

# MEMORANDUM

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TO: Chairman Wolfe and Members of the Plan Commission

FROM: Matt Dabrowski, Development Planner

DATE: October 10, 2012

RE: Chapter 28 Text Amendments; PC #12-012

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## Background

The Department of Planning and Community Development continues to refine Chapter 28 (Zoning Regulations) of the Village of Arlington Heights Municipal Code to define and distinguish certain land uses as well as to help reduce discrepancies in the interpretation of the code.

Currently, the Permitted Use Table outlined within Chapter 28, Section 5.5-1 provides separate land use categories for contractor and construction shops. However, the Zoning Ordinance only defines a construction shop and the language used within said definition does not clearly distinguish or differentiate it from a contractor's shop. Moreover, there are different types of contractor's, as some are strictly office in nature, while others include design showrooms and/or on-site storage of material and work vehicles. This lack of clarity and distinction creates interpretation challenges as some contractor's have been defined and approved differently than others. To address this issue, Staff is proposing modifications to the current construction shop definition as well as the inclusion of three new definitions to clarify and define the different types of contractor's. It is important to note that additions are in bold, highlighted and underlined, while strikethroughs are used for changes.

### **Chapter 28, Section 3.2-54, Construction Shop-Yard:**

**An establishment with** an enclosed **and/or unenclosed** space used for housing **bulk storage of landscape and building material, heavy construction equipment and machinery**, and/or ~~operating of machinery~~, **may include** the provision of services, the fabrication of building related products, and storage **the operating of machinery, and the construction yard's business office.**

### **Contractor's Office:**

**A room or group of rooms used for conducting administrative, clerical, and general office (business) affairs, but not including design showrooms or any on-site storage of contractor's vehicles, equipment, and materials. This use shall be allowed as general office and shall adhere to Chapter 28, Section 5.5-1, Permitted Use Table "Offices: Business and Professional".**

### **Contractor's Office and Design Showroom:**

**A room or group of rooms used for conducting administrative, clerical, and general office (business) affairs, and may include a design showroom, but shall not include on-site storage of contractor's vehicles, equipment and materials.**

### **Contractor's Shop:**

**An establishment used for conducting administrative, clerical, and general office (business) affairs, indoor repair, maintenance, and/or storage of a contractor's vehicles, equipment, and materials, and may include the contractor's business office and may include a design showroom.**

*Ordinance Review Committee*

On September 12, 2012, the proposed text amendments were presented to the Ordinance Review Committee for their consideration and recommendation. Pursuant to said meeting the following recommendation was made:

A motion was made by Commissioner Jensen and seconded by Commissioner LaBedz to recommend to the full Plan Commission approval of the amendments to Chapter 28, Section 3.2-54, Definitions. All were in favor. Motion carried.