



MEMORANDUM

Date: July 16, 2021

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, Planner I

Re: **Initial Policy Direction Confirmation**

The purpose of this memorandum is to identify the policies that the Village of Homewood may wish to consider for the zoning ordinance update. Illinois municipalities are required by state statute to use adopted plans as the basis for their zoning ordinance. However, the Village's comprehensive plan was adopted in 1999 and its Downtown Master Plan in 2005, making additional engagement with the public and community leaders essential to determine if the policy direction set forth in the plans continues to be applicable and to establish new or updated policy items for the Village to address through the zoning ordinance update.

During discussions with Village staff and elected/appointed officials, preliminary issues with the existing zoning ordinance were identified. This memorandum summarizes the major themes that were discussed, examines how the Village's existing plans address the topics, and proposes new or updated policies as needed to address the issues. Other policy issues that may arise during public meetings can be added to the preliminary list for consideration. Proposed policies should be carefully assessed with Village goals, such as sustainability, in mind.

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Event Spaces and Multi-Use Facilities

The Village has seen requests to establish a variety of event spaces and multi-use facilities over the past several years and the current ordinance does not adequately regulate them.

Current Regulation

Currently, event spaces and multi-use facilities are not explicitly permitted as land uses but are instead classified under the catch-all term “learning centers”, which are by-right uses in the B-1 District, which encompasses downtown, and special uses in the other business districts. The classification does not adequately define or regulate event spaces and multi-use facilities which can lead to multiple interpretations and conflicts with adjacent land uses and the purpose and intent of districts.

Existing Policy

The comprehensive plan recommends that clubs, theaters, and other small venue entertainment facilities be clustered Downtown.

The Downtown Plan specifies that the existing B-1 zoning that applies Downtown should be continued to promote commercial and mixed-use development but does not define policies for entertainment uses.

Proposed Policy

Establish new uses and corresponding definitions to differentiate between different types of event and multi-use spaces. Create standards for the different event and multi-use spaces to manage their unique off-site impacts and to ensure alignment with the purpose of the districts in which they are allowed.

Subletting of Office Spaces

Former office spaces have recently been sublet to multiple tenants whose uses are not allowed by-right in the respective district. A process through which new uses moving into existing buildings would be verified for compliance with the zoning ordinance should be considered.

Current Regulation

Currently, the Village’s zoning ordinance requires that a certificate of occupancy be applied for and issued by the Director of Economic and Community Development for a change of use. However, the current certification process is only triggered when a building permit is required.

Existing Policy

The comprehensive plan includes “permit additional retail and industrial development for vacant commercial areas” as a goal.

The Downtown Master Plan specifies “increase commercial development to provide more goods and services for residents and visitors” as an objective, which supports the notion that the permitting process for new commercial uses should be flexible.

Proposed Policy

Establish an administrative zoning compliance certification process and consider including retrofit standards that require minor updates to the exterior of buildings and sites in order to comply with new standards adopted through the update process.

Limit Personal Service and Medical Offices Uses

Personal service and medical office uses have recently proliferated in the Village, especially downtown. The zoning ordinance should establish limits on the uses to reserve storefronts and commercial spaces for retail, restaurant, and entertainment uses that enhance the vibrancy of downtown.

Current Regulation

The zoning ordinance regulates personal service uses as “Salon/Spa Establishments” which are allowed as special uses in the B-1 and B-2 Districts and permitted uses in the B-3 and B-4 Districts as well as “Personal Service” which are allowed as permitted uses in the B-1, B-2, B-3, and B-4 Districts. Medical offices are included in the “Professional Offices” use and are allowed as permitted uses in the B-1, B-2, B-3, and B-4 Districts. None of the uses have additional standards to control for location, noise, or other issues or impacts.

Existing Policy

The comprehensive plan recommends that downtown continue to function as a major dinner and entertainment center that attracts visitors from throughout the south suburbs.

The Downtown Master Plan recommends that the area support a mix of commercial, residential, and entertainment uses.

Proposed Policy

Ensure downtown continues to be a vibrant destination for the south suburbs by limiting the use of ground floor spaces to retail, dining, entertainment, and other uses identified as desirable in the Village’s Downtown Master Plan.

Short-Term Rentals

Short-term rentals and their potential impacts on the affordability of Village housing and ability to disrupt the residential character of neighborhoods if they are used for house parties that can be a nuisance to neighbors is an issue Homewood should consider addressing. Regulating short-term vacation rentals and limiting the use to owner-occupied units only should be considered.

Current Regulation

The zoning ordinance does not define short-term rentals or explicitly permit them within residential districts.

Existing Policy

The comprehensive plan includes “assure a diversity of quality homes for residents” as a goal, which suggests that ensuring the continued availability of housing for full-time residents is a priority.

Proposed Policy

Continue to work to ensure a diversity of quality homes for residents and maintain the residential nature of Homewood’s neighborhoods by establishing standards for short-term rentals and define a permit procedure to allow them. Limit the use to residential lots with owner-occupied residential uses only.

Home-Based Businesses

Distinguishing between home-based businesses, which include residents operating a business from their home, from residents working from home should be considered. The Village should consider not requiring a permit for people who work from home but should continue to require a permit for businesses that are based out of residences.

Current Regulation

Home-based businesses are defined in the zoning ordinance and allow professions such as arts and crafts studios, professional offices, and music or art teachers to operate from a residence. The provisions specify that home-based business permits are not required for individuals that provide low-intensity services from their home, however, individuals that work remotely from home are not regulated specifically.

Existing Policy

The comprehensive plan states that residents should be able to “access employment, especially positions with commensurate incomes necessary for homeownership needs of Village housing”, although it does not address permitting remote work situations.

Proposed Policy

Accommodate new employment trends by distinguishing between home-based businesses and individuals that work from home and allow the latter without a permit.

Retroactive Permitting for Two- and Three-Flats

Multifamily uses including two-flats and three-flats exist in the R-1 and R-2 Districts but were not legally established and therefore cannot be rebuilt if destroyed, making it difficult for people to obtain mortgages for the purchase of the properties. The Village should determine whether the existing uses are desirable and if so, should consider legalizing them through a retroactive permitting process. The Village should also determine whether to allow new two-flats or three-flats in the R-1 and R-2 Districts.

Current Regulation

The zoning ordinance does not include retroactive permitting process for illegally established uses.

Existing Policy

The comprehensive plan specifies a diversity of quality homes for residents, that maintain the appearance standards of the Village, as a goal. The term “maintain” suggests that the existing two- and three-flat uses should be allowed to continue.

Proposed Policy

Maintain existing housing diversity in the Village by establishing a retroactive permitting process to legalize the existing two- and three-flats in the R-1 and R-2 Districts.

Accessory Dwelling Units

Allowing accessory dwelling units in the Village's residential districts should be considered as an approach to allow diverse housing formats without disrupting the existing single-family character of Homewood's neighborhoods. The Village should consider allowing the use to be permitted by-right when located within an existing single-family structure and allowed as a special use when in a detached structure.

Current Regulation

The zoning ordinance permits accessory structures such as garages, accessibility ramps, sheds, and greenhouses on residential properties but does not explicitly define or permit accessory dwelling units.

Existing Policy

The comprehensive plan specifies the goal of promoting "a diversity of quality homes for residents meeting the appearance standards of the Village in well-maintained residential neighborhoods".

Proposed Policy

Increase housing diversity in the Village by allowing accessory dwelling units as a permitted use in the R-1 and R-2 Districts when co-located within an existing single-family structure, and as a special use when in detached formats.

Sustainable Design and Open Space Preservation

Recognizing that the Village is limited in its ability to restrict the development of privately owned land, yard setbacks, landscape, sustainable design elements, and other standards should be considered to address environmental concerns.

Current Regulation

The zoning ordinance currently requires open space through the establishment of minimum yard requirements. Sustainable design elements such as rain gardens, bioswales, native plant species, pollinator plants, tree preservation, permeable surfacing, impervious surface limits, and others are not established.

Existing Policy

The comprehensive plan includes an objective for the Village to work cooperatively with the Park District to acquire additional open space, park land, and other recreational facilities with all new development areas. Environmental sustainability is not addressed in the plan.

Proposed Policy

Balance the preservation of open space and the development rights of private property owners through the establishment of standards for sustainable design and limitations on building coverage and/or impervious surface coverage as well as by revising the standards of review for processes such as special use permits and variances to ensure the environmental impact of applications is considered.

Other Topics

Several additional topics that do not require initial policy direction from the Village should be considered as listed below. These topics will be discussed in greater detail in the Diagnostic Report and Preliminary Recommendations Framework memorandum prepared as part of the Step 2 of the Zoning Ordinance Update Scope of Work.

- Compliance with the Religious Land Use and Institutionalized Persons of Act of 2000,
- Setback of six foot fences in corner front yards,
- Parking pads/driveway extensions for additional residential parking spots,
- Allowances and standards for coworking spaces,
- Integration of Halsted Street Corridor Landscape Plan, and
- Standardized intake process and formal establishment of internal review team.