ORDINANCE 2018-008       PASSED: MARCH 12, 2018


WHEREAS, the City of DeKalb is a home-rule municipality with the powers and authority conferred upon it by virtue of the Illinois Constitution of 1970 and the Illinois Municipal Code; and

WHEREAS, Section 6(a) of Article VII of the Illinois Constitution of 1970 gives to Home Rule Municipalities the authority to exercise any powers pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and general welfare; and

WHEREAS, the City of DeKalb has adopted a Unified Development Ordinance (UDO), which sets forth the zoning and subdivision standards and procedures for the City of DeKalb; and

WHEREAS, the City wishes to amend portions of the UDO, including Article 3 “Definitions” to delete the existing use and definition for “Self-Service Storage Facility,” to create the use and definition for “Self-Service Storage Facility, Interior Unit Access,” and to create the use and definition for “Self-Service Storage Facility, Exterior Unit Access”; Article 5 “Zoning District Regulations” to delete “Self-Service Storage Facilities” as a special use in the “LI” Light Industrial District and “HI” Heavy Industrial District, to add “Self-Service Storage Facility, Interior Unit Access” as a special use in the “LC” Light Commercial District and “GC” General Commercial District, to add “Self-Service Storage Facility, Interior Unit Access” as a permitted use in the “LI” Light Industrial District and “HI” Heavy Industrial District, and to add “Self-Service Storage Facility, Exterior Unit Access” as a special use in the “LI” Light Industrial District and “HI” Heavy Industrial District; and Article 7 “Supplemental District Regulations” to add Building Requirements for “Self-Service Storage Facilities, Interior Unit Access” in the “LC” Light Commercial and “GC” General Commercial Districts, and to add Additional Special Use Requirements regarding building requirements and proving obsolescence for retail use; and

WHEREAS, the Planning and Zoning Commission held a public hearing regarding the proposed text amendments at its meeting on January 17, 2018, and continued the hearing to February 7, 2018, at which time the Commission recommended unanimous approval of the amendments herein.

THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:
Section 1. Chapter 23 “Unified Development Ordinance” Article 3 “Definitions,” Article 5 “Zoning District Regulations,” and Article 7 “Supplemental District Regulations” shall be amended as indicated in Exhibit A;

Section 2. All ordinances or portions thereof in conflict with this Ordinance, including the prior versions of the ordinances included above, are hereby repealed;

Section 3. Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

Section 4. This Ordinance shall be in full force and effect after passage and publication pursuant to law. Publication date: March 13, 2018. Effective date: March 22, 2018.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 12th day of March, 2018, and approved by me as Mayor on the same day. Passed on First Reading by an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Fagan, Noreiko, Verbic, Faivre, Smith. Nay: None. Second Reading waived by an 8-0 roll call vote. Aye: Jacobson, Finucane, Marquardt, Fagan, Noreiko, Verbic, Faivre, Smith. Nay: None.

ATTEST:

SUSANNA HERRMANN, City Clerk
JERRY SMITH, Mayor
EXHIBIT A

ARTICLE 3
DEFINITIONS

3.01 Definitions

_Self-Service Storage Facility:_ A building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of customer's goods or wares.

_Self-Service Storage Facility, Exterior Unit Access:_ A building or group of buildings containing storage units of varying sizes, which are leased or rented for the storage of customer goods and wares and which have exterior unit access generally consisting of roll-up doors and direct drive-up access from the outside. A "Self-Service Storage Facility, Exterior Unit Access" may also contain outdoor storage. _Storage units_ shall not contain any hazardous materials, as defined in the City's Building Code, nor involve any wholesale or retail sale of goods.

_Self-Service Storage Facility, Interior Unit Access:_ A building or group of buildings containing storage units of varying sizes, which are leased or rented for the storage of customer goods and wares and in which all storage units have an access door from an interior hallway. A "Self-Service Storage Facility, Interior Unit Access" shall not contain any outdoor storage. _Storage units_ shall not contain any hazardous materials, as defined in the City's Building Code, nor involve any wholesale or retail sale of goods.

ARTICLE 5
ZONING DISTRICT REGULATIONS

5.07 "LC" Light Commercial District

5.07.03 Special Land Uses and Developments in the "LC" Light Commercial District (2017-009)

The following land uses and developments may be permitted under conditions and requirements specified in Article 14, "Permits."

All permitted or special uses and developments which include drive-through facilities;

Amusement establishments, but limited to bowling alleys, indoor skating rinks, swimming pools, video arcades, pinball and other similar non-gambling machine or
table games (but specifically excluding activities involving the discharge of firearms, which are separately addressed herein as firing ranges);
Animal boarding facilities;
Animal hospitals and veterinary clinics;
Banquet halls;
Bars, taverns, and package liquor stores;
Car washes;
Dwelling units when located above the ground floor, with an allowed commercial use on the ground floor;
Gasoline stations and any other establishments selling motor fuel on the premises, but not including vehicle repair;
Group homes;
Hospitals and clinics;
Hotels and motels;
Laboratories, medical, dental, research, and technical;
Lodging house;
Outdoor seating, service, dining and/or recreation areas accessory to any restaurant, bar, tavern, club, lodge or meeting hall (2008-064);
Parking lots, as a principal use;
Public or private schools, within buildings existing prior to the effective date of this Ordinance (1995-116);
Public utility facilities. Any installation, other than poles and equipment attached to the poles, shall be:
  adequately screened with landscaping, fencing or walls, or any combination thereof, or
  placed underground, or
  enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.
  All plans for screening these facilities shall be submitted as a part of the special use permit application;
Retail tobacco stores (see Article 7.17);
Self-service storage facility, interior unit access (see Article 7.21), and
Video gaming establishments.

5.08 "GC" General Commercial District
5.08.03 Special Land Uses and Developments in the "GC" General Commercial District (2017-009)

The following land uses and developments may be permitted under conditions and requirements specified in Article 14, "Permits":

- All permitted or special land uses and developments which include drive-through facilities;
- Amusement establishments, indoor or outdoor, including miniature golf, water recreation and other similar type recreation facilities (2008-064) (but specifically excluding activities involving the discharge of firearms, which are separately addressed herein as firing ranges);
- Automobile impound yards, but not including storage of wrecked vehicles;
- Automobile sales on property greater than three (3) acres that derives a majority of annual sales from new vehicles;
- Building material sales and storage (retail) as a principal use;
- Bus and train stations/terminals;
- Cartage and express facilities;
- Car washes;
- Convention, exhibition, and civic centers, arenas and stadiums;
- Distillery;
- Dwelling units when located above the ground floor, with an allowed commercial use on the ground floor;
- Firearm retailers with a size of 50,000 square feet in area or more;
- Gasoline stations;
- Lodging house;
- Parking lots and parking structures, as a principal use (2008-064);
- Pawn shops;
- Public or private schools, within buildings existing prior to the effective date of this Ordinance (1995-116);
- Public utility facilities. Any installation, other than poles and equipment attached to the poles, shall be:
  - adequately screened with landscaping, fencing or walls, or any combination thereof, or
  - placed underground, or
enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted as part of the special use permit application.

Restaurants (fast food) which include drive-through facilities;
Retail tobacco stores (see Article 7.17 regulations);
Self-service storage facility, interior unit access (see Article 7.21);
Social club;
Theaters, outdoor and drive-in;
Vehicle service facilities;
Vehicle repair facilities;
Video gaming establishments; and
Wholesale establishments.

5.11 "LI" Light Industrial District

5.11.02 Permitted Land Uses and Developments of the "LI" Light Industrial District (2017-044)

The following land uses and developments are permitted in this district:

Accessory uses;

Any use whose primary purpose includes the light manufacturing, fabricating, assembly, disassembly, processing or treatment of goods and products, including but not limited to:

- appliances, small motors;
- books, printed materials;
- clothing and textiles;
- drugs;
- electrical components;
- glass and ceramics;
- paper and paper products;
- plastic and fiberglass;
- sheet metal;
- tools;
wood assembly and finishing;
Airports, landing strips and heliports;
Animal boarding facilities and animal shelters, subject to the provisions of 5.11.06, subparagraph 3 (below) (2003-139);
Automobile, truck and recreational vehicle sales and rental;
Boat and marine sales and service;
Body art establishment
Building-contractors office and materials storage;
Building material sales and storage;
Bus and train stations and terminals;
Business, professional, and technical training schools;
Cartage and express facilities;
Dwelling unit (one only) only when used by the caretakers and their families, who own or are employed in the allowable commercial or industrial use of the premises, and which may be located on the ground floor;
Farm equipment sales and service;
Fruit, vegetable and grain processing, packaging, and storage;
Gasoline stations;
Golf courses and other open space recreational uses;
Ice processing, sales and storage;
Lumberyards;
Machinery sales, service and storage;
Machine shops;
Motor and rail freight terminals;
Newspaper offices;
Offices;
Outdoor storage, as a principal use, except junkyards, salvage yards, and wrecked vehicle storage yards;
Parking lots, as a principal use;
Plating establishments;
Plumbing and heating service and equipment stores;
Printing and publishing establishments, duplicating services;
Public buildings used by any department of the City, School District (except school buildings), Township, Park District, County, State, and Federal governments;
Public utility facilities; and
Research laboratories and facilities, and
Self-service storage facility, interior unit access.

5.11.03 Special Land Uses and Developments of the "LI" Light Industrial District (2017-044)

The following land uses and developments may be permitted under conditions and requirements specified in Article 14, "Permits."

Day care centers;
Distillery;
Firearm retailers / firearm dealers regardless of size (See Article 7.19 regulations);
Indoor firing range (See Article 7.19.05 regulations);
Junkyards, salvage yards, and vehicle wrecking yards conducted within an enclosed building or surrounded by a solid sight-proof fence not less than ten (10) feet in height, or the height of the materials being screened, whichever is greater, and where no materials shall be piled or stacked to a height in excess of fifteen (15) feet above the ground level;
Medical cannabis cultivation centers (See Article 7.18 regulations);
Medical cannabis dispensary (See Article 7.18 regulations);
Penal, correctional, and other institutions necessitating restraint of inhabitants;
Railroad switching yards;
Recycling centers;
Retail tobacco stores (See Article 7.17 regulations);
Sanitary landfills, solid waste transfer stations, composting, energy reclamation facilities, recycling plants, incinerators, and similar solid-waste management facilities, but excluding hazardous or radioactive waste disposal; and
Self-service storage facilities
Self-service storage facility, exterior unit access (see Article 7.21).

5.12 "HI" Heavy Industrial District

5.12.02 Permitted Land Uses and Developments of the "HI" Heavy Industrial District
The following land uses are permitted in this district:
Any use permitted in the "LI" Light Industrial District;
Accessory uses;
Any use whose primary purpose includes the heavy manufacturing, fabrication, assembly (does not include disassembly), processing or treatment of goods and services, including but not limited to:
- boats,
- construction equipment,
- containers and storage units,
- motor vehicles and engines,
- paints, inks,
- stoneware, earthware;
Railroad switching yards; and
Self-service storage facility, interior unit access.

5.12.03 Special Land Uses and Developments of the "HI" Heavy Industrial District
The following land uses and developments may be permitted under conditions and requirements specified in Article 14, "Permits."

- Animal slaughtering, meat packing, or rendering facilities;
- Any use whose primary purpose includes the heavy manufacturing, fabrication, assembly, disassembly, processing or treatment of goods and services, including but not limited to concrete, asphalt, cement, motor vehicles and engines;
- Bulk fuel distribution or storage;
- Distillery;
- Extraction of raw materials from the earth and processing thereof;
- Firearm retailers / firearm dealers - regardless of size (See Article 7.19 regulations);
- Firing range, both indoor or outdoor (See Article 7.19 regulations);
- Junkyards, salvage yards, vehicle wrecking yards conducted within an enclosed building or surrounded by a solid sight-proof fence not less than ten (10) feet in height, or the height of the materials being screened, whichever is greater, and where no materials shall be piled or stacked to a height in excess of fifteen (15) feet above the ground level;
- Medical cannabis cultivation centers (See Article 7.18 regulations);
- Medical cannabis dispensary (See Article 7.18 regulations);
- Manufacturing and processing of flammable liquids, gases, explosives, chemicals, acids, fertilizers;
Penal, correctional, and other institutions necessitating restraint of inhabitants; 
Petroleum refining or storage; 
Recycling centers; 
Retail tobacco stores (see Article 7.17); 
Sanitary landfills, solid waste transfer stations, composting, energy reclamation 
facilities, recycling plants, incinerators, and similar solid waste management 
facilities, but excluding hazardous or radioactive waste disposal; 
Self-service storage facilities 
Self-service storage facility, exterior unit access (see Article 7.21); 
Steel mills, foundries, forges, and smelters; 
Storage of hazardous substances as the principal use of the property; and 
Sulfur and rubber reclamation plants.

ARTICLE 7 
SUPPLEMENTAL DISTRICT REGULATIONS

7.21 Self-Service Storage Facilities

7.21.01 Building Requirements

"Self-Service Storage Facility, Interior Unit Access" facilities in the “LC” Light 
Commercial and “GC” General Commercial Districts shall only be allowed with a 
special use permit and located in an existing building or buildings and not in a 
newly constructed building or buildings.

7.21.02 Additional Special Use Requirements for the "LC" Light Commercial, "GC" 
General Commercial, "LI" Light Industrial, and "HI" Heavy Industrial Districts

The applicant must also submit information that includes, when applicable, how the 
proposed special use will address the following physical characteristics as they relate to 
the standards for a special use in Article 14.03:

- Access/Traffic circulation,
- Hours of operation,
- Accessory uses such as retail sales of packing or mailing supplies,
- Fencing,
- Lighting,
- Architectural elevations,
- Screening.
• Security cameras,
• Dumpsters and enclosures,
• Parking, and
• Outdoor storage.

7.21.03 Additional Special Use Requirements for the “LC” Light Commercial and “GC” General Commercial Districts

In addition to the requirements of Article 14.03, the applicant for a special use request for a “Self-Service Storage Facility, Interior Unit Access” in the “LC” Light Commercial or “GC” General Commercial District shall provide a floor plan indicating how the storage units are divided including square footages. The applicant shall also be required to show how the property or tenant space has become obsolete for retail uses to warrant the special use permit. To determine obsolescence, the following three factors shall be used:

• Physical obsolescence – Physical structure itself has deteriorated;
• Functional obsolescence – Property or tenant space is no longer able to function in the way it was originally intended; and
• Economic obsolescence – Outside forces have negatively affected the commercial real estate property value.
February 21, 2018

City of DeKalb City Council
200 S Fourth Street
DeKalb, IL 60115

RE: Request to waive second reading of the Self-Storage Text Amendments

Dear Mayor Smith and DeKalb City Council Members,

We received unanimous support from the City of DeKalb Planning and Zoning Commission in regards to Self-Storage Text Amendments in the Industrial and Commercial Districts. I, James Mason, request the DeKalb City Council to waive the second reading requirement and to accept the Self-Storage Text Amendments upon first reading.

Thank you for your consideration with this request and I look forward to the meeting on March 12.

Sincerely,

James Mason
Co-Owner
Mason Properties
120 N Annie Glidden Rd.
DeKalb, IL 60115
(815)901-4309