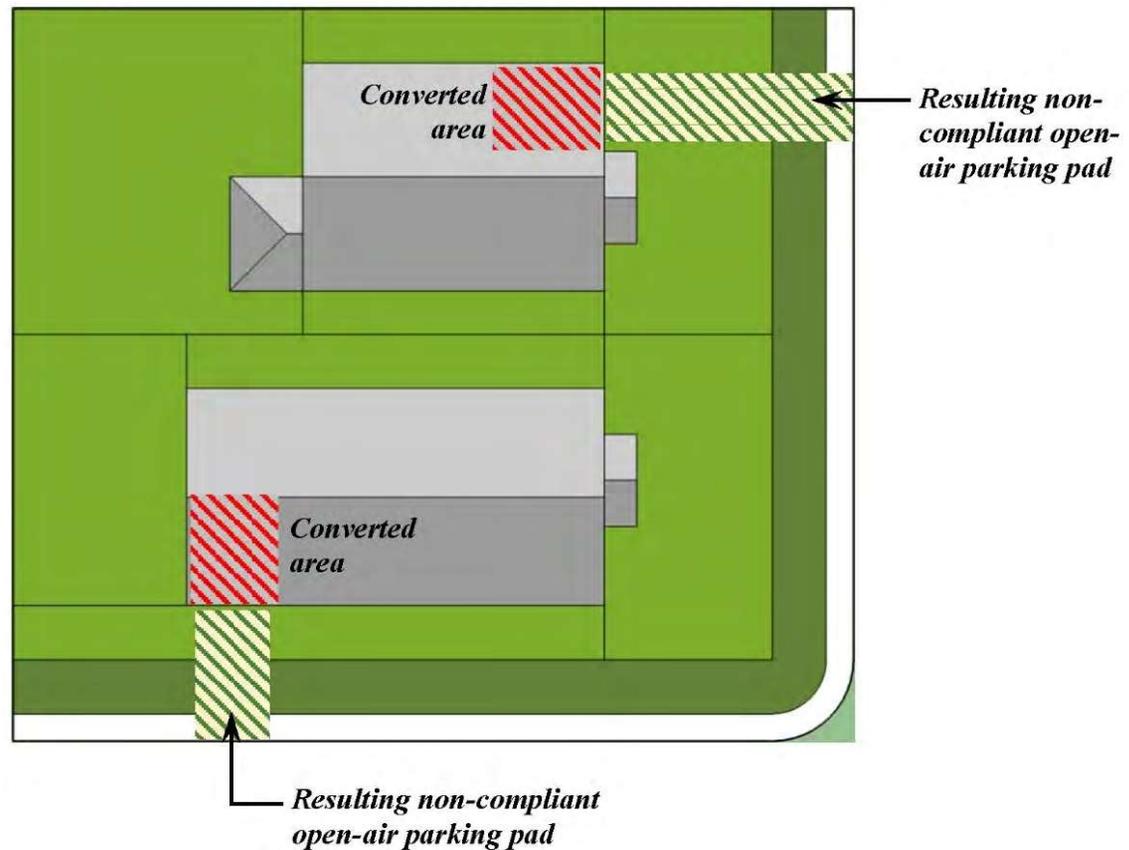


Examples of prohibited open-air parking pad locations

Zoning Officer Interpretations

Interior improvements that create non-compliant parking pads

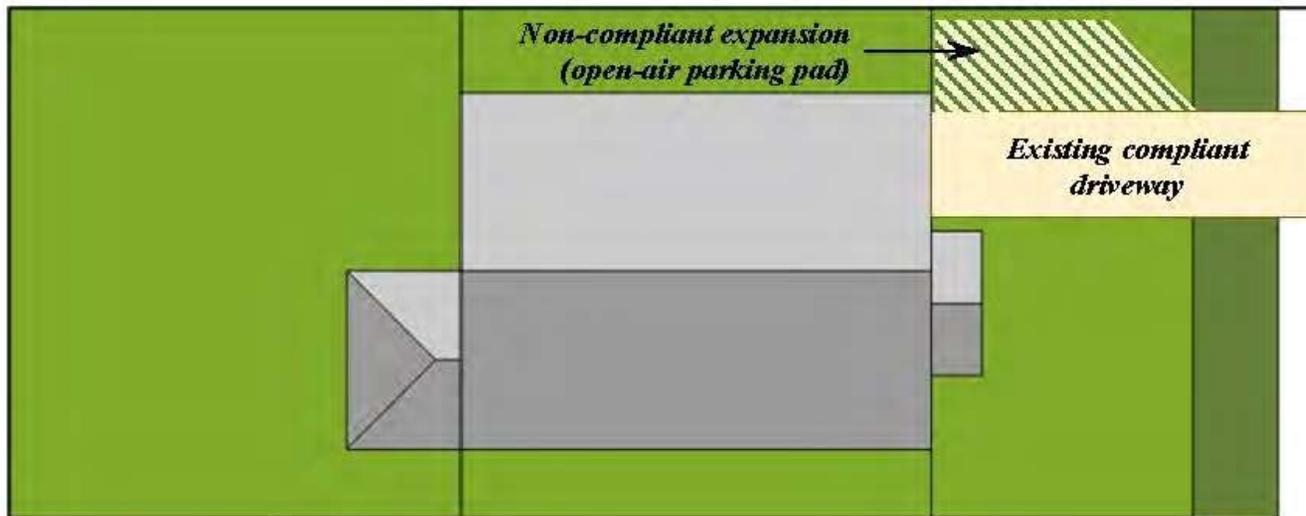
- Garage conversions to living spaces have been denied
- Would result in existing driveway being converted to an open-air parking pad



Zoning Officer Interpretations

Driveway expansions when access to a legal parking space is not enhanced

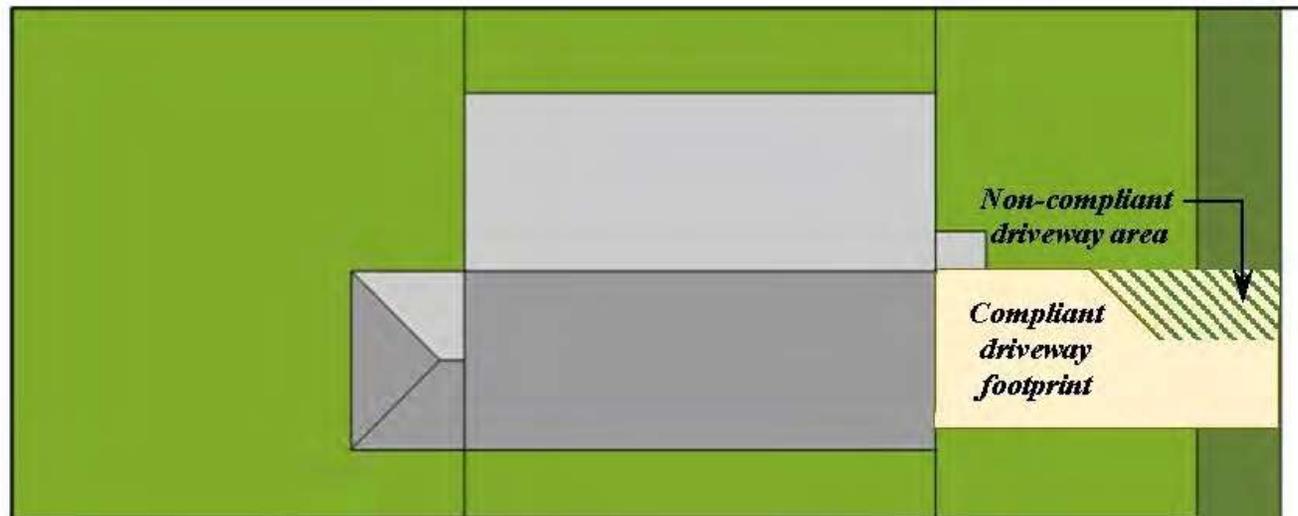
- Driveway widenings have been denied
- Denial based on the widened area not providing access to another legal parking space
- Would serve solely as a new open-air parking pad



Zoning Officer Interpretations

Maximum permitted width at the lot line

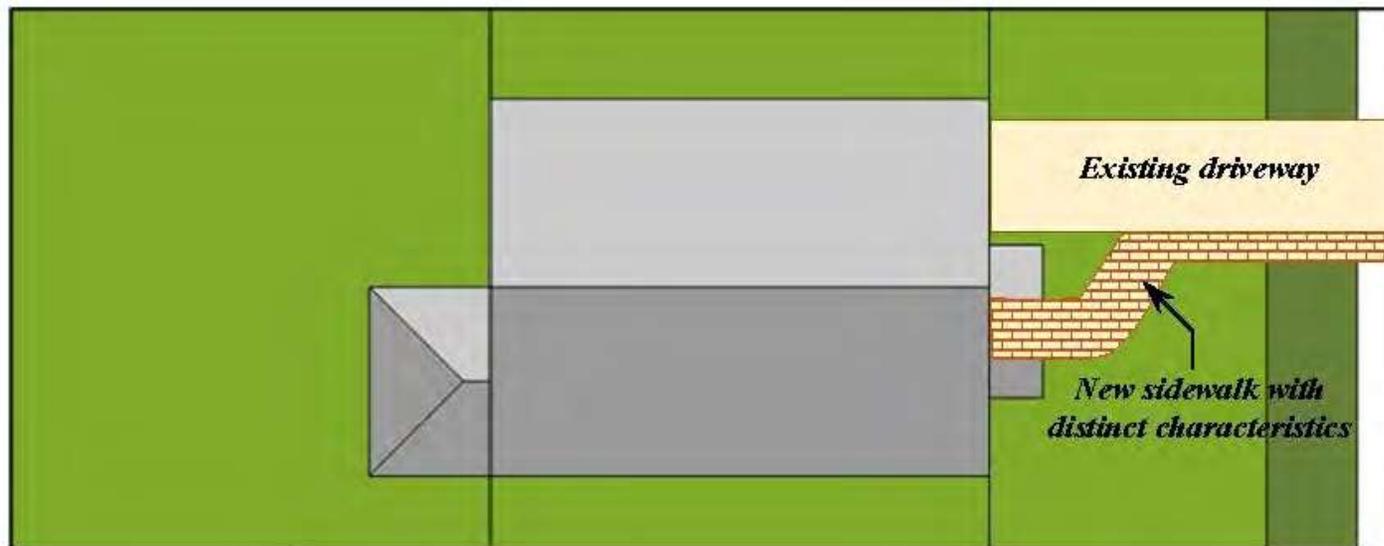
- Maximum permitted width enforced at the lot line, even if driveway needs to be wider to serve multi-car garage
- Taper required between garage and lot line



Zoning Officer Interpretations

Adjacent impervious surfaces not counted as “driveway expansion”

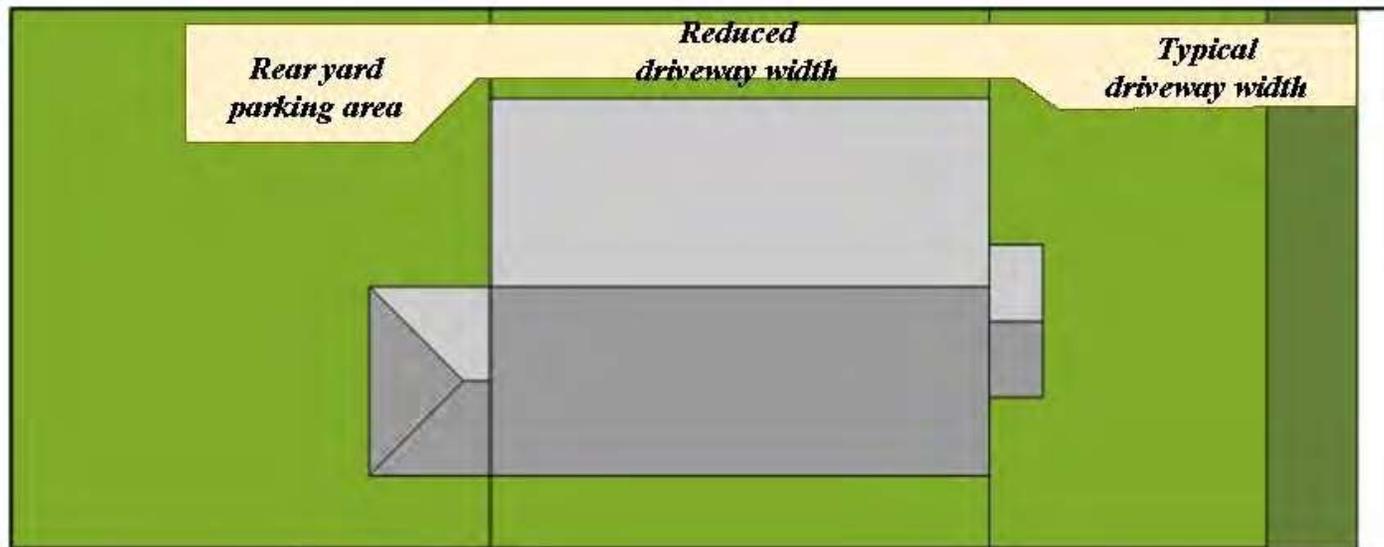
- Some property owners have added sidewalks adjacent to driveways
- Required to be distinct in design (i.e. separated by expansion joints, different paver materials, etc.)



Zoning Officer Interpretations

Substandard driveway width

- Some have sought approval for driveways with substandard width
- Zoning Ordinance does not establish specific minimum width
- Could result in areas functioning as other elements (i.e. patios) with different zoning requirements



2016 Zoning Text Amendment

Many of the interpretations noted earlier are based on zoning language impacted by a Text Amendment in 2016

Prior to 2016:

- Open-air parking pads were permitted in the interior side yard or rear yard of residential properties

After 2016:

- Open-air parking pads are permitted only in rear yards for residential properties

Several residential property owners point to examples in their surrounding area when their applications are denied

- Staff explains this Text Amendment and the fact that those spaces would have existed prior to 2016
- 

Related Variation Request

Zoning Variation request regarding an open-air parking pad was made in 2017 for 7235 North Keating Avenue

- Sought approval to install a parking pad in the front yard, noting that there is no opportunity to provide a driveway to the rear yard

ZBA recommended approval of the request by a 3-2 vote

Village Board failed to pass a motion directing the drafting of an Ordinance approving the request

- Several Trustees expressed concerns regarding neighborhood aesthetics
 - No formal action was taken by the Village Board
 - Petitioner withdrew their request before being denied by expiration
- 

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
GERALD C. TURRY VILLAGE BOARD ROOM
SEPTEMBER 17, 2024**

Call to Order

Mayor Patel called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:34 P.M. Tuesday, September 17, 2024, in the Gerald C. Turry Village Board Room of the Municipal Complex at 6900 N. Lincoln Avenue, Village of Lincolnwood, County of Cook, and State of Illinois.

Pledge to the Flag

Trustee Klatzco led the pledge of allegiance.

Roll Call

On roll call by Deputy Village Clerk Madeline Farrell, the following were:

Present: Mayor Patel, Trustees Klatzco, Diaz Herrera, Sargon, Saleem, Ikezoe-Halevi

Absent: Trustees Martel

A quorum was present.

Also present: Village Manager Anne Marie Gaura, Assistant Village Manager Madeline Farrell, Human Resources Manager Lamar Jones, Community Development Director Scott Mangum, Planning and Economic Development Manager Douglas Hammel, Police Chief Jason Parrott, Parks and Recreation Director Karen Hawk, Public Works Director John Welch, Management Analyst Elijah Bebor, Management Analyst Natalie Benner and Village Attorney Steve Elrod.

Approval of Minutes

The minutes of the September 5, 2024 Village Board meeting were presented for Village Board approval.

Trustee Sargon moved to approve the minutes of the September 5, 2024 Village Board meeting. The motion was seconded by Trustee Klatzco

Upon voice vote the results were:

AYES: Trustees Klatzco, Diaz Herrera, Sargon, Saleem, Ikezoe-Halevi

NAYS: None

The minutes were approved.

Warrant Approval

Trustee Klatzco presented the warrants in the amount of \$2,739,512.15. Trustee Klatzco moved to approve the warrants as presented. The motion was seconded by Trustee Sargon.

Upon roll call, the results were:

AYES: Trustees Klatzco, Diaz Herrera, Sargon, Saleem, Ikezoe-Halevi

NAYS: None

The motion passed

President's Report

1. Madeleine Grant Volunteer of the Year Recognition

Mayor Patel recognized the recipient of this year's Madeleine Grant Volunteer of the Year Award. He provided a brief history of Madeleine Grant's contributions to the Village, including her work with the League of Women Voters to create Lincolnwood's Library, her role as the Village's first Library President from 1978 to 1990, and her tenure as Mayor. During her time as Mayor, Grant focused on improving the Village's finances, investing in infrastructure, supporting ethnic diversity, and making Lincolnwood a home rule community.

This year's award was presented to Caren Ex, a long-time community volunteer. Ms. Ex was recognized for her commitment to improving the lives of others, including her efforts in founding the Harice Leavitt Memorial Angel Fund, which helps residents in need with utility bills. She has volunteered in various capacities for over 25 years and was one of the first commissioners on the Lincolnwood Human Relations Commission, created by Mayor Grant in 1997.

Ms. Ex was presented with a crystal bowl and her name will be added to the plaque in the Village Hall, alongside past recipients of the Madeleine Grant Recognition Award.

Ms. Ex took a moment to thank the community for their support.

A brief recess was held to fully recognize the award winner.

The meeting was called to order at 7:58pm.

2. Centennial Park Cleanup

Mayor Patel announced that the Village will be hosting a Fall Cleanup event at Centennial Park on Sunday, September 22, from 11:00 a.m. to 1:00 p.m. Volunteers are invited to meet in the public parking lot off McCormick Blvd. Supplies, including gloves, vests, bags, and trash grabbers will be provided. He encouraged everyone to participate and looks forward to seeing volunteers at the event.

3. Turkey Trot Registration and Volunteer Opportunities

Mayor Patel announced that registration for the 48th Annual Lincolnwood Turkey Trot is now open. The race will take place on Sunday, November 24. Participants are encouraged to register before October 4 to take advantage of the discounted rate, as rates will increase after that date. Additionally, those interested in volunteering for the event should contact Julie Glowacki at jglowacki@lwd.org. There are also sponsorship opportunities available more information can be found on the Village website.

4. Art Gallery

Mayor Patel highlighted the current artwork on display at Village Hall, created by artist Melanie Deal. Deal's work is made from paper and mixed media. Residents are invited to stop by Village Hall to view the exhibit, which is open Monday through Friday from 9:00 a.m. to 5:00p.m.

5. Bike Safety

Mayor Patel reminded residents to wear bike helmets and use lights on their bikes when riding during dawn or dusk, as daylight hours are changing. He also urged everyone to exercise caution at intersections, noting that just because you can see cars, it doesn't mean the drivers can see you. Safety should be a priority for all cyclists.

6. Village Clerk Speedy Recovery

Mayor Patel took a moment to wish Village Clerk Beryl Herman a speedy recovery and expressed hope to see her back at Village Hall soon.

Village Trustees' Report

Trustee Klatzco highlighted that there is a Traffic Commission meeting on September 26th. Trustee Sargon highlighted the fall clean up event and that there will be an Environmental Commission meeting on September 23rd at 7pm and a Plan Commission meeting on September 30th at 7pm.

Boards and Commissions Report

None

Village Clerk's Report

None

Village Manager's Report

Manager Gaura mentioned that the Board should stay late for the photo opportunity for the community survey award.

Public Forum

Jovy Jensen Shahid spoke in opposition to the sale of wild animals in the village.

Jodie Wiederkehr spoke in opposition to the sale of wild animals in the village.

Village Manager Gaura requested an alternative meeting date for the Special Finance meeting. A new proposed date of September 26th at 12:15 p.m. was suggested. The importance of having an in-person quorum for the meeting was emphasized, as the agenda will include discussion of the annual audit.

Consent Agenda

1. Approval of the July 16, 2024 Village Board Meeting, August 5, 2024 Part A Special Village Board Meeting, August 5, 2024 Part B Special Village Board Meeting, and August 20, 2024 Committee of the Whole Closed Session Minutes
2. Approval of a Resolution Approving a Concession Agreement with Munchies Gyros II, Inc., of Lincolnwood, Illinois
3. Approval of a Resolution Approving an Agreement with Confluence, of Chicago, Illinois, for a Parks and Recreation Feasibility Study
4. Approval of a Resolution Approving an Amended and Restated Agreement with Paramedic Services of Illinois, Inc. for Fire Protection and Emergency Medical Services.
5. Approval of a Resolution Authorizing the Purchase and Planting of 129 Trees to be Purchased from the Suburban Tree Consortium in an Amount not to Exceed \$60,000
6. Approval of a Resolution Authorizing the Filing of an Application for an Illinois Transportation Enhancement Program Grant, and Pledging \$628,000 in Village Funds, for the Pratt Avenue Pedestrian Bridge Project
7. Approval of an Ordinance Approving an Amendment to the Pratt/McCormick Planned Unit Development

Trustee Sargon motioned to approve Consent Agenda as item 7 amended. The motion was seconded by Trustee Klatzco.

Upon Roll Call, the results were:

AYES: Trustees Klatzco, Diaz Herrera, Sargon, Saleem, Ikezoe-Halevi

NAYS: None

The motion passed.

Regular Business

8. Consideration of an Ordinance Amending the Village of Lincolnwood Zoning Ordinance Regarding Minimum Width for Garage Doors

Planning and Economic Development Manager Douglas Hammel presented information to the Village Board via PowerPoint regarding the width of residential garage doors. He shared that the Plan Commission, during its September 3 meeting, recommended that standard residential

garage doors must provide a clear dimension of at least 7.5 feet when in the open position, which corresponds to an 8-foot garage door.

The floor was opened for questions.

Trustee Sargon moved to approve the Ordinance amending the Village of Lincolnwood Zoning Ordinance regarding minimum width for garage doors. Trustee Klatzco seconded the motion.

Upon Roll Call, the Results were:

AYES: Trustees Klatzco, Diaz Herrera, Sargon, Saleem, Ikezoe-Halevi

NAYS: None

The motion passed

9. Consideration of a Resolution Approving a Supplement to the Agreement with Chastain & Associates, LLC for Design Engineering Services

Public Works Director John Welch presented information regarding a supplemental agreement with Chastain & Associates for Design Engineering Services in the amount of \$32,846. This fee covers the completion of an additional 47 lead service line investigations along Pratt Avenue, from Central Avenue to McCormick Boulevard. Director Welch also provided details on the overall project costs.

The floor was opened for questions.

Trustee Sargon moved to approve the Resolution approving a supplement to the agreement with Chastain & Associates, LLC for Design Engineering Services. Trustee Ikezoe-Halevi seconded the motion.

Upon Roll Call, the Results were:

AYES: Trustees Klatzco, Diaz Herrera, Sargon, Saleem, Ikezoe-Halevi

NAYS: None

The motion passed

10. Discussion Concerning Aquatic Center Fees and Policies

This item was heard at the Committee of the Whole earlier in the evening.

11. Discussion Concerning Open-Air Spaces and residential Driveway Design

Planning and Economic Development Manager Douglas Hammel presented a PowerPoint on the permissibility of open-air parking spaces for residential properties, currently allowed only in rear yards. Trustees previously discussed this in January and provided guidance, supporting staffs interpretation of regulations, recommending a minimum driveway width, and considering landscaping requirements if open-air parking spaces are expanded. Trustees supported circular driveways and noted that prohibiting open-air parking could penalize properties without garages, while allowing it could reduce rear-yard parking nuisances.

Development Manager Hammel outlined zoning scenarios for open-air parking, including options for allowing it in specific areas of lots without garages, in certain zoning districts, based on lot width, or a combination of both. The presentation also included discussions on minimum driveway width and landscaping requirements.

Staff requested direction from the Village Board on these zoning concepts, and if text amendments are deemed appropriate, a referral to the Plan Commission for a public hearing was requested.

During discussion, Mayor Patel asked for comments. Trustee Saleem inquired about parking pads in the R4 zoning district. Trustee Klatzco raised concerns about stormwater, double parking, curb cuts, and parking pad capacity. Mayor Patel clarified that stormwater and impervious lot requirements would not change. Trustees Diaz Herrera, Sargon, and Ikezoe-Halevi echoed concerns about aesthetics, stormwater, and applying strong discretion.

Development Manager Hammel and Director Welch noted potential impacts on parkway trees. Mayor Patel stated parkway trees should not be removed, but residents' needs must be considered.

The item was referred to the Plan Commission for review.

Public Forum

No additional public forum was requested.

Adjournment

At 8:49 P.M., Mayor Patel called for adjournment of the Regular Village Board meeting. Trustee Sargon moved to adjourn, seconded by Trustee Klatzco.

The meeting was adjourned by roll call.

Resrra:1

Caroline Dick
Deputy Village Clerk

Relevant Regulations

Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways

6-1-5 Driveways and driveway approaches.

(A) Definitions. The following definitions shall apply in the interpretation and enforcement of this Section 6-1-5:

DRIVEWAY: A place on private property for the operation of automobiles and other vehicles.

DRIVEWAY APPROACH: That portion of a right-of-way that provides vehicular access from the roadway to an adjoining lot.

ROADWAY: That portion of a right-of-way improved, designed or ordinarily used for vehicular travel; provided, however, that the term "roadway" shall not include the berm, shoulder, or parkway, if any. In the event that a right-of-way includes two or more separate roadways, the term "roadway" shall refer only to each separate roadway, and not to all roadways collectively.

(B) Permit fee. No permit authorizing a driveway approach shall be issued until the fee therefor has been paid to the Village pursuant to Article 2 of this Chapter 6.

(C) Construction regulations.

(1) It shall be unlawful to construct any curb or driveway approach or break out or remove any curb without first securing a permit as required pursuant to Article 2 of this Chapter 6.

(2) No driveway approach shall be constructed or used so as to impede the flow of surface water in the street gutter or a drainage ditch.

(3) No driveway approach to residential properties shall be constructed or used for the sole purpose as a parking space.

(4) A maximum driveway approach width of 14 feet shall be allowed for driveway approaches to circular driveways on parcels of property used for single-family residential purposes.

(D) Approaches; location. No driveway approach shall be located so as to interfere with municipal or public utility facilities such as poles, traffic signals, signposts, catch basins, fire hydrants, crosswalks, or other street structures. Driveway approaches shall be located so as to avoid existing parkway trees. Driveway approaches must be constructed at a minimum distance away from existing trees of one foot per diameter inch of the tree, up to a maximum distance of 10 feet. If it is not feasible to comply with the minimum distance requirement set forth in this Section 6-1-5(D), the property owner may remove the tree in accordance with the applicable provisions of this Code. If such tree removal would result in the distance to the next closest trees to be more than 25 feet, the property owner must pay a tree replacement fund fee in the amount of \$150 per inch of diameter of the tree removed. Removal of any parkway trees shall be subject to the Village Parkway Landscaping Ordinance set forth in Article 5 of this Chapter 6.

(E) Driveway approach construction standards. Driveway approaches shall be constructed to the following standards:

(1) Surface. All driveway approaches which give access to an improved street with curb and gutters shall be surfaced with a permanent dustproof surface: either concrete (six inches) over five inches CA-6, crushed stone aggregate, bituminous surface (eight inches CA-6, crushed stone aggregate, and three-inch asphalt), brick (over six inches of concrete) or other material approved by the Village.

(2) Widths. The total width of driveways measured at the property line on a parcel of property used for residential purposes shall not exceed the applicable standard set forth in Chapter 15 of this Code (Zoning Ordinance). The total width of driveways measured at the property line on a parcel of property used for nonresidential purposes shall not exceed 1/2 the lot frontage, and no single driveway approach shall exceed 30 feet measured at the property line. The width of the driveway approach measured at the curb shall in no case be greater than five feet more than the width measured at the property line.

(3) Location of drives. On a parcel of property used for residential purposes, no driveway approach or driveway flare shall extend over the property line extended to the curb; provided, however, where the Board of Trustees finds that there is a particular hardship to the owner, a driveway that has been in existence in excess of 25 years may be reconstructed in its present location even if the driveway approach or driveway flare extends over the property line extended to the curb. On a parcel of property used for nonresidential purposes, no driveway approach shall be located within five feet of the property line, or within 10 feet of any other driveway approach as measured at the property line.

(4) Consistency with Zoning Ordinance. All driveway approaches shall be constructed in a manner and at locations necessary to facilitate direct vehicular travel onto adjacent driveways on private property, which driveways shall be constructed as required pursuant to Chapter 15 of this Code (Zoning Ordinance).

(F) Restoration by Village. In the event that the Village removes any portion of a driveway approach constructed pursuant to this Section 6-1-5 in connection with any maintenance, construction, or repair activities within the right-of-way, the Village shall only be required to replace the driveway approach with one or more materials approved pursuant to Section 6-1-5(E)(1) of this Code.

6-1-6 Maintenance of driveway approaches.

No snow or ice may be artificially placed or deposited onto any portion of a sidewalk adjacent to a nonresidential property over which a driveway approach crosses. This Section 6-1-6 does not apply to snow plowing operations provided by or on behalf of the Village.

6-1-7 Abandoned driveway approaches.

If, at any time, a driveway approach is abandoned, the curb and gutter at the edge of the street and sidewalk shall be replaced in accordance with current Village specifications by, and at the expense of, the owner abandoning the curb cut.

Chapter 15 (Zoning), Article 7 Off-street Parking

7.06 General standards for off-street parking facilities.

Off-street parking facilities shall be provided in accordance with regulations hereinafter set forth.

(5) In yards. Subject to the provisions set forth in this Section 7.06, open-air, off-street parking spaces may be located in: (a) any rear yard, in any zoning district; and (b) in a front yard or a side yard abutting a street, but only within the B-1, B-2, B-3, O-1, M-B, and P Districts, and only upon the issuance of a special use permit therefor pursuant to the procedures set forth in Section 5.17 of this Zoning Ordinance.

7.13 Additional driveway regulations for single-family residential properties.

Driveways on private properties used for single-family residential purposes shall comply with the applicable provisions of Chapter 6 of this Code and with the additional requirements set forth in Table 7.13.01 below:

Table 7.13.01 Single-Family Residential Driveway Regulations	
Maximum width of circular driveways	The lesser of 1/3 of the lot frontage, or 12 feet
Width of all other driveways	The lesser of 1/3 of the lot frontage, or 20 feet
Minimum lot frontage for circular driveways	60 feet
Minimum distance between driveway and side lot line	1 foot



**MEETING MINUTES
OF THE
PLAN COMMISSION / ZONING BOARD OF APPEALS – Regular Meeting
May 21, 2025 – 6:00 P.M.**

**LINCOLNWOOD VILLAGE HALL
6900 NORTH LINCOLN AVENUE
LINCOLNWOOD, ILLINOIS 60712**

Present: Chairman Bruce Heller, Commissioners, Sue Auerbach, Rizwan Hussain, Steven Jakubowski, Henry Novoselsky, Jennifer Spino, and Mark Yohanna

Absent: None

Staff Present: Interim Planning Manager Doug Pollock, Village Trustee Atour Sargon, Community Development Coordinator Marcos Classen, and Village Attorney Caitlyn Culberson

I. Call to Order

A call to order was made at 6:04 pm.

II. Pledge of Allegiance

III. Approval of Minutes

A Motion was made by Commissioner Novoselsky to approve the April 16, 2025, meeting minutes.

The motion was seconded by Commissioner Spino

*Aye: Chairman Heller, Commissioners Hussain, Jakubowski, Novoselsky, and Spino
Nay:*

Abstain: Commissioners Auerbach and Yohanna

Motion Approved: 5-0

IV. Case # TXTA-04-25: Zoning Text Amendments – Regarding Regulations for Open-Air, Off-Street parking spaces (a.k.a. Parking Pads) in Residential Zoning Districts

Interim Zoning Manager Doug Pollock gave a brief overview of the history of this request. The Committee of the Whole had previous discussions regarding the location and configuration of Parking Pads at two different meetings in January 2020 and September 2024. This topic also stems from inquiries received from residents who expressed the desire/need for additional off-street parking. Mr. Pollock went over the current driveway regulations per the Village Code and Zoning Ordinance. Chapter 15 of the Zoning Ordinance explicitly states that open air parking pads are only allowed in the rear yard and not permitted in front, corner, and interior side yards. There are the additional requirements of a 20ft minimum driveway width. Front yard parking is only allowed in commercial and/or non-residential districts. Any driveway that does not lead to a garage or rear yard parking pad is interpreted as an open-air, off-street parking pad.

Mr. Pollock discussed recent permit applications for new front yard parking pads and/or the conversion of a garage into a living space, leading to non-conforming space. He shared that staff denied permit applications for increased driveway width

The Committee of the Whole concluded that not allowing parking pads in front penalizes properties that do not have garages, along with noting the apparent need for residential off-street parking. Mr. Pollock shared that currently 9.7% of the Village has legal non-conforming open air parking pads. Mr. Pollock shared the following zoning considerations:

Potential Zoning Considerations –

1. Parking pad if there is no garage
2. The Establishment of a Minimum Driveway width
3. Open Air Parking Space Landscaping; proposed by COTW
4. Maximum Width of a Combined Driveway and parking pad
5. Front Yard Parking Orientation

Other considerations included specific zoning districts or lot sizes. However, staff feels that this could create unfair restrictions for homes of similar sizes

Discussion about how the 2016 ordinance and the 50% front yard coverage limitation has created difficulty and may continue to do so. Commissioners highlighted that smaller lots are at a disadvantage due to balancing green space and a potential parking pad. Commissioner Auerbach notes that we should consider parallel pads on major thoroughfares to allow vehicles the ability to turn around and not need to back into a busier street

Commissioner Hussain shared that too much off street parking could cause an increase in excess vehicles. The appeal of Lincolnwood is that it is small and not congested. Commissioner Spino shared that the number of cars parked on the street pose a danger to residents pulling in and out of their driveways along with creating a need to maneuver around other cars with two-way traffic on a residential street.

There was discussion about how to regulate different lot sizes, different street widths, and that a one size fits all approach probably won't work due to the differences across the village.

Commissioner Jakubowski suggested going through the 11 options in the staff report, one by one.

Public Comment:
Sabih Ahmed
7107 N Tripp

Mr. Ahmed shared that he has a legal nonconforming driveway of 10ft. He stated that he lives on a street with car dealerships so parking on his street is scarce.

Commissioner Novoselsky asked Mr. Ahmed questions about ideal improvements and nature of the lot size.

Further discussion between Commissioners and Mr. Ahmed.

Commissioners discussed the current zoning map.

Due to the importance of the matter and the desire to carefully go through the 11 options as written in the staff report, the PC/ZBA has voted to continue this item.

A motion was made by Commissioner Yohanna to continue this item until the August 6, 2025 meeting

The motion was Seconded by Commissioner Jakubowski

Aye: Chairman Heller, Commissioners Auerbach, Hussain, Jakubowski, Novoselsky, Spino and Yohanna

Nay:

Abstain:

Motion Approved: 7-0

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V. **Case #TXTA-07-25: Text Amendment - Zoning Text Amendments – Regulations for the Residential Fence Orientation**

Mr. Pollock gave an overview about the request for fence orientation along two trails. He shared the current regulations in the zoning ordinance, noting that the finished side must be facing outward unless along an alley, along with permitted materials. The requested action is to allow finished side of fence to face house instead of facing outward along the various trails in the Village

Ms. Sargon noted that enforcement of existing fences in non-compliance has been paused so it may be more feasible to at least go over the case

Mr. Pollock noted that he was unaware of the pending code enforcement and that he was willing to go over the case tonight.

Commissioner Hussain stated that he does not think the alley exception should be applied to trails as they are not aesthetically pleasing along the trail.

Commissioner Auerbach disagreed with Commissioner Hussain and thinks it's ok and appropriate as it sort of matches the aesthetic of the trail.

Commissioner Spino agreed with Commissioner Auerbach and noted that the trail was created after a lot of the properties were already owned and that it feels like the Village should accommodate those homeowners that had no idea that a trail would be built around their houses.

Commissioner Novoselsky highlighted that there may need to be a distinction between the two trails due to the varying setbacks but agrees the trails should be granted the alley exception.

No public comment

A motion was made by Commissioner Novoselsky to allow the fences along the two trails and the comm ed easement be treated the same way that a fence along the alley be treated

The motion was seconded by Commissioner Yohanna

Aye: Chairman Heller, Commissioners Auerbach, Hussain, Jakubowski, Novoselsky, Spino and Yohanna

Nay:

Abstain:

Motion Approved: 7-0

VI. Public Comment

No public comment

VII. Adjournment

A Motion was made by Commissioner Yohanna to adjourn the meeting.

The motion was seconded by Commissioner Auerbach.

Aye: Chairman Heller, Commissioners Auerbach, Hussain, Jakubowski, Novoselsky, Spino and Yohanna

Nay:

Abstain: Novoselsky

Motion Approved: 7-0

The meeting ended at 8:19 pm.

Respectfully submitted,

Abigail Honeycutt - Community Development Intern

Relevant Regulations

Chapter 6 (Public Parks, Ways, and Properties), Article 1 Public Ways

6-1-5 Driveways and driveway approaches.

(A) Definitions. The following definitions shall apply in the interpretation and enforcement of this Section 6-1-5:

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(B) Permit fee. No permit authorizing a driveway approach shall be issued until the fee therefor has been paid to the Village pursuant to Article 2 of this Chapter 6.

(C) Construction regulations.

(1) It shall be unlawful to construct any curb or driveway approach or break out or remove any curb without first securing a permit as required pursuant to Article 2 of this Chapter 6.

(2) No driveway approach shall be constructed or used so as to impede the flow of surface water in the street gutter or a drainage ditch.

(3) No driveway approach to residential properties shall be constructed or used for the sole purpose as a parking space.

(4) A maximum driveway approach width of 14 feet shall be allowed for driveway approaches to circular driveways on parcels of property used for single-family residential purposes.

(D) Approaches; location. No driveway approach shall be located so as to interfere with municipal or public utility facilities such as poles, traffic signals, signposts, catch basins, fire hydrants, crosswalks, or other street structures. Driveway approaches shall be located so as to avoid existing parkway trees. Driveway approaches must be constructed at a minimum distance away from existing trees of one foot per diameter inch of the tree, up to a maximum distance of 10 feet. If it is not feasible to comply with the minimum distance requirement set forth in this Section 6-1-5(D), the property owner may remove the tree in accordance with the applicable provisions of this Code. If such tree removal would result in the distance to the next closest trees to be more than 25 feet, the property owner must pay a tree replacement fund fee in the amount of \$150 per inch of diameter of the tree removed. Removal of any parkway trees shall be subject to the Village Parkway Landscaping Ordinance set forth in Article 5 of this Chapter 6.

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(2) Widths. The total width of driveways measured at the property line on a parcel of property used for residential purposes shall not exceed the applicable standard set forth in Chapter 15 of this Code (Zoning Ordinance). The total width of driveways measured at the property line on a parcel of property used for nonresidential purposes shall not exceed 1/2 the lot frontage, and no single driveway approach shall exceed 30 feet measured at the property line. The width of the driveway approach measured at the curb shall in no case be greater than five feet more than the width measured at the property line.

(3) Location of drives. On a parcel of property used for residential purposes, no driveway approach or driveway flare shall extend over the property line extended to the curb; provided, however, where the Board of Trustees finds that there is a particular hardship to the owner, a driveway that has been in existence in excess of 25 years may be reconstructed in its present location even if the driveway approach or driveway flare extends over the property line extended to the curb. On a parcel of property used for nonresidential purposes, no driveway approach shall be located within five feet of the property line, or within 10 feet of any other driveway approach as measured at the property line.

(4) Consistency with Zoning Ordinance. All driveway approaches shall be constructed in a manner and at locations necessary to facilitate direct vehicular travel onto adjacent driveways on private property, which driveways shall be constructed as required pursuant to Chapter 15 of this Code (Zoning Ordinance).

(F) Restoration by Village. In the event that the Village removes any portion of a driveway approach constructed pursuant to this Section 6-1-5 in connection with any maintenance, construction, or repair activities within the right-of-way, the Village shall only be required to replace the driveway approach with one or more materials approved pursuant to Section 6-1-5(E)(1) of this Code.

6-1-6 Maintenance of driveway approaches.

No snow or ice may be artificially placed or deposited onto any portion of a sidewalk adjacent to a nonresidential property over which a driveway approach crosses. This Section 6-1-6 does not apply to snow plowing operations provided by or on behalf of the Village.

6-1-7 Abandoned driveway approaches.

If, at any time, a driveway approach is abandoned, the curb and gutter at the edge of the street and sidewalk shall be replaced in accordance with current Village specifications by, and at the expense of, the owner abandoning the curb cut.

Chapter 15 (Zoning), Article 7 Off-street Parking

7.06 General standards for off-street parking facilities.

Off-street parking facilities shall be provided in accordance with regulations hereinafter set forth.

(5) In yards. Subject to the provisions set forth in this Section 7.06, open-air, off-street parking spaces may be located in: (a) any rear yard, in any zoning district; and (b) in a front yard or a side yard abutting a street, but only within the B-1, B-2, B-3, O-1, M-B, and P Districts, and only upon the issuance of a special use permit therefor pursuant to the procedures set forth in Section 5.17 of this Zoning Ordinance.

7.13 Additional driveway regulations for single-family residential properties.

Driveways on private properties used for single-family residential purposes shall comply with the applicable provisions of Chapter 6 of this Code and with the additional requirements set forth in Table 7.13.01 below:

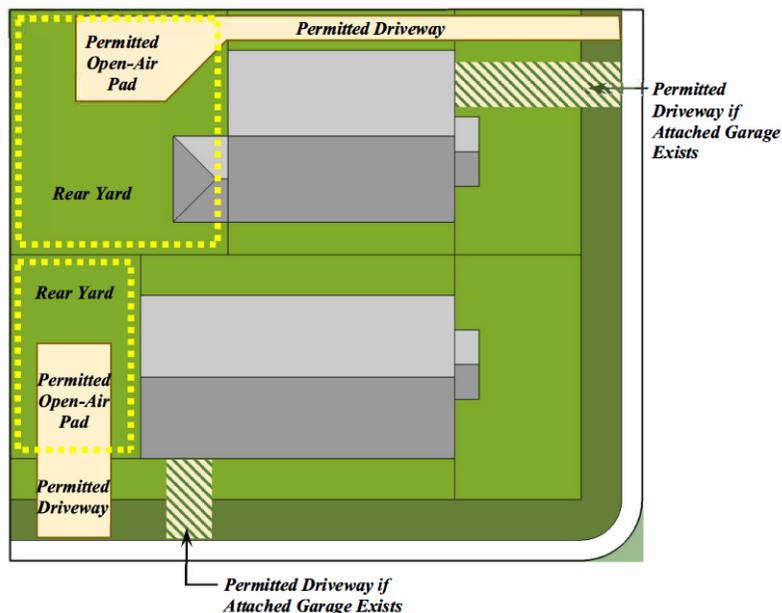
Table 7.13.01 Single-Family Residential Driveway Regulations	
Maximum width of circular driveways	The lesser of 1/3 of the lot frontage, or 12 feet
Width of all other driveways	The lesser of 1/3 of the lot frontage, or 20 feet
Minimum lot frontage for circular driveways	60 feet
Minimum distance between driveway and side lot line	1 foot

Staff Interpretation:

Staff has interpreted and applied this regulation to prohibit any driveway that does not lead to a garage as being an “open-air, off-street parking space.” All conforming driveways must lead to either:

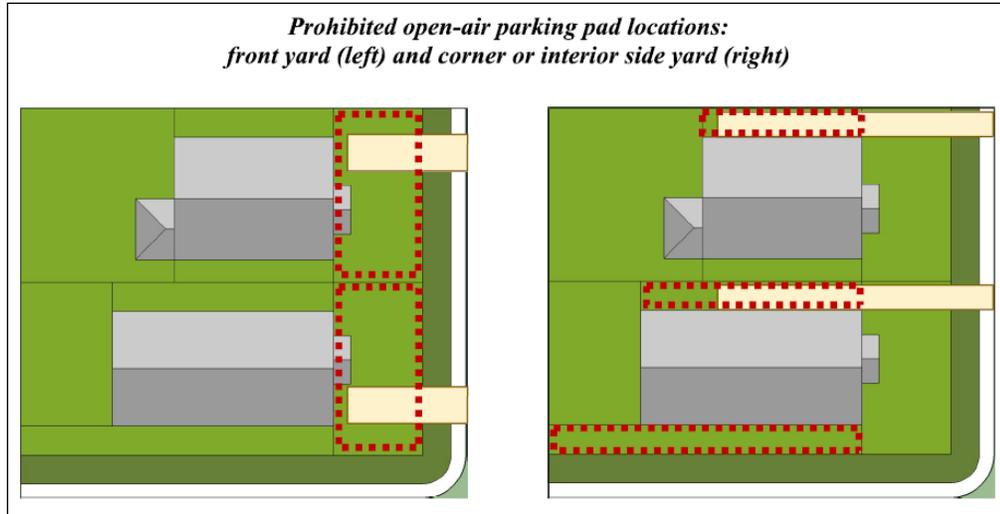
- A garage, or
- An open-air parking space located in the rear yard of the property.

The graphic below shows examples of permitted open-air parking spaces on single-family residential properties. Note that those driveways identified as “*Permitted Driveway if Attached Garage Exists*” would not be permitted if there was no attached garage.

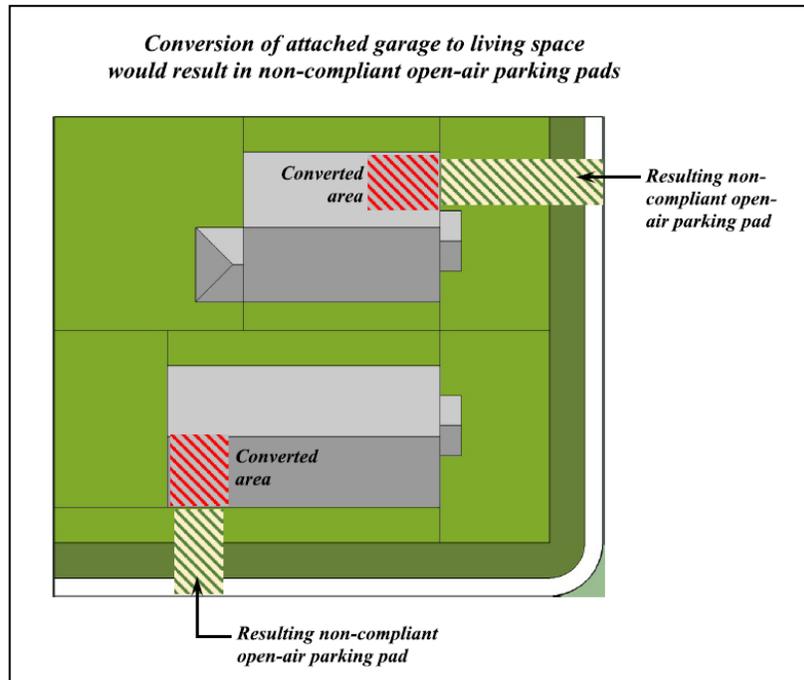


Staff has consistently applied these regulations in a number of scenarios brought forth by property owners. Examples of these include the following:

- Driveways leading to attached or detached garages have been approved because they provide access to a legal parking space and not serving solely as open-air parking pads, even though they are often used as parking spaces on residential properties.
- Driveways leading to open-air parking located in a rear yard have been approved because they are providing access to a permitted, open-air parking pad in the rear yard. Again, various portions of these driveways within a side or front yard are permitted to be used for parking because the driveways lead to a permitted parking pad.
- Permit applications have been received to install new open-air parking pads in a front or interior side yard. Those applications have been denied because they would be in violation of the Zoning Ordinance provisions summarized above.

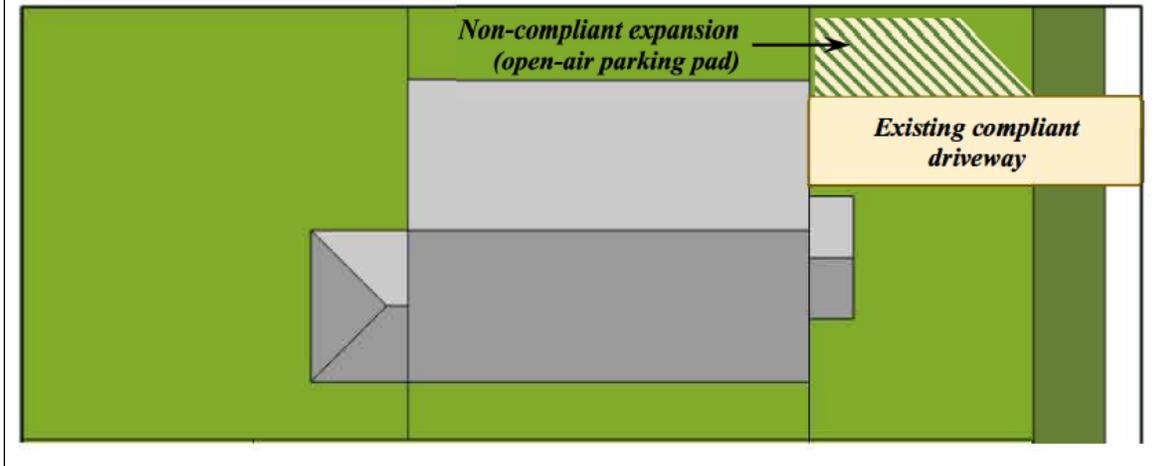


- Permit applications have been received to convert an attached garage to living space. Those applications have been approved but with the requirement that the driveway and driveway apron must be removed. This is because the conversion of the attached garage makes the driveway non-conforming.



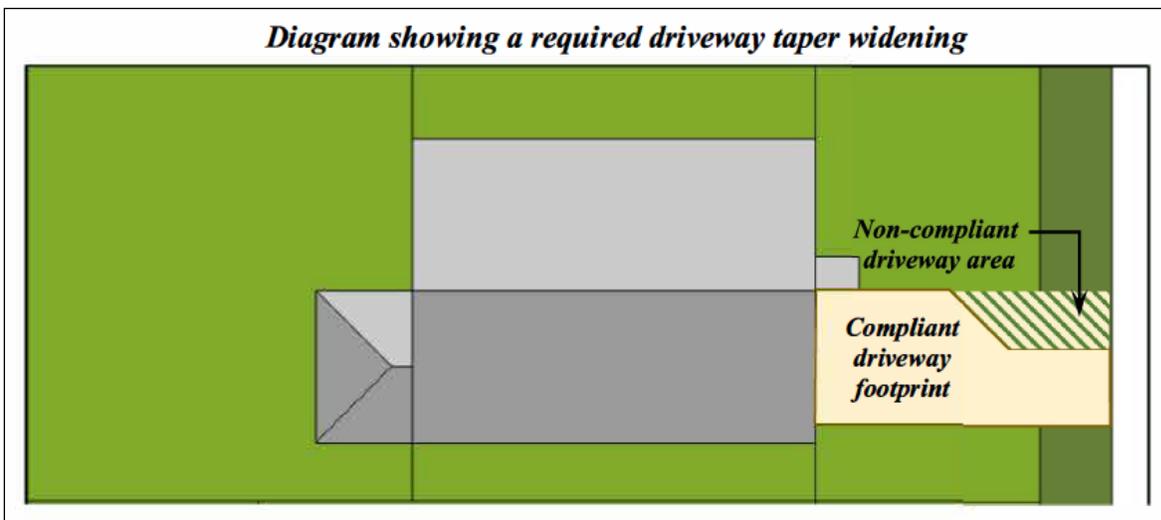
- Permit applications to widen an existing driveway or open-air parking pad have been denied when the widening would result in the increased capacity for open-air parking in a prohibited location and would not be associated with the expansion of a garage or another legal parking space that the widened area would provide access to.

Diagram showing a non-compliant driveway widening



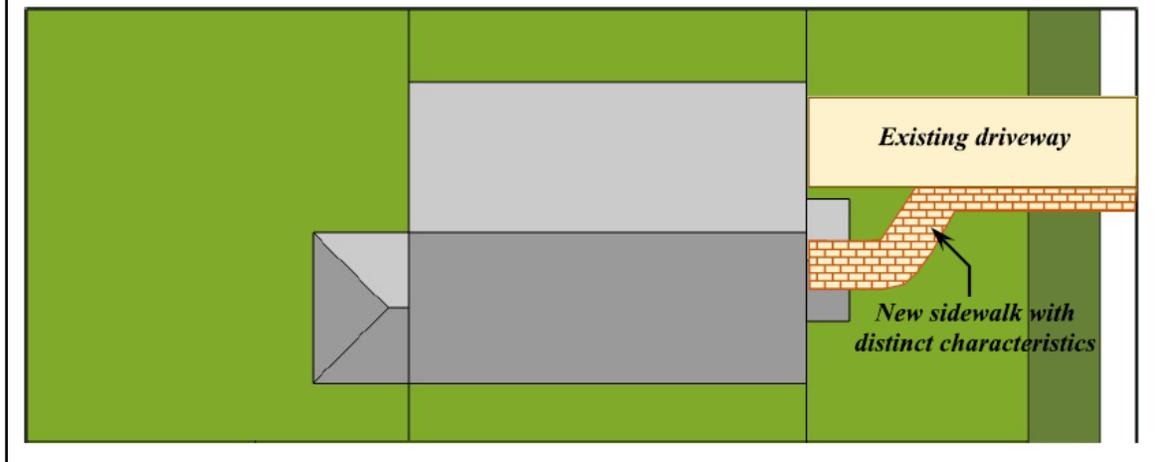
- Several property owners have submitted permit applications for a driveway that serves a two-car garage and maintains a 20-foot width all the way to the curb. Those applications have been denied when the permitted driveway width is less than 20 feet. The Zoning Officer has worked with those applicants to revise the plans so that the driveway tapers down to the permitted width between the garage and the lot line, resulting in a compliant width in the public right-of-way between the lot line and the curb.

Diagram showing a required driveway taper widening



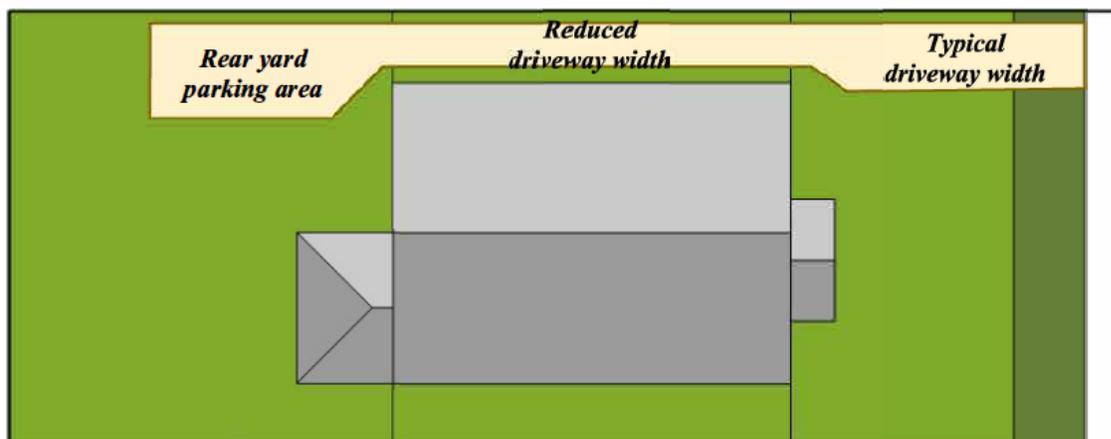
- In a few instances, property owners have been permitted to install a sidewalk adjacent to an existing driveway. In those instances, the Zoning Officer has required that the sidewalk be distinct from and separated from the driveway by an expansion joint, different paver materials, or some other design characteristic. The intent of that requirement is to clearly distinguish between the driveway and the sidewalk, rather than the overall impervious area appearing to be an expanded driveway.

Diagram showing adjacent driveway and sidewalk



- There have been a few cases where property owners sought approval of a rear yard parking space accessed by a new driveway along the side of the house, However, the feasibility of the width of the proposed driveway (when considering the building setback and required one-foot setback for the driveway from the side lot line) was questionable. Because the Zoning Ordinance does not establish a minimum driveway width for residential properties, staff had little guidance regarding the permissibility of such an improvement.

Diagram showing possibly infeasible driveway access



Potential Zoning Considerations

This section presents various options for expanding the opportunity for open-air parking pads on residential properties.

Open-Air Parking Spaces and Location on the Lot

The following table summarizes the numbers of residential properties that would be deemed compliant if the Zoning Ordinance is amended to allow open-air parking spaces on certain portions of the residential lot.

The greatest number of legal non-conforming residential lots would benefit from an allowance of open-air parking spaces in the side yard. However, the ability of lots to accommodate such a configuration in the future would be dependent on the width of a given lot and the location and footprint of the home. Conversely, less legal non-conforming properties would benefit from the allowance of front yard open-air parking spaces, but that type of improvement is more likely to benefit a greater number of properties in the future because the feasibility of such a configuration is less dependent on lot width and building footprint.

Scenario Changes Related to Yard	No. of Driveways that Become Legal	No. of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking in the front yard without a garage.	160	187	5.3%
Allow open-air parking in the side yard without a garage.	187	160	4.5%
Allow open-air parking in the front and side yards without a garage.	347	0	0%

Open-Air Parking Spaces by Zoning District

Because there is a direct zoning correlation between zoning district and certain dimensional zoning standards (i.e. lot width and lot area), it may be appropriate to consider allowing more flexibility in zoning districts whose lots face less flexibility when providing compliant open-air parking spaces. The following table summarizes the numbers of residential properties that would be deemed compliant if the Zoning Ordinance were amended to allow open-air parking pads in front and side yards based on zoning district.

Scenario Changes Related to Zoning Districts	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	347	9.7%
Allow open-air parking only in R1 and R2 district.	17	330	9.3%
Allow open-air parking only in R3 and R4 district.	330	17	0.5%
Allow open-air parking only in R3 district.	291	56	1.57%

The zoning district with the greatest number of lots that would benefit from greater flexibility is the R-3 district. However, because the R-4 district allows for lots that are narrower than those in the R-3 district, it may be worth considering greater flexibility in both of those districts. If such an amendment were to be enacted, it would bring 330 of the 347 legal non-conforming lots into compliance. It would also provide a greater amount of flexibility through the majority of the community to allow open-air parking spaces in front or side yards.

Open-Air Parking Spaces and Lot Width

Rather than relying on the geography of zoning districts, it may be appropriate to allow open-air parking spaces based on lot width. For example, the wider the lot, the greater the number of viable options a resident may have to meet the current regulations. Alternatively, narrower lots may have less flexibility based on an inability to fit a driveway along the side of the house or stay under the permitted impervious area. The following table summarizes how many lots would be deemed compliant if open-air parking spaces were permitted in front and side yards based on lot width.

Scenario Changes Related to Lot Width	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	284	7.98%
Allow open-air parking on properties with lot width less than 100 feet	273	11	0.31%
Allow open-air parking on properties with lot width less than 90 feet	271	13	0.37%

Allow open-air parking on properties with lot width less than 60 feet	231	53	1.49%
Allow open-air parking on properties with lot width less than 50 feet	178	106	2.98%

The table above shows that allowing open-air parking spaces in lots with a width of less than 100 feet would bring most legal non-conforming lots into compliance. However, only a small percentage of those lots have widths greater than 90 or 100 feet. Lots with a width of less than 60 feet would benefit the most. Additionally, lots with that narrow width may face more challenges when trying to meet other regulations.

Combining Zoning District and Lot Width

It may also be appropriate to consider combining lot width and zoning district as criteria for open-air parking pads. The following table summarizes how many lots would be deemed compliant if open-air parking spaces were permitted in front and side yards based on a combination of zoning district and lot width.

Scenario Changes Related to Lot Width	# of Driveways that Become Legal	# of Driveways that Remain Legal Non-Conforming	% of Legal Non-Conforming Driveways in the Village
No Zoning Change	0	284	7.98%
Allow open-air parking on R4 properties with lot width less than 60 feet	22	226	6.35%
Allow open-air parking on R3 and R4 properties with lot width less than 60 feet	229	55	1.54%
Allow open-air parking on R3 properties with lot width less than 60 feet	207	41	1.15%
Allow open-air parking on R3 and R4 properties with lot width less than 80 feet	269	15	0.42%

Other Zoning Consideration: Parking Pads only if there is no Garage

If the intent is to accommodate properties with limited options for off-street parking, one option would be to allow front and side yard parking pads only when there is no garage. This would allow a property to convert an attached garage to living space without removing the driveway. It would also allow other properties that were built without a garage to construct a driveway parking pad in a front or side yard.

Other Zoning Consideration: Minimum Driveway Width

In addition to various property characteristics that may dictate the permissibility of open-air parking spaces in residential lots, it may be important to consider establishing a minimum driveway width so that any spaces provided on a property are assured of appropriate means of access. As a separate matter, the Village Board has considered a Plan Commission recommendation to establish a minimum clear dimension of 7.5' for access to spaces provided in residential garages. This same standard could be considered for a minimum clear driveway width.

It is worth noting the relationship between minimum driveway width and lot width. Residential lots are required to provide a minimum side yard setback of 10% of the lot width. Therefore, any lot over 90 feet in width would have to provide a setback that could accommodate a driveway with a minimum width of 7.5 feet and the required one-foot driveway setback from the side lot line. This context may be helpful when considering whether lots under a certain width warrant consideration for the provision of open-air parking spaces in the front yard.

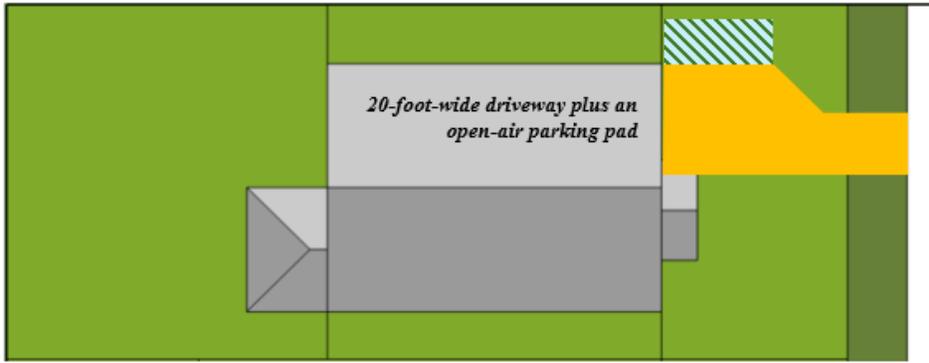
Other Zoning Consideration: Open-Air Parking Space Landscaping

If there are concerns regarding the appearance of open-air parking pads in front yards, landscape screening of front yard parking pads could be considered. Factors to consider, however, include the following:

1. Residential property owners often use their driveway for vehicle parking even if its primary function is to provide access to a driveway. Therefore, a landscape regulation for lots that specifically have open-air parking pads (as opposed to driveways to a garage) would result in a more rigorous requirement even though the different types of lots are used in a similar manner; and
2. The Zoning Ordinance allows front yard landscape screening, but only if it is maintained at a height of no more than 30 inches and does not encroach into the public right-of-way. A provision requiring landscape screening could result in a situation where a requirement in creating confusion or challenges when it comes to working with residents on maintaining compliant landscaping.

Other Considerations: Maximum Width of a Combined Driveway and Parking Pad

Another consideration is whether to allow a parking pad to be added to a driveway that serves a two-car garage and is already at the maximum driveway width of 20 feet. Given that such a driveway already provides at least two parking spaces in the driveway and that adding a parking pad would significantly exceed the maximum driveway width, it may be appropriate to limit parking pads to driveways that do not exceed 12 feet or to set a limit of 20 feet on a combined driveway and parking pad. Below is a graphic of a 20-foot-wide driveway with a parking pad added.



Other Zoning Consideration: Front Yard Parking Orientation

The PC/ZBA may want to consider whether front yard parking pads should be required to be perpendicular to the front lot line or allowed to be parallel to the front lot line. The graphics below show those options.

