



MEMORANDUM

Date: June 16, 2022

SENT VIA EMAIL

To: Angela Mesaros
Director of Economic and Community Development
Village of Homewood

From: Houseal Lavigne Associates
Jackie Wells, AICP, Project Manager
Ruben Shell, Lead Support

Re: Draft Zoning Ordinance Articles 6-8 Overview

The purpose of this memorandum is to provide a high level overview of the major changes proposed to draft Zoning Ordinance Articles 6-8 including Article 6: Planned Development Standards and Procedures, Article 7: Zoning Procedures, and Article 8: Nonconformities.

Proposed changes are based on the recommendations included in the September 10, 2021, Diagnostic Report and Preliminary Recommendations Memo and feedback on the memo from Village staff, elected and appointed officials, and the public.

Article 6: Planned Development Standards and Procedures

The Village's current planned development standards and procedures are proposed to be fully rewritten. The proposed standards will require any development on a lot or lots greater than 25,000 square feet or in the B-1 and/or B-2 Districts be required to go through the planned development process while any development, other than single-unit detached residential, may choose to go through the process. The proposed standards will ensure that modifications requested through the process are considered and granted only in direct response to the accrual of tangible benefits to the Village or neighborhood in which it would be located. To accomplish this, new standards are proposed by which the Planning and Zoning Commission and Village Board would review planned development applications as a whole. Additionally, modification standards are proposed to be established to be utilized in the review of site development allowances (requested deviations from underlying zoning district standards). Unlike the Village's current planned development process, which is considered a special use, the new process is proposed to be considered a zoning map amendment, resulting in the application of the PD-O Planned Development Overlay District.

Article 7: Zoning Procedures

Article 7 is proposed to include all of the Village's administrative review and approval procedures as well as general board and commission review and approval procedures. The Article begins by establishing the parties responsible for administering the Ordinance as well as the general procedures for all zoning applications. Then, administrative review and approval procedures are established including those reviewed and approved by the Building Inspector, Economic and Community Development Director, and Administrative Review Committee. The following major changes are proposed:

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- **Certificate of Occupancy:** Per staff feedback, the Building Inspector is proposed to be the party responsible for the review and issuance of certificates of occupancy instead of the Economic and Community Development Director.
- **Zoning Compliance Permit.** A new zoning compliance permit procedure is proposed which would require the issuance of a zoning compliance permit before any person can erect, move, add to, or structurally alter any building or structure, or use or change the use of any building or land. The permit is proposed to be reviewed and approved by the Economic and Community Development Director.
- **Limited Use Permit.** A new limited use permit process is proposed for the review and approval of uses listed as limited uses in Section 44-03-04. The process would provide an additional level of review by the Economic and Community Development Director to ensure that the uses are meeting all use specific standards and are compatible with the area in which they will be located. The Economic and Community Development Director is proposed to have the ability to elevate a limited use permit to a special use permit if deemed necessary.
- **Administrative Exception.** A new administrative exception process is proposed for the review and approval of minor variances from the standards of the Ordinance. Administrative exceptions are derived from the Village's current standards for administrative variances and minor variances are proposed to be reviewed and approved by the Economic and Community Development Director.
- **Temporary Use Permit.** A new temporary use permit is proposed for the review and approval of temporary uses and special events. The permit is proposed to be reviewed and approved by the Economic and Community Development Director.

Next, general board and commission review and approval procedures are established including an easy to navigate table identifying the recommending and decision-making body for all processes as well as whether a public hearing is required. Another table is included to identify the type of public notice, mailed and/or published, that is required for all required public hearings. All costs associated with mailed and published notice are proposed to be the responsibility of the applicant. Then, the review and approval procedures for zoning text and zoning map amendments, special uses, variances, and appeals are established. No major changes are proposed.

Article 8: Nonconformities

Article 8: Nonconformities is proposed to include the regulations for nonconforming uses, buildings, lots, and/or structures as currently established in Article IX of the Village's Zoning Ordinance. No major changes are proposed.