

CITY OF WASHINGTON

PLANNING & DEVELOPMENT DEPARTMENT

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MEMORANDUM

TO: Mayor Manier and City Council
FROM: Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT: First Reading Ordinance – Zoning Code Text Amendments
DATE: April 10, 2019

Summary: Three miscellaneous amendments to the zoning code are proposed within the attached draft ordinance. Staff recommends each of these amendments.

Background: The amendment first would establish a minimum setback of five feet for any driveways in the zoning districts that are most common to residential uses (R-1, R-2, CE, and AG-1). This would ensure that a property owner does not build their driveway up to the property line and cause additional runoff onto adjacent properties. The City's off-street parking regulations require any vehicles parked outside on improved surfaces for more than 30 consecutive days to be at least five feet from the side property line. The City's construction standards currently require three-foot flares on each side of the approach. If the side property line were to be extended into the right-of-way, this would necessitate a minimum three-foot setback.

The second proposed amendment would require that all home occupation permits be renewed on an annual basis. This would allow staff to ensure that there is continuing compliance with the various conditions that are specified in the home occupation ordinance and that the use is still compatible with the residential nature of the neighborhood. It would also allow staff to know which properties have functioning home occupations, as some of the permits were previously issued many years ago. Tazewell County recently adopted this standard and the proposed language nearly mirrors what it approved. No fee would be required for the permit renewal.

The third proposed amendment would require that all solar energy systems be installed by a trained and qualified solar installer. The solar energy ordinance has a definition for a "qualified solar installer" but it does not refer to where such a person is able to that work. A "qualified solar installer" is defined as: "A trained and qualified electrical professional who has the skills and knowledge related to the construction and operation of solar electrical equipment and installations and has received safety training on the hazards involved. At the recommendation of our electrical inspector, this also includes language that the qualified solar installer work under the supervision of a licensed electrical contractor (if they are different contractors).

The Planning and Zoning Commission held a public hearing on the proposed amendments at its meeting on April 3 and unanimously recommended approval. A first reading ordinance is scheduled for the April 15 City Council meeting with a second reading to be scheduled for May 6.

Enclosure

ORDINANCE NO. _____

(Synopsis: Adoption of this ordinance would require a five-foot setback for driveways in residential districts and the AG-1 district, require an annual renewal of a home occupation permit, and require that all solar energy systems be installed by a trained and qualified solar installer).

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
THE CITY OF WASHINGTON, ILLINOIS BY AMENDING CHAPTER 154.041 ENTITLED “YARDS
REQUIRED”, CHAPTER 154.057 ENTITLED “R-1 DISTRICTS”, CHAPTER 154.058 ENTITLED “R-
2 DISTRICTS”, CHAPTER 154.075 ENTITLED “YARDS REQUIRED”, CHAPTER 154.303
ENTITLED “PERMIT REQUIRED”, AND CHAPTER 154.731 ENTITLED “COMPLIANCE WITH
BUILDING CODE”**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON,
TAZEWELL COUNTY, ILLINOIS, as follows:**

Section 1. That § 154.041 of Chapter 154 of the Washington Municipal Code of Ordinances titled “Yards Required” is hereby amended by adding § 154.041(D) in its entirety:

“(D) All driveways must be set back at least five (5) feet from each side yard.

(E) Accessory structures: not less than five (5) feet from the side or rear yard line. Additionally, the accessory structure shall not be located any closer than ten (10) feet from any other structure or building (whether an accessory structure or the main or principal structure or building) on the property or immediately adjacent and adjoining property. If an accessory structure is either two thousand (2,000) square feet in size or greater or twenty (20) feet in height or greater, it shall also not be located closer than fifteen (15) feet from the side yard line or thirty (30) feet from the rear yard line.”

Section 2. That § 154.057 of Chapter 154 of the Washington Municipal Code of Ordinances titled “R-1 Districts” is hereby amended by adding § 154.057(D)(4) in its entirety:

“(4) All driveways must be set back at least five (5) feet from each side yard.”

Section 3. That § 154.058 of Chapter 154 of the Washington Municipal Code of Ordinances titled “R-2 Districts” is hereby amended by adding § 154.058(E)(4) in its entirety:

“(4) All driveways must be set back at least five (5) feet from each side yard.”

Section 4. That § 154.075 of Chapter 154 of the Washington Municipal Code of Ordinances titled “Yards Required” is hereby amended by adding § 154.075(D) in its entirety:

“(D) All driveways must be set back at least five (5) feet from each side yard.

(E) No chain, link, or wire front yard fences will be permitted. No fences will be permitted in side yards or rear yards over six (6) feet in height.”

Section 5. That § 154.303 of Chapter 154 of the Washington Municipal Code of Ordinances titled “Permit Required” is hereby amended by adding § 154.303 in its entirety:

"No Home Occupation shall be conducted, operated or established until a Home Occupation Permit has been issued and obtained in accordance with the provisions of this subchapter. Permits for all home occupations shall be renewed on an annual basis. At the time of annual renewal of the permit, the Code Enforcement Officer shall verify that the home occupation continues to meet the standards in accordance with § 154.305 and may inspect any home occupation to verify such compliance."

Section 6. That § 154.731 of Chapter 154 of the Washington Municipal Code of Ordinances titled "Compliance With Building Code" is hereby amended by adding § 154.731 in its entirety:

"All solar energy systems shall require a permit from the Code Enforcement Officer and shall comply with any other applicable provisions of the City Code, State law, or Federal law. All solar energy systems shall be installed by a trained and qualified solar installer whom is working under the supervision of a licensed electrical contractor (if different from the qualified solar installer). No electrician shall install any electrical equipment, systems, components, or materials in connection with a solar energy system without first having obtained a certificate of registration to do so from the City of Washington, Tazewell County, Illinois."

Section 7. That this ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Section 8. That all ordinances or parts thereof in conflict herewith are hereby expressly repealed.

PASSED AND APPROVED this _____ day of _____, 2019.

AYES: _____

NAYS: _____

Mayor

ATTEST:

City Clerk