

VILLAGE OF FONTANA ZONING ORDINANCE UPDATE
Project Kick-Of Meeting
January 31, 2011
5:30 p.m.

The intent of this kick-off meeting is to identify most of the key issues involved with the Zoning Ordinance update at the very beginning of the process. This information will be particularly helpful in preparing for the upcoming Public Workshop on February 12th. Thank you!

1. Welcome and Introductions
2. Revised Project Schedule
3. Share Ideas from Questionnaire Answers
4. Discuss Existing Zoning District Mix
5. Identification of Other Key Issues/Concerns with Existing Ordinance
6. Discuss Sample Public Workshop Materials
7. Summarize Points of Consensus
8. Next Steps
 - a) Public Workshop on Saturday, February 12th from 9:00 to 10:30 a.m.
 - b) Mid February—Joint Plan Commission/Village Board Work Session
 - c) Late February—V&A Prepares Priority Checklist and Working Ordinance Outlines
 - d) Late March—V&A Delivers Draft #1 of Zoning and Subdivision Ordinances

VILLAGE OF FONTANA
ZONING ORDINANCE QUESTIONNAIRE
January 10, 2011

As part of the process to update the Village of Fontana's Zoning Ordinance, we would like understand the strengths and weaknesses of the existing ordinance. Please take a few minutes to complete this questionnaire and return to Dennis Martin or bring it with you to the January 31st Plan Commission/Village Board meeting. If you prefer to type your responses, you may feel free to email your responses to Brandy Howe at bhowe@vandewalle.com any time before the January 31st meeting. Thank you for taking the time to complete this questionnaire; your input is very important to this project.

1. In addition to consistency with statutory requirements and consistency with the Comprehensive Plan, what three main things should the Village hope to accomplish in the new, revised Zoning Ordinance?

1) _____

2) _____

3) _____

2. What is your general impression of the organization of the existing ordinance? Is it a user-friendly guide to the Village's zoning regulations?

3. Do you feel that all development types or land uses are represented in the existing ordinance? If not, what do you feel is missing? Are there sections in the ordinance that you feel are unneeded?

4. Case law establishes that all possible land uses must be permitted, either by right or as a conditional use, somewhere within the jurisdiction of the zoning ordinance. Fontana's existing ordinance does not include an industrial or office park zoning district and does not presently regulate certain land uses that are at least theoretically appropriate in limited locations, or districts, such as quarries and landfills.

To ensure that all land uses are regulated and accounted for, many communities adopt office park and industrial park districts in addition to standard residential and commercial districts. Such districts also promote employment opportunities and ensure high-quality development by

requiring site plans, landscape plans, and stormwater management plans prior to development approval. Would you be in favor of including an office park, and/or an industrial park district in the updated Zoning Ordinance?

5. The existing ordinance includes an Institutional and Public Service Overlay District which allows schools, churches, and other institutional uses as “permitted by right.” However, these uses are first subject to Plan Commission review and approval wherever such use is proposed within the overlay district. Notably, many of the underlying zoning districts allow institutional uses, but only as “conditional uses.”

A simpler alternative is to eliminate the Institutional and Public Service Overlay District and simply allow institutional uses as conditional uses within the standard zoning districts. The conditional use process will ensure that proposed developments will be compatible with the character and not negatively impact surrounding development. This alternative would use a list of conditions applicable to all forms of institutional development which reduces the risk of potential conflicts under RLUIPA—the Religious Land Use and Institutionalized Persons Act (RLUIPA), which regulates land use so that religious institutions are not discriminated against. What is your opinion of this approach?

6. Many communities have adopted building requirements for “big box” development that control the size and appearance of new and modified buildings. These requirements often start at 5,000 square feet of floor area. Would you be interested in this type of approach in Fontana?

7. What additional issues/concerns do you have with the existing ordinance? Do you have specific suggestions for improvements?

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