



**To:** Plan Commission

**From:** Daniel Ritter, AICP, Community and Economic Development Director  
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**Date:** December 11, 2025

**Re:** Case # TXT-25-2-12-1: Text Amendments to the City of Crest Hill Zoning Ordinance, Code of Ordinances and Development Handbook for Driveway/ Right of Way Access Requirements, Regulations for Non-Conforming Buildings, Structures, Uses and Lots, and Court Reporter Requirement for Development Applications

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## **Application Background**

During the administration, interpretation, and enforcement of the City's Zoning Ordinance, Code of Ordinances and Development Handbook over the past few months and years, Community Development Department staff have identified a variety of Zoning Ordinance and process requirements that unnecessarily complicate the City's development review and entitlement process, lack sufficient detail, and/or are difficult to interpret and administer effectively. This staff report outlines various process and text amendments to the Crest Hill Zoning Ordinance, Code of Ordinances, and Development Handbook that staff is recommending be implemented to address these deficiencies. The overall goal of these amendments is to clarify City requirements, reduce regulatory conflicts, eliminate unnecessary regulatory barriers, and maintain narrowly tailored regulations that support the City's goals for orderly growth, economic vitality, and neighborhood character. Refining the regulations governing driveways and street access, sale of non-conforming uses, and court reporter requirements for certain development applications helps ensure the City's development regulations remain consistent with evolving community expectations for development quality and compatibility, area growth patterns, and City policy priorities.

Application documents submitted by Applicant include:

- Exhibit B – Application for Development 2025-12-04
- Exhibit C – Response to Standards for Text Amendment 2025-12-04
- Exhibit D – Redlined Section 1 Development Process Description of the Crest Hill Development Handbook 2025-12-04
- Exhibit E – Redlined Section 5.5 Sale of a Non-Conforming Use, and Section 11.6 Design, Development, and Maintenance of the Crest Hill Zoning Ordinance 2025-12-04
- Exhibit F – Redlined Section 15.04.040 Standards for Structural Appearance and Site Location Plans, Chapter 15.04 Building Requirements of the Crest Hill Code of Ordinances 2025-12-04

## Summary of Proposed Text Amendments

The regulations proposed to be amended include:

1. Amend Court Reporter Requirements for Development Applications in Steps 6 and 10 of Section 1 Development Process Description of the Crest Hill Development Handbook.
2. Amend Section 5.5 Sale of a Non-Conforming Use of the Crest Hill Zoning Ordinance to clarify zoning ordinance compliance requirements for non-conforming uses at time of the sale, transfer, or conveyance.
3. Remove Sub-Section (I)(8) Access from Section 15.04.040 Standards for Structural Appearance and Site Location Plans, Chapter 15.04 Building Requirements of the Crest Hill Code of Ordinances, and add amended Access Requirements and Sign Requirements to Section 11.6 Design, Development, and Maintenance of the Crest Hill Zoning Ordinance.

## Staff Analysis

**Court Reporter Requirements:** The Zoning Ordinance currently requires a court reporter to be present at all public hearings. The full expense for the court reporter is paid for by the applicant. Meetings are now audio and video recorded, streamed, recorded, and posted digitally (on YouTube), with a verbatim recording existing and available to the public. The reality is that this process can be difficult to schedule administratively, is costly to residents and developers, and is outdated with the availability of modern technology. Staff recommend keeping it as an option that the applicant would have to pay for in cases where there may be significant public input or controversy. The amended court reporter requirements will improve staff and applicant efficiency in scheduling meetings, and will reduce an unnecessary cost to residents, businesses, and developers.

**Non-Conforming Buildings, Structures, Uses and Lots:** The current provisions of Zoning Ordinance Section 5 – Non-Conforming Buildings, Structures, Uses and Lots outline in detail if and how legal and illegal non-conforming buildings, structures, uses, and lots can be used, expanded, repaired, or changed and when they must be discontinued. Subsection 5.5 includes language that attempts to address what type of non-conformities need to be eliminated when they non-conforming use or business is sold. While the existing verbiage in Subsection 5.5 is very concise, it is not clear on what non-conforming conditions it is written to address and does not correlate well with other more detailed provisions found in Section 5. As such, the language in this section has been interpreted and applied differently over the last 7 years. This included some confusion with regards to the ability to sell “legal non-conforming” uses and structures that has had property and business owners concerned with the current language.

Staff recommended revisions to Subsection 5.5 would clarify what type of non-conforming situations it addresses and makes it clear that non-conforming non-residential and multi-family uses and structures need to be brought into compliance with the detailed provisions of Section 5 in conjunction with the sale transfer or conveyance of the same.

**Driveway / Right of Way Access:** The current Zoning Ordinance driveway and access requirements and restrictions (minimum width of 20 feet and maximum width of 30 feet) apply to all zoning districts (residential, commercial, and industrial). The proposed amendments allow more flexibility by defining different requirements and restrictions for residential, commercial, and industrial properties. Access points and curb cuts for residential properties will be limited to one per lot. For commercial and industrial properties, the number of access points and curb cuts will be restricted based on the lot width. Overall, the proposed text amendment modernizes driveway and street access regulations to better support

safety, mobility, and urban design objectives while improving clarity and administrative efficiency. Adoption of the amendment will ensure that future development contributes to a safer and more walkable built environment.

### **Text Amendment Approval Standards and Findings**

Section 12.8-4 of the Zoning Ordinance states the Plan Commission shall recommend, and the City Council shall grant text amendments only when it shall have been determined, and recorded in writing, that all of the following standards are complied with. Staff has drafted the following findings of fact identified in bold italic font. These drafted findings can be modified or changed as the Plan Commission deems fit and based on the specific findings from the public hearing.

1. The effect the text amendment would have on comprehensive planning in the community and the extent to which the proposed amendment would be consistent with Crest Hill's planning objectives.  
***The proposed text amendments will positively influence comprehensive planning in the City of Crest Hill by aligning the Crest Hill Zoning Ordinance, Code of Ordinances and Development Handbook with the long-term land-use vision established in the City's Comprehensive Plan. The proposed text amendments will ensure that development regulations remain consistent with evolving community needs, growth patterns, and policy priorities. By refining the regulations governing driveways and street access, non-conforming uses, and court reporter requirements for development applications, the proposed text amendments will help guide future development in a manner that supports the City's goals for orderly growth, economic vitality, and neighborhood character. It will also improve clarity, reduce regulatory conflicts, and ensure that the City regulations effectively reflect the community's expectations for development quality and compatibility.***
2. The consistency of the proposed text amendment with other provisions in this Ordinance.  
***The proposed text amendments will be consistent with the overall structure and intent of the Crest Hill Zoning Ordinance, Code of Ordinances and Development Handbook. The proposed text amendments will not conflict with existing provisions governing permitted uses, development standards, or procedural requirements. Instead, the proposed text amendments will align with the Crest Hill Zoning Ordinance's purpose of promoting public health, safety, and welfare while ensuring orderly and compatible development throughout the community. By updating or clarifying specific regulatory language, the text amendment will support consistency among the Crest Hill Zoning Ordinance, Code of Ordinances and Development Handbook and will reduce ambiguities or contradictions between sections. The proposed text amendments will reinforce established zoning principles—such as appropriate land-use regulation, dimensional standards, and protection of neighborhood character—without undermining any existing zoning districts or regulations. Overall, the proposed text amendment will integrate smoothly with the City's current framework and will maintain compatibility with the intent and requirements of all other applicable provisions in the Crest Hill Zoning Ordinance, Code of Ordinances and Development Handbook.***
3. The degree to which all property owners in the community, zoned in similar classifications, would be benefited or affected by the zoning text amendment; and the extent to which the

proposed amendment would or would not benefit or affect one (1) or a selected and small group of property owners only.

***The proposed text amendments are crafted to apply uniformly to all properties within the City of Crest Hill that share the same zoning classification. The impact will be broad in scope and will not be targeted toward any single parcel or a small group of property owners. By modifying the regulations that govern driveways and street access, non-conforming uses, and court reporter requirements for development applications, the proposed text amendments will provide consistent benefits and obligations to all similarly situated properties. All property owners within the affected zoning classifications will experience the same regulatory changes—whether through enhanced flexibility, clearer standards, improved compatibility requirements, or updated development expectations. This uniform application will ensure fairness and will support the City’s objective of treating comparable properties in a consistent manner. There is no evidence that the proposed text amendments will be intended to advantage or disadvantage one or a limited number of property owners. Instead, the proposed text amendments will advance the overall public interest by improving the function, clarity, and effectiveness of the City regulations for the community as a whole.***

4. The extent to which the text amendment will ameliorate a condition in this Ordinance which is, from a legal or administrative standpoint, deficient.

***The proposed text amendments will help correct deficiencies and inconsistencies in the current Crest Hill Zoning Ordinance, Code of Ordinances, and Development Handbook by addressing provisions that have become outdated, unclear, or difficult to administer and enforce. From both a legal and administrative standpoint, the existing language creates inconsistencies, limits effective enforcement, or fails to reflect current development practices and community standards. By refining and clarifying the regulations governing driveways and street access, non-conforming uses, and court reporter requirements for development applications, the proposed text amendments will strengthen the legal defensibility of City regulations, will reduce the potential for misinterpretation, and will improve the City’s ability to apply the regulations consistently. Administratively, the proposed text amendment will streamline procedures, will enhance predictability for applicants, and will ensure that the City staff can implement the City regulations more efficiently. Overall, the proposed text amendments will directly ameliorate existing deficiencies and inconsistencies in the Crest Hill Zoning Ordinance, Code of Ordinances and Development Handbook, and will result in a more coherent, modern, and administratively workable regulatory framework.***

5. The need for the zoning text amendment.

***The proposed text amendments are needed to ensure that the City’s development regulations remain current, effective, and aligned with the City of Crest Hill’s long-term planning goals. As conditions in the community evolve—such as changes in land-use trends, development patterns, or regulatory expectations—periodic updates to the Crest Hill Zoning Ordinance, Code of Ordinances and Development Handbook are necessary to maintain their relevance and functionality. The proposed text amendments will address gaps, outdated provisions, or unclear language that hinder consistent interpretation or efficient administration of the City regulations governing driveways and street access, non-conforming uses, and court reporter requirements for development applications. The proposed text amendments will also ensure that the City regulations continue to support high-quality development, protect neighborhood***

***character, and provide clear guidance to property owners, developers, and the City staff. Overall, the proposed text amendments are needed to reinforce the integrity of the City regulations, improve their usability, and ensure that the City regulations remain a reliable tool for implementing the City's planning objectives.***

6. Whether or not the proposed text amendment, if adopted, will require other provisions of this Ordinance to be changed or modified and, if so, the way in which the Ordinance will have to be further modified and amended.

***The proposed text amendments are not expected to necessitate significant changes to other sections of the Crest Hill Zoning Ordinance, Code of Ordinances and Development Handbook. The proposed text amendments have been drafted to integrate with the existing regulatory framework and to function consistently with the current standards, definitions, and zoning district requirements. If any additional modifications are required, they would likely be minor and limited to cross-references, terminology updates, or clarifications intended to maintain internal consistency throughout the Crest Hill Zoning Ordinance, Code of Ordinances and Development Handbook. These may include adjusting related definitions, aligning procedural language, or updating associated development standards to ensure that all sections operate cohesively. Overall, the proposed text amendments will be incorporated without substantial restructuring of the Crest Hill Zoning Ordinance, Code of Ordinances and Development Handbook. Any secondary adjustments needed will be administrative in nature and aimed solely at ensuring clarity, consistency, and effective implementation of the updated provisions.***

### **Staff Recommendation**

Based on the drafted findings reflected in this staff report, Staff recommends the following motion to provide a recommendation to City Council. This motion may be amended by any Plan Commission member making the motion based upon the findings of the public hearing. Staff recommends any motion be made in the positive form to correspond with the applicant's request to avoid confusion.

**The Plan Commission recommends City Council approval of the proposed text amendments to (i) court reporter requirements for development applications in Steps 6 and 10 of Section 1 Development Process Description of the Crest Hill Development Handbook; (ii) Section 5.5 Sale of a Non-Conforming Use of the Crest Hill Zoning Ordinance; and (iii) removal of Sub-Section (I)(8) Access from Section 15.04.040 Standards for Structural Appearance and Site Location Plans, Chapter 15.04 Building Requirements of the Crest Hill Code of Ordinances, and addition of amended access requirements and sign requirements to Section 11.6 Design, Development, and Maintenance of the Crest Hill Zoning Ordinance, subject to the proposed text amendments being implemented in substantial conformance with the application documents referenced in the December 11, 2025, Plan Commission Staff Report for petition TXT-25-2-12-1.**

## **EXHIBIT A**

### **Supplemental Text Amendment Approval Facts to Consider Per Crest Hill Zoning Ordinance Section 12.8-4**

1. *The effect the text amendment would have on comprehensive planning in the community and the extent to which the proposed amendment would be consistent with Crest Hill's planning objectives.*
2. *The consistency of the proposed text amendment with other provisions in this Ordinance.*
3. *The degree to which all property owners in the community, zoned in similar classifications, would be benefited or affected by the zoning text amendment; and the extent to which the proposed amendment would or would not benefit or affect one (1) or a selected and small group of property owners only.*
4. *The extent to which the text amendment will ameliorate a condition in this Ordinance which is, from a legal or administrative standpoint, deficient.*
5. *The need for the zoning text amendment.*
6. *Whether or not the proposed text amendment, if adopted, will require other provisions of this Ordinance to be changed or modified and, if so, the way in which the Ordinance will have to be further modified and amended.*