

Planning Commission Meeting Agenda

November 8, 2021 – 7:00 pm
Shiloh Municipal Building, 1 Park Drive

Remote: Zoom Meeting: Meeting ID: 276 145 0177. Password: 986271

Call to Order

Pledge of Allegiance

Announcements \ Public Comments

Minutes – SEPTEMBER 13, 2021

Business

PLANNING COMMISSION RECOMMENDATION TO THE VILLAGE BOARD ON THE FOLLOWING ITEMS:

ADDING TO THE MUNICIPAL CODE:

1. CLASS "G" LIQUOR LICENSE FOR 55+ APARTMENT BUILDINGS
2. SHORT TERM RENTALS
3. SOLAR AND WIND ENERGY

Adjournment

Create a New Liquor Class "G" to Chapter 110 of the Municipal Code

Sec. 110.07.

(H) Class "G" license is for residents and residents' guests of 55+ apartments. This license shall authorize the holder to sell retail alcoholic liquor for consumption on the premises specified on the license from the hour of 5:00 a.m. until the hour of 1:00 a.m. the following morning all days of the week.

Note: License holder has to show proof of Dram Shop Coverage. The annual liquor license cost is \$700.00.

Add a New Permitted Use to Multiple-Family Residential Zoning

Section 151.046.

Schedule A: Permitted and Special Uses of the Municipal Code

| | Permitted Uses | Special Uses |
|--|--|---|
| "MR" Multiple-Family Residential | <ul style="list-style-type: none">• Duplexes• Multi-family dwellings of three to six units• Group home for the handicapped• Factory-built housing, modular• Single-family dwellings• Uniplex, in accordance with § 151.185• Accessory uses, in accordance with § 151.039, not to exceed a 24 x 24 two-car garage | <ul style="list-style-type: none">• Multi-family dwellings of seven or more units• Planned residential development |

* Class "G" liquor license for 55+ apartments

SHORT TERM RENTALS

Sec. 115.110. Definition.

For the purpose of this article, the following definition shall apply unless the context clearly indicates or requires a different meaning.

Short term rental. A rental of any dwelling unit, in whole, to any persons for exclusive transient use of 29 consecutive days or less.

Sec. 115.111. License required and regulations.

- (a) Short term rentals as defined in section 115.110 require an annual business license. The license must be renewed annually with proof of annual property inspection and liability insurance.
- (b) An application for a short-term rental business license must be filed with the village.
- (c) Each short-term rental property must also comply with the following regulations:
 - (1) Agent \ Owner will have the building/property inspected annually to ensure compliance with building codes to protect the health, safety, and welfare of tenants. Agent \ Owner is responsible to schedule the inspection by contacting the village.
 - (2) Proof of liability insurance (\$100,000.00 minimum coverage) will be provided to the village along with a copy of the safety procedures and emergency phone numbers, copy of which will be required to be posted at the property.
 - (3) Short term rentals will be allowed in any zoning districts where residency is allowed by this Code.
 - (4) Owner/operator will provide the village with quarterly reports on number of stays and length of time.
 - (5) Number of people (related and un-related) that can occupy the property will have to comply with current code.
 - (6) Evidence of short-term rental use from the exterior is prohibited.
 - (7) Any police calls pertaining to criminal activity or disturbances (such as complaints loud music, parties, fighting, etc.) to the residence may result in the revocation of the property license.

Sec. 115.112. Fees.

Cost for a short-term rental business license shall be \$50. Short term rental business licenses must be renewed annually with proof of annual property inspection and liability insurance.

(a) *Solar & Wind Energy:*

(1) *General requirements.* All solar and wind energy systems must comply with the following:

- (a) *Compliance with International Building Code:* Building permit applications for solar and wind energy systems shall be accompanied by standard drawings of the support structure, including the tower, base, and footings. An engineering analysis of the tower or support structure showing compliance with the International Building Code and certified by a licensed professional engineer shall also be submitted. This analysis is frequently supplied by the manufacturer. Wet stamps shall not be required.
- (b) *Compliance with Federal Aviation Administration (FAA) regulations:* Wind energy systems must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.
- (c) *Compliance with International Building Code:* Building permit applications for solar and wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the International Building Code. This information is frequently supplied by the manufacturer.
- (d) *Utility notification:* No solar or wind energy system shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- (e) *Liability insurance required:* The owner of any wind tower must carry a minimum of \$1,000,000.00 comprehensive general liability insurance. A certificate of insurance naming the city and the property owner where the tower is situated as additional insured must accompany the application.

(2) *Solar energy system requirements.* All solar energy systems must comply with the following:

- (a) If located within a subdivision with a Homeowner's Association the applicant must have a letter verifying the system is permitted in their restrictive covenants.
- (a) *Roof mounted.* So long as the solar energy system conforms to the height regulations of the zoning district in which the property where the solar energy system is to be installed is located, solar energy systems located on the roof of an existing structure shall not require a site plan. However, a village issued electrical permit is required.
- (b) *Freestanding.* Solar panels located on the ground shall be classified as accessory structures, must comply with maximum yard coverage area for accessory uses in residential areas:
 - 1. Design.
 - a) The proposed system is no larger than necessary to provide 120 percent of the electrical and/or thermal energy requirements of the structure to which it is accessory as determined by a licensed electrical contractor or engineer in good standing with the State of Illinois and verified by village staff.
 - b) The solar panels and supporting framework do not extend more than six feet above the existing grade unless a variance has been granted.
 - 2. Location.
 - a) The solar energy system including any appurtenant equipment is not located within any required setback areas or easements.

- b) If the solar panels are visible from off-site, the solar panels are not to be located within 150 feet of a dwelling located on a lot other than the lot on which the solar energy system is located unless:
 - 1) There are appropriate facades, walls, fences or landscaping equal to or greater than 80 percent opacity on a year-round basis that screen the solar panels and supporting framework from unobstructed view.
 - 2) Taller screening and landscaping equal to or greater than 80 percent opacity is used on the north side of panels to screen the panels from uphill views without reducing the efficiency of the system.
 - 3) Reflection angles from collector surfaces are oriented away from neighboring windows.
 - 4) The panels are mounted as close as possible to the ground to match the slope of the hillside while allowing adequate drainage and preventing vegetation from shading the panels.
- c) Visibility. To ensure that glare is minimized, the solar panels are not visible from a public right-of-way that abuts the lot on which the solar energy system is located, or, if visible, they are installed within one foot of the natural ground topography.
- d) Government entities are exempt from the requirements of this section.

(3) *Wind energy system requirement.* Wind energy systems shall only be allowed in Light Industrial (L-I) zoning districts and shall require the issuance of a special use permit. Wind energy systems shall comply with the following:

- (a) If located within a subdivision with a Homeowner's Association the applicant must have a letter verifying the system is permitted in their restrictive covenants.

Wind energy systems located on the ground shall be classified as accessory structures.

- (b) Height: For property sizes between one acre and 1.99 acres, the tower height shall be limited to 80 feet. For property sizes of two acres or more, tower height is limited to 200 feet, except as otherwise restricted by FAA regulations.
- (c) Set-back: Ground-based wind energy systems on towers must be set back a distance equal to at least 100 percent of the height of the facility from any adjoining lot line.
- (d) Noise: Wind energy systems shall not exceed 60 Dba (decibels), as measured at the closest neighboring inhabited dwelling. The level, however, may be exceeded during short-term events such as utility outages and/or severe windstorms.
- (e) Wind turbines: Wind turbines must have been approved under the Emerging Technologies program of the California Energy Commission or any other small wind certification program recognized by the American Wind Energy Association.
- (f) Roof-mounted wind energy systems are prohibited.
- (g) Fencing: Towers shall be enclosed by security fencing or wall not less than eight feet in height and shall also be equipped with an acceptable anti-climbing device or design; provided, however, that the zoning board of appeals may waive such requirements as they deem appropriate.
- (h) Landscape: The tower shall be landscaped with a buffer of plant materials that effectively screen the view of the base of the facility and any turbine-related equipment located at the base of the facility. The standard buffer shall consist of a landscaping planted with minimum six-foot high evergreen trees. Landscaping must be well-maintained and provide a minimum of 80 percent opacity on a year-round basis within three growing seasons.

Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible. In cases where towers are located on lots where natural growth or landforms such as berms provide a visual barrier to the base of the turbine tower and related equipment, the applicant may request, and zoning board of appeals may allow for an existing buffer equivalent to 80 percent opacity up to six-feet in height to serve as the landscape buffer.

- (i) No tower shall be located on a wetland as designated by local, state or federal authorities.
- (4) *Application:* Every applicant for a solar or wind energy system shall submit to the zoning administrator in written narrative and/or graphic form an application which includes all the items of information listed below:
 - (a) Name, address and telephone number of property owner and the name, address, and telephone number of the installer of system.
 - (b) Description of the proposed solar or wind energy system indicating the following:
 - (1) Plan showing the proposed location of the system on the lot.
 - (2) System dimensions and specifications.
 - (3) Landscape screening plan.
 - (4) Evidence showing compliance with applicable setback requirements.
 - (5) Distance of the structure or facility to property lines.
 - (6) Distance to any roads or overhead utility lines.
 - (c) Compliance with the requirements relating to general requirements for solar and wind energy systems.
 - (d) Compliance with the requirements for solar energy systems for wind turbine systems.