



## Legislation Details (With Text)

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**File created:** 2/20/2021      **In control:** City Council

**On agenda:** 3/16/2021      **Final action:** 3/16/2021

**Title:** Waive the first reading and pass an ordinance amending Chapters 2 (Construction and Fire Prevention Regulations) and 10 (Landscaping, Screening and Tree Preservation) of Title 5 (Building Regulations) of the Naperville Municipal Code to clarify equipment screening requirements, installation of sustainable materials, and variance jurisdiction for façade materials and landscape deviations (Requires six positive votes)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. City Council Ordinance

Date	Ver.	Action By	Action	Result
3/16/2021	2	City Council	passed	Pass

### CITY COUNCIL AGENDA ITEM

**ACTION REQUESTED:**

Waive the first reading and pass an ordinance amending Chapters 2 (Construction and Fire Prevention Regulations) and 10 (Landscaping, Screening and Tree Preservation) of Title 5 (Building Regulations) of the Naperville Municipal Code to clarify equipment screening requirements, installation of sustainable materials, and variance jurisdiction for façade materials and landscape deviations (Requires six positive votes)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Amy Emery, AICP, TED Operations Manager

**BOARD/COMMISSION REVIEW:**

At its February 17, 2021 meeting, the Building Review Board (BRB) reviewed this item, expressed appreciation for the clarity and flexibility the proposed amendments provide, and voted to approve changes as proposed (5-0).

**BACKGROUND:**

The City of Naperville is committed to quality design and to support that goal, has adopted Citywide Design Guidelines, as well as ordinance requirements pertaining to landscaping, signage, height, bulk, and a variety of other design considerations. Taken together, these documents provide direction to guide new construction and redevelopment efforts. The proposed amendments are intended to provide development professionals with additional clarification of desired outcomes in line with Citywide Design Guidelines and what staff has observed to be common requests and challenges associated with the existing language.

## **DISCUSSION:**

The current Municipal Code language pertaining to rooftop equipment screening is vague. This is particularly challenging for existing properties seeking to update equipment. In such situations, flexibility is required to accommodate unique circumstances. The Code also does not adequately address installation of environmentally sustainable technologies (e.g. solar panels). As written, the existing language actually requires screening that may inhibit the function of sustainable installations. Nor does the Code provide any requirements for ground-mounted equipment.

Amendments to address this language were developed by a team of staff including planners, the Chief Building Official, Zoning Administrator, and field inspectors. The modifications are based on best practices of communities across the country and unique situations in Naperville.

The focus of the amendment is to provide practical solutions to balance equipment installation needs and aesthetic desires and to encourage quality design practices to provide visual enhancement. These amendments also support use of environmentally sustainable materials, maintaining Naperville's SolSmart Silver status, and incorporate design characteristics that enhance the site and promote sustainable living.

Summary of proposed changes:

1. Clarifies the expectation for installation of a parapet wall to screen rooftop equipment installed with new construction
2. Provides flexibility to accommodate existing buildings where new equipment is being added, non-conforming uses, and industrial areas administered by the Zoning Administrator
3. Makes clear that screening shall not interfere with operation of green infrastructure (e.g. solar panels)
4. Directs petitioners to coordinate with the Zoning Administrator, due to the aesthetic and design nature of these requirements, instead of the Chief Building Official.
5. Establishes basic requirements for ground mounted equipment screening.

Included within this agenda item is also a process improvement and technical corrections pertaining to variance jurisdiction. The proposed amendments streamline the development process to direct variances to building material requirements (e.g. masonry minimums contained in Title 5) for projects also involving other entitlements to be considered by the Planning and Zoning Commission (PZC). Currently, material requirement deviations require review of the Building Review Board (BRB). This change will allow the PZC to consider applications in a more comprehensive, cohesive manner that adds convenience for both applicants and the public seeking to provide input. If no other entitlements are required, deviations from material requirements would remain under the jurisdiction of the BRB. This approach is consistent with how landscape variance requests are considered by the PZC when other entitlements are requested. Lastly, the proposed amendments include a correction in Title 5 to remove the outdated reference to the Zoning Board of Appeals.

## **Key Takeaways:**

1. The amendments will maintain Naperville's standard for quality building design with respect to new construction, while providing flexibility to offer practical accommodations for existing non-conformities, etc.
2. The amendments allow line-of-site considerations, with specific guidelines, to consistently evaluate the visual impact of proposed equipment installations.

3. The amendments address for the first-time ground mounted equipment screening and prevent screening from impacting renewable energy installations.

**FISCAL IMPACT:**

N/A