

Draft Ordinance Article 1-5

Planning and Zoning Commission Workshop Summary

The Planning and Zoning Commission held a workshop on Thursday, January 27 to review, discuss, and gather public input on draft Ordinance Article 1: General Provisions, Article 2: Establishment of Districts, Article 3: District Standards, Article 4: Use-Specific Standards, and Article 5: Development Standards. Members of the Planning and Zoning Commission, members of the public, the Village Director of Economic and Community Development, Angela Mesaros, and two members of the Houseal Lavigne team were in attendance.

Meeting Presentation & Discussion

On January 10, 2022, draft Ordinance Articles 1-5, developed by the Houseal Lavigne team and refined with Village review team input, were made public. During the meeting, the consultant team provided an overview of the proposed changes to the Articles and discussed areas of refinement with the Planning and Zoning Commission. The following is a summary of the discussion that took place. The summary is not meant to be a transcript of the meeting but rather a synopsis of major points of discussion.

Article 2

After the consultant team presented the proposed changes to Article 2, a Commissioner asked what is driving the proposed rezoning of parcels to the PL-2 District. The consultant clarified that the parcels proposed to be rezoned have uses that would be classified as non-commercial places of assembly which are proposed to only be allowed in the PL-2 or residential districts. Since the parcels are currently zoned in a business district, the proposed rezoning would ensure that the uses would continue to be accommodated and would not be considered legally nonconforming.

Then, another Commissioner asked what the timeframe for eliminating nonconforming uses would be. The consultant clarified that the Village would not be requiring that legally nonconforming uses cease at any point unless the use were to cease on its own for a period of time as detailed in the Village's nonconformities standards. The consultant continued to clarify that this is how the Village currently handles nonconformities and no change is proposed.

Next, a Commissioner asked why newly annexed land would be designated in the R-1 District. The consultant discussed how it is the Village's current practice and a common practice to zone newly annexed land into the most highly restrictive zoning district unless another district designation is approved as a part of the annexation process.

Article 3

After the consultant team presented the proposed changes to Article 3, a Commissioner asked for clarification between interior side and exterior side yards. The consultant discussed that the exterior side yard is a street facing side yard while the interior side yard abuts another property.

Then, another Commissioner expressed concern over the Village's current way of measuring building height and said he would send enhanced language for consideration.

The same Commissioner then asked about whether the allowed yard encroachment for bay windows would apply to cantilevered bay windows only. The consultant clarified that it would and that the ordinance language would be revised to reflect this. The Commissioner continued to ask about the allowed yard encroachment for fire escapes and suggested the definition of fire escape be refined to better distinguish between outdoor staircases and fire escapes.

Next, a Commissioner asked about how group homes can be further regulated in the Village. The consultant discussed how the state limits municipal control of group homes but that further research would be done to ensure that Homewood's regulations are as stringent as possible.

Then, a Commissioner asked why Cannabis Cultivation Center was included as a permitted use in the M-1 District. Village staff clarified that Medical Cannabis Cultivation Center is currently a permitted use in the M-1 District and to consolidate medical cannabis and adult use cannabis standards the distinction was eliminated. The Commissioners expressed a need for additional discussion on the topic.

Article 4

After the consultant team presented the proposed changes to Article 4, a Commissioner asked what the minimum lot size would be for community gardens. The consultant clarified that a community garden would be required to meet the lot area and width requirements of the district in which it is located. Staff then discussed how the Village should consider allowing community gardens on nonconforming lots since they are not otherwise developable.

Article 5

After the consultant team presented the proposed changes to Article 5, a Commissioner asked for additional detail on the requirements for the installation of electric vehicle charging station infrastructure. The consultant clarified that any parking structure, parking area serving multifamily use, or any parking area with more than 50 parking spaces would be required to install electric vehicle charging station infrastructure.

Then, the Commissioner discussed issues regarding shared driveways in the Village and whether the ordinance should include a requirement for a formal agreement amongst property owners. The consultant discussed how the requirement could be added to the ordinance if the Village is interested in allowing new shared driveways in the future but that the ordinance could not retroactively require an agreement to be put in place for existing shared driveways. The Commissioners expressed a need for additional discussion on the topic.

Next, the Commissioners discussed the proposed tree preservation requirements and expressed a desire for required replacement trees to not count towards required landscape areas. They also discussed a need for a fee in lieu option in case it is not possible to accommodate the required trees on site.

Public Comment

After the overview presentation and discussion with the Commissioners on draft Articles 1-5, the public was invited to provide comment. The first comment received was in support of the tree preservation requirements and the Commissioner's discussion of prohibiting replacement trees from counting towards required landscape. They continued to ask whether community gardens would be allowed on Village owned property and the consultant clarified that the Village could consider establishing such a program but that it would be outside of the zoning ordinance.

The next comment expressed concern about the proposed 7-day minimum stay requirement for short-term rentals. Commissioners then further discussed the proposed standards and debated whether they were too restrictive. The Commissioners expressed a need for additional discussion on the topic.