

camiros

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TECHNICAL REVIEW & APPROACHES REPORT CLARENDON HILLS ZONING ORDINANCE

INTRODUCTION

This report summarizes the findings of a technical review of the existing Clarendon Hills Zoning Ordinance performed by Camiros. The purpose of this review is three-fold. First, the review allows for a more in-depth understanding of the current development regulations. Second, it allows for the identification of additional issues not identified during meetings and interviews with staff and stakeholders. Third, it introduces concepts and approaches that set direction for substantive revisions to be included in the updated zoning ordinance.

A good zoning ordinance combines rational substantive controls with fair procedures which, when reasonably applied, assure a pattern of development that protects the existing character of the Village where warranted and facilitates change where desired. The regulations should be well organized, easy to use, and have standards and procedures that are clear and regulate effectively. It must allow for predictable results and fulfillment of the objectives articulated in the Village's Comprehensive Plan.

This assessment of the existing zoning ordinance is based on a combination of good zoning practices and the advancement of established planning policy within Clarendon Hills. Obviously, communities vary in terms of planning and regulatory policies for protecting and enhancing the quality of life. This assessment of the zoning ordinance reflects our understanding of Clarendon Hill's community planning policies.

To ensure that the new zoning ordinance makes a positive impact on Village's built environment, the following objectives have been established:

- » Implement the policies of the Comprehensive Plan.
- » Create a zoning ordinance that is intuitive, user-friendly, transparent, predictable, and consistent in application.
- » Integrate land use and urban design goals into objective design controls that are easy to understand and administer.
- » Allow the majority of development in the Village to occur by right, and reduce special approvals, nonconformities, and variances.
- » Protect valuable green space and environmental resources.
- » Ensure that the unique characteristics of the Village are acknowledged, such as the historic downtown area, and traditional neighborhoods.
- » Create standards that remove obstacles for development to help improve market conditions, increase investment and attract jobs.
- » Increase the transparency of development approval through clear processes, approval standards, and predictable timeframes.

The objectives outlined above and the issues addressed within this report were identified through discussions with staff and stakeholders as well as best practices for development regulations. The report provides a broad assessment of current difficulties within the regulations and preliminary approaches to resolving them.

CURRENT REGULATIONS

The primary problems affecting the current ordinance are that: 1) the ordinance is old, and while the basic structure of the zoning districts and district regulations work relatively well, many specific regulations are obsolete; 2) the regulations are largely “boilerplate” and are not customized to reflect the distinguishing characteristics of Clarendon Hills; 3) the regulations do not reflect the new policies and objectives of the Comprehensive Plan; and 4) the ordinance has been amended many times over the years, which may have led to procedural or organizational inconsistencies within the documents. Since the ordinance is largely outdated, poorly organized and does not incorporate current development and land use policies, this memo will not focus in detail on specific deficiencies, but rather the key principles for updating the development regulations.

Zoning regulates the use and design of property, where a structure may be located on a lot, how big that structure can be, what it is used for, etc. It also regulates other elements of site development, such as accessory structures, parking, and landscape. Zoning regulations are divided into discrete zoning districts, so that use, bulk, yard and development regulations are tailored to the character of the particular zoning district.

KEY POLICY RECOMMENDATIONS

While the focus of this revision of the zoning ordinance is clearly on modernization, it makes sense to assess whether key policy changes should be made during the revision process. Certain policy issues were raised by stakeholders during the key person interviews, and this Technical Review and Approaches Memorandum should facilitate a discussion of these issues. Other policy issues represent technical defects in the current ordinance that can be remedied through modernization. This memo will serve to set the direction on the following key policies:

District Structure: The current structure of zoning districts relates fairly well to the pattern of development existing in Clarendon Hills, although a small number of refinements may be advisable. This is addressed in more detail in the District Structure section of this report.

Dwelling Type: Clarendon Hills's residential districts allow for a range of dwelling types in several of the residential districts. For example, the R-3 and R-4 Districts allow single family, two family, townhouse and multi-family dwelling types. Creating predictability in terms of the residential environment that will emerge from land zoned in these districts is important, and allowing single family dwellings in the same district as multi-family dwellings undermines this predictability.

Downtown: Downtown is recognized as a community asset, but also as a commercial center that serves the residents differently than in years past. Formerly, the downtown provided for much of Clarendon Hills's shopping needs. Today, the downtown provides less in the way of retail goods than in the past, but preserving retail in the downtown is an important policy that is regulated in the zoning ordinance. Increasingly, the downtown is becoming an attractive location for residential uses. Two developments are underway that include residential use, a live-work rental development and ownership townhouse development. Regulations for the downtown need to facilitate its evolving function within the community to keep it vibrant and to enhance the quality of life in Clarendon Hills.

Regulation of Uses: There is consensus to revise the regulation of permitted and conditional uses through the incorporation of “generic” use terms. Generic use terms, such as **retail goods establishment**, will eliminate the need to specifically list every type of retail store listed as a permitted or conditional use.

Residential Bulk Controls: Two conflicting opinions were expressed on the regulation of residential bulk. One opinion held that the current method of regulating residential bulk has become accepted within the community and, while not perfect, is acceptable and should not be changed. The other opinion is that the current method is subject to manipulation and creates more “box-like” house designs

that do not add to the charm and character of the village. This topic is addressed in more detail in the **Residential Bulk Controls** section of this memorandum.

Landscape Regulations: The ordinance contains a basic set of landscape regulations. Landscaping was not mentioned as an issue in our key person interviews, but modernization of these regulations should be considered.

Sign Regulations: Similar to landscaping, the ordinance contains a basic set of sign regulations. Signage was not mentioned as an issue in our key person interviews, but modernization of these regulations may be warranted.

Stormwater Runoff Controls: A number of participants in the key person interviews said that increasing the effectiveness of stormwater runoff is the single most important issue in the modernization of the zoning ordinance. Addressing this issue would involve new controls and the possible strengthening of existing controls.

Temporary and Accessory Uses: The current ordinance addresses temporary and accessory uses, however more modern and comprehensive regulation of these uses is recommended.

This discussion of key policy changes serves as an introduction to the proposed approaches to revising the Clarendon Hills zoning ordinance. Specific topics are addressed in more detail in the remainder of this memo.

ORGANIZATION & GENERAL APPROACH

The zoning ordinance should follow a logical system of compartmentalization.

The greatest need for revision in the Clarendon Hills Zoning is due to outdated provisions. A significant part of this modernization is to put the regulations into a consistent, structured pattern from beginning to end. A key way to improve the organizational structure of the zoning ordinance and, in turn, its ease of use, would be to employ a system of compartmentalization. This is a technique whereby items of information are grouped together by regulatory category and purpose.

Compartmentalization substantially reduces, if not eliminates, the need for a general or supplementary regulations article because the regulations within that section are grouped with similar regulations in their respective articles. Bulk and yard standards would be located within zoning district regulations. A use article would contain permissions, definitions, and standards for principal and temporary uses. The landscape article would contain all landscape regulations, and so forth. This system also avoids lengthy sections, which users can find daunting and frustrating.

The following is a proposed structure for the updated zoning ordinance that uses this organizational technique:

- Article 1. Title, Purpose, & Transition Rules
- Article 2. General Definitions & Rules of Measurement
- Article 3. Zoning District Overview
- Article 4. Residential Districts
- Article 5. Business Districts
- Article 6. Public Use District
- Article 7. Downtown Design Review Overlay District
- Article 8. Principal and Temporary Uses

- Article 9. Regulations of General Applicability
- Article 10. Off-Street Parking & Loading
- Article 11. Signs
- Article 12. Landscape Regulations
- Article 13. Planned Developments
- Article 14. Zoning Ordinance Administrative Bodies
- Article 15. Zoning Ordinance Administrative Procedures
- Article 16. Zoning Application Process
- Article 17. Nonconformities
- Article 18. Enforcement

The zoning ordinance would benefit from greater use of illustrations and matrices.

The zoning ordinance should illustrate a variety of regulations, which will more effectively communicate information to users. Regulations and terms would benefit from graphics including, but not limited to:

- » Measurement rules, such as building height, yard location, etc.
- » Design standards
- » Lot types and dimensions
- » Parking, loading, and landscape regulations
- » Accessory structure regulations, such as fences, garages, solar panels, etc.

Graphics are not limited to the examples cited above. Additional regulations, design concepts, and terms will require illustration as they are developed during the drafting process.

The zoning ordinance would also benefit from the use of matrices. Matrices can summarize a number of zoning ordinance requirements, such as district regulations, uses, permitted encroachments, and parking requirements.

The zoning ordinance should clearly explain the rules of measurement.

The rules of measurement for building height, yard location, grade, lot width, rules for unique lot configurations, how to measure dimensions on sloped lots, etc. should be brought together in one section so that application is clear. The majority of these standards would be illustrated to make them understandable to the user.

All terms used in the zoning ordinance should be defined.

We think that updating the definitions in the ordinance is one of the key aspects of modernization. All existing definitions will be evaluated, updated for clarity, and checked for any internal conflicts. Any undefined terms will be added. This is especially important with a revised use structure, where each use should be defined.

USES

The modern generic use approach should be used to address allowed uses within the districts.

A complete revision is proposed of how uses are addressed within the zoning districts based upon the concept of “generic uses.” A generic use approach is established by combining similar specific uses into a broader use category. For example, barber shops, beauty parlors, shoe repair shops, and tailors would be addressed in the use “personal services establishment,” which would then allow similar uses, such as pet grooming establishments, dry cleaners, and nail salons without needing to name every individual type of service establishment.

Currently, the zoning ordinance employs a specific use based approach. This type of approach is disfavored in modern practice because of its required detail and inability to respond to new and emerging uses. Inherent in a specific use based approach is the requirement that every possible use desired must be specifically included in the use list or by virtue of its exclusion it is prohibited. Modern practice has moved toward the generic use approach because of two main benefits. First, it eliminates the need for extensive and detailed lists, and the use section of the zoning ordinance becomes easier to use. Secondly, the generic use approach provides the Zoning Administrator with greater flexibility to review and permit those uses that are desirable, but not specifically listed, within the broader context of a generic use definition.

With the generic use approach, definitions take on additional importance. First, each use must be defined. These definitions may include examples of that use, and specifically exclude those uses that are not part of the generic use definition. For example, the definition for “retail goods establishment” could specifically state that “adult bookstores” are not considered a “retail goods establishment.” This means that the use of an “adult bookstore” must be separately and specifically allowed within a district in order to locate there; it cannot come under the umbrella of “retail goods establishment.” The second important element of generic use definitions is the rule that any use that is listed and defined separately cannot be considered part of a generic use category. For example, if the zoning ordinance specifically defines “drive-through facilities” as a principal use, a “drive-through facility” is prohibited in a district unless it is specifically listed as an allowed use; i.e. it is not automatically allowed as part of a restaurant or bank.

Uses should be tailored specifically to the purpose of the district.

The uses allowed in each district should be evaluated and updated. Uses must correspond to the purpose, form, and function of each district. Only a limited number of uses that serve the Village as a whole, such as utilities, would be allowed in all districts. The revision process will include a full evaluation and re-sorting of uses allowed in each district.

Certain uses should require use standards to regulate impacts.

Related to the above approach, the zoning ordinance should incorporate use standards for certain uses that have additional impacts or are linked to federal or state regulations. Use standards should be based on specific impact mitigation or design concerns. It should be noted that while many special uses will have related use standards, others will be judged only against the special use approval standards.

The use structure should reflect the character of the Village.

Clarendon Hills’ character is one of a high-quality suburban “bedroom” community. To a degree, Clarendon Hills is an oasis of quiet and calm within the bustling Chicago metro region. Many uses common to other communities do not exist in Clarendon Hills, such as industrial, warehouse and other high intensity uses. Office use exists primarily as small-scale facilities in portions of the downtown or in the R-1A District. Thus, the type and intensity of use is related to the character of Clarendon Hills, and this must be reflected in the regulations of uses in the ordinance.

A wide range of temporary uses should be addressed in the zoning ordinance.

The current ordinance addresses few temporary uses. A more thorough approach would be beneficial. Temporary uses are a key avenue to entrepreneurship, allowing new business owners to start “small” through temporary uses like food trucks or pop-up retail spaces. It also fosters a creative environment allowing artists to sell and display their wares. In addition, some are just practical uses common to a municipality, such as garage sales, storage pods, and construction related uses. A comprehensive set of temporary uses should be included in the zoning ordinance with controls on their function – identifying in which districts they are allowed, timeframes, siting requirements, and operational plans. The following temporary uses should be included:

- » Temporary outdoor entertainment events
- » Temporary retail sales events
- » Temporary holiday events (haunted houses, Christmas tree sales, etc.),
- » Garage/yard sales
- » Farmer’s markets
- » Mobile food trucks and trailers
- » Construction-related temporary uses (dumpsters, on-site construction offices, etc.)
- » Real estate model units
- » Temporary storage pods

In addition, a temporary use permit should also be created so that uses can be better regulated for control of impacts and to ensure that a temporary use is not, in fact, functioning as a permanent use. This would also allow for easier enforcement. For example, in some communities temporary outdoor entertainment events often occur, but are largely unregulated. These temporary events bring impacts such as traffic, noise, and security issues. With a temporary use permit, mitigation measures can be required as part of the permit approval and could control the duration of the event and enforce violations more effectively and efficiently as the permit would lay out the clear rules for how the event must be conducted.

DISTRICT STRUCTURE

The current organization of districts is largely well functioning and only minor adjustments are recommended.

Only three potential adjustments to Clarendon Hills’s zoning district structure are proposed:

- A. The R-2 District, reserved for “low density multiple-family residential” use, should be considered for elimination since the prospect of such development in Clarendon Hills is low.
- B. The I Industrial District should be considered for elimination since no industrial development exists in Clarendon Hills and the only properties located within the mapped district are Village municipal facilities.
- C. The Village could consider creating a Public Use District, which would be mapped on schools and Village-owned properties. This would establish public uses as the intended uses for these properties and limit any residential redevelopment/reuse without first obtaining rezoning.

The proposed organization of zoning districts proposed is presented below.

Residential Districts

Clarendon Hills is a high-quality “bedroom community” and regulating the residential environment is a key part of the zoning update process. The districts proposed are outlined below:

- » R-1 Single-Family Residential District. The R-1 District would accommodate single-family residences on larger lots of at least 9,000 SF.
- » R-2 District. The R-2 District would be eliminated and the R-3 and R-4 Districts would be renamed as R-2 and R-3.
- » R-3 Medium Density Residential District. The R-3 District would be revised to function as a true “medium density” district, accommodating new development at a density range between current single family district (R-1) and the R-4 Multiple Family District. This district would allow a range of dwelling types including single family, two-family or attached single-family dwellings at a comparable level of density. The R-3 District would allow for smaller single-family lots in appropriate locations. The R-3 District would be suitable for infill redevelopment, particularly in the unincorporated area south of 55th Street. The lot size and width standards are yet to be determined.
- » R-4 Multiple-Family Residential District. The R-4 Multiple-Family District would accommodate apartment and condominium dwellings on larger parcels.

As the Ordinance is drafted, we will also address controls over building bulk and stormwater runoff, per direction provided by staff.

Business Districts

The Village has three types of business environments: the downtown, highway commercial areas (Ogden Avenue and 55th Street), and a “limited office” area on the south side of Ogden Avenue, which serves as a transition to the adjacent single-family neighborhood. The downtown area is divided into a retail business district and a “general” business district, which allows service uses. Given the longstanding policy for reinforcing retail uses in the heart of the downtown (Prospect Avenue), maintaining two downtown districts is recommended. The limited office area started out as the row of single family residences facing Ogden Avenue, and so allowing both single family and small-scale office uses made sense. Now, however, this strip of lots is best suited for small-scale office and should be designated as a business district. 55th Street has one parcel (Jewel Food store) zoned for Highway Business, while the remaining businesses are zoned O-R Office-Research District. Thus, five business districts should be established in the updated ordinance.

- » B-1 Retail Business District. The downtown B-1 District be based on the current B-1 Retail District with few refinements anticipated.
- » B-2 General Business District. The downtown B-2 District is distinguished from the B-1 District largely by the permitted and special uses allowed. While some refinement of the use regulations is anticipated, the B-2 District will be very similar to the existing district.
- » B-3 Highway Business District. The B-3 District would be very similar to the existing B-3 District.
- » L-O Limited Office District. The L-O District would be the existing R-1A District adjusted to make single family residential use a special use, rather than permitted. Specific regulations to maintain the residential character should be included.
- » O-R Office-Research District. The name of the O-R District is not indicative of the businesses located in the district. No true “research” uses are located in the District, but rather an assortment of service business, professional office, nursing homes, healthcare, restaurants and other businesses. The district is useful as a home to varied uses, but the District might be more appropriately named.

Public Use District

The creation of a Public Use District is recommended to formalize the permanent use of specific properties for public uses, rather than including public uses as permitted uses in residential districts.

- » P- Public Use District. This district would be used to designate lands used for public use and control the development on such property.

REGULATIONS OF GENERAL APPLICABILITY

All development standards of general applicability should be summarized in one section.

There are a number of site development standards that apply to development throughout the Village. In order to make it easier for those improving their lots to understand what is required of them, these should be brought together in one section of the zoning ordinance. These standards typically include:

- » Maximum number of principal structures on a lot
- » Special exceptions or requirements to district regulations
- » Corner visibility

Permitted accessory structures and uses should be clearly defined and regulations should reflect property owner's needs.

Limited regulations on accessory structures and uses are located in the ordinance. They are not listed specifically and just handled generally as accessory structures. A full range of common accessory structures and uses should be included to address the specific impacts of each.

The revision should include specific regulations for each type of use and structure, including the maximum size and height, the yards in which they are permitted to locate, any required impact controls, such as screening, and minimum setbacks. Common accessory structures and uses that are regulated include the following:

» Amateur (HAM) radio equipment	» Deck
» Arbor	» Compost
» Carport	» Fences
» Coldframe	» Farmstand
» Garage	» Gazebo/pergola
» Greenhouse	» Home occupation
» Mechanical equipment	» Outdoor sales and display
» Patio	» Personal recreational game court
» Rain barrels and cisterns	» Refuse and recycling containers
» Retaining wall	» Satellite dish antenna
» Shed	» Solar panels (private)
» Swimming pool	» Trellis
» Vehicle charging station	

Regulations on home occupations should be reviewed.

Preserving the quality of Clarendon Hill's residential neighborhoods has been a longstanding point of emphasis in the Village. The use of the home for business purposes continues to evolve in the digital age, with more people working from home than ever before. The regulation of home occupations in the ordinance should be reviewed to make sure they are current with best practices.

Keeping of animals on site and on residential property.

There is an increasing trend to grow food for household consumption. In some cases, this extends to raising animals on site, such as chickens, bees and fish. Currently, Clarendon Hills regulates the keeping of animals through a separate ordinance. While many communities are seeing an increase in on-site food production for household use, Camiros recommends against liberalizing current regulations, particularly in the area of raising animals, if there is not significant call for this within the community.

The zoning ordinance could incorporate exterior lighting controls.

If the Village is interested in regulating exterior lighting, such as how parking lots are illuminated, these regulations should be incorporated into this chapter of the new zoning ordinance. These regulations address exterior lighting as "light pollution." The approach would be to minimize the light emitted into the sky from parking lot lights, business signage and special event lights.

Clear encroachment regulations should be included to address common architectural features.

Architectural features typically encroach to some degree into required setbacks; currently, only a few projecting architectural features are addressed. This section should be expanded to include the wide variety of architectural features seen in modern development. The benefit of permitting such encroachments is that it encourages architectural elements, such as eaves and cornices that create shadowing on building facades. Without such allowances, the structure would have to set back further into the lot to accommodate them, which would decrease the building area and discourage their inclusion. Common architectural features include:

- Awnings
- Balconies
- Bay window
- Canopies
- Chimneys
- Eaves
- Exterior stairwells
- Fire escapes
- Ornamental features
- Porches
- Sills, belt course, cornices
- Steps and stoops
- Sun shades
- Eaves/roof overhangs

STORMWATER MANAGEMENT

One topic that was raised during multiple key person interview sessions was tightening controls over stormwater management. Heavy rains over the summer seemed to have reminded stakeholders that stormwater management is a critical issue. Some stakeholders identified it as the single most important issue. Solving the stormwater issue in Clarendon Hills cannot be done through better zoning regulations alone, but better regulation can help. Decreasing permitted impervious surface coverage is the way to achieve more absorption of stormwater into the ground, and decrease stormwater runoff, which leads to

flooding. Mitigating the impact of reduced impervious surface coverage on new home building can be achieved through providing credit for the use of permeable paving and groundwater recharge facilities, such as bio-swales, recharge basins, and other green infrastructure. Decreasing the allowable impervious surface coverage could result in the creation of significant nonconformity. Creating new nonconformities through ordinance revision should be done with great care and caution, but can be justified to accomplish important community goals.

RESIDENTIAL BULK CONTROLS

As discussed in the Key Policy Recommendations section, the possible modification of residential bulk controls is one of the most important decisions to be made in the update of the ordinance, and one of the most complex. The ordinance currently regulates the bulk/mass of principal residential structures through the floor area ratio mechanism, applied as the term is defined in the definitions section of the ordinance. Criticism of the floor area ratio mechanism, as Camiros has heard, includes:

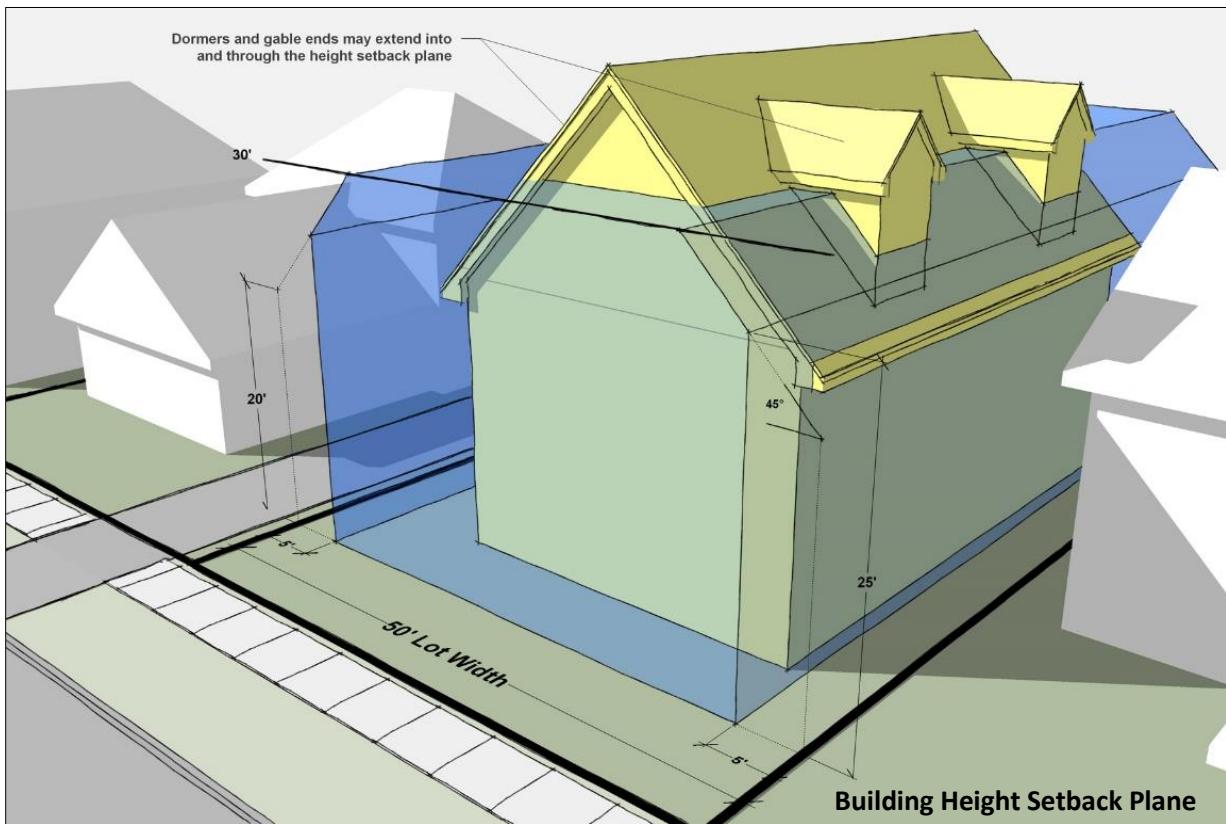
1. Floor area ratio is subject to manipulation of the house design in terms of: 1) lot grading to exclude the basement from being counted as floor area; and 2) roof structure/attic to exclude the attic from being counted as floor area.
2. Floor area ratio leads to “boxy” designs due to the tendency to seek maximum floor area.
3. Floor area ratio, combined with the application of minimum required yards, does not adequately protect adjacent properties from impact due to maximizing bulk. A house that maximizes bulk and is located at the minimum interior side yard line increases impacts on the adjacent property.

Camiros appreciates these criticisms and see validity in them. However, the way in which Clarendon Hills regulates bulk is similar to that of many communities. This is not to say that the widespread use of these regulations should impede Clarendon Hills from trying to improve the way it regulates residential bulk. The question of whether to seek improvement depends on local sensibilities. While the current regulations are not perfect, they have gained a degree of familiarity and acceptance in the community. Some think that any change in regulating bulk would upset this and reopen the debate, leading invariably to negative consequences. The counterpoint to this is: why not try to improve?

The question of whether to seek improvement in the regulation of residential bulk also depends on potential alternative methods of regulation. Camiros recommends consideration of three alternative methods that could either replace floor area ratio or be used in combination with it, introduced below and illustrated on the following page.

- ***Building Height Setback Plane:*** regulates the building setback together with building height using a setback plane (angle) applied at a specific height.
- ***Average Minimum Setback:*** In addition to a “minimum setback,” an additional regulation of “average minimum setback” could be applied. The “average minimum setback” would prevent maximizing building bulk at the minimum setback line by applying an average setback requirement that results in “stepping back” the building wall in order to achieve maximum mass.
- ***Maximum Cubic Feet:*** As a replacement to floor area ratio, maximum cubic feet could be used. This method is more flexible, while at the same time being more absolute. The use of basements and attics for living space is immaterial to conformance; a fixed number of cubic feet is allowed.

These approaches to regulating residential bulk are illustrated and discussed below:

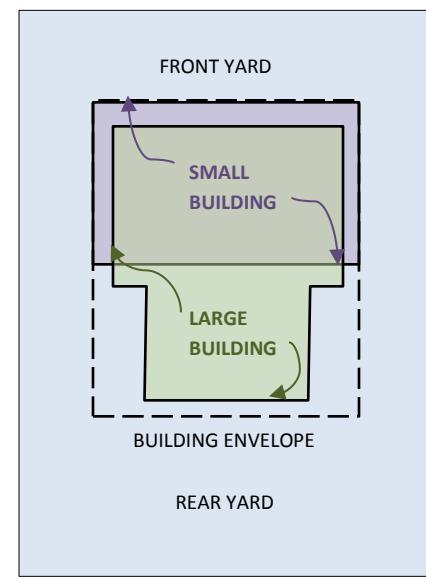


Building Height Setback Plane. The building height setback plane applies an angled plane that restricts building mass above a specified height. In the illustration shown above, a 45 degree angle is applied to the portion of the building height above 25', forcing building mass above this height to be pushed to the interior of the lot, preventing excessive impact on adjacent properties. Exceptions can be made for gable peaks and dormers. The specific standards for building height and setback plane would be customized to the characteristics of the neighborhood and the desired regulatory outcome.

Average Minimum Setback. This method would restrict maximizing building mass at the minimum setback lines by applying an average setback in combination with the minimum setback. This would result in the “stepping back” of building mass through modulation. The method would consider the total size of the “building envelope,” allowing small buildings to be built at the minimum setback line while forcing large buildings to modulate the walls of the structure.

Maximum Cubic Feet. Maximum cubic feet is a simple concept and requires no illustration. The height of the various stories is irrelevant, as is the use of attic or basement space. Maximum cubic feet would be used in combination with other regulations to control the location of building mass and its modulation.

Summary. The decision on whether to revise the regulation of residential bulk rests with Village leadership. The alternative methods discussed offer viable options should the Village wish to consider revising these regulations.



Average Minimum Setback

OFF-STREET PARKING

The off-street parking standards, including vehicle, bicycle, and loading facilities, should be updated.

It is important that parking requirements address the demand for parking and the realities of existing conditions. The updated parking requirements should address the full range of off-street parking facility elements. In order to be comprehensive, this section should address the following:

- » Permitted location of off-street parking for all districts, including remote lots and valet
- » Parking lot design (surfacing, curbing, marking, etc.) and minimum parking space and aisle dimensions; current parking lot design standards may reflect larger dimensions than needed
- » Parking flexibilities
- » Required number of off-street spaces by use
- » Bicycle parking requirements could be added to promote multi-modal transportation
- » Location and design of off-street loading
- » Storage of commercial and recreational vehicles

Parking ratios (parking spaces per use) should be revised to reflect local demand.

It is important that parking requirements address both the Village's actual demand for parking and the realities of existing conditions. A table that establishes requirements for a certain amount of off-street parking for each use listed within the districts should be created. It is also recommended that the parking ratios be determined by objective standards, such as gross square footage or per dwelling unit Village, rather than by number of employees.

Special development types, such as strip retail centers, are better served by specialized parking requirements that calculate the required parking based on the gross floor area of the development as a whole, rather than as a collection of individual uses. Because uses turnover frequently, parking calculations for these developments can move between conformance and nonconformance with individual requirements. A single calculation based on gross floor area would better allow these developments to manage parking and maintain and attract new tenants.

Development standards for parking areas should be comprehensive.

Parking regulations should consider the design and appearance of parking areas. Some of these are already addressed in the zoning ordinance, but can further be enhanced to create attractive and safe parking areas, including:

- » The number of curb cuts allowed for residential and non-residential uses should be included in the zoning ordinance, as well as site access standards for residential and non-residential uses. Standards may include maximum sizes for driveways, and a minimum sight triangle or clear zone to ensure safe vehicular and pedestrian circulation.
- » Standards should be included for parking lots over a certain size, requiring pedestrian walkways in parking lots to ensure safe pedestrian circulation, and to create connections between parking lots.
- » The zoning ordinance should allow the construction of parking lots with permeable paving, such as pervious pavers, grass-crete, gravel-crete, and other paving materials that allow for water percolation. Permeable, pervious, or porous paving should be allowed in residential areas for use as driveway and parking pad surfaces. For non-residential uses, it may not be ideal to have 100% permeable paving of parking lots. In non-residential development, permeable paving may be better suited for overflow areas, emergency access drives, and more remote parking areas (i.e., parking spaces developed above the minimum required).

- » Residential driveway standards should include permissions for driveways designed with wheel strips. Also, regulations should require that parking occur only on paved driveways and place limits on the total number of cars parked.
- » Design regulations for parking structures should be added. These regulations include design standards for garage facades facing a street, façade articulation and screening of the ground floor and any rooftop parking, and maintenance of a vehicular clear sight zone at any entry/exit points to prevent conflicts with any other vehicles and pedestrians.
- » Parking in the downtown should be reassessed and accommodation made for second floor residential units in older buildings with no space on site for parking.

Shared parking flexibility should be established.

In addition to the current permission for uses to share a parking facility, a shared parking regulation should be included based on a formula that calculates how much parking is actually needed by the uses when developed collectively, based on their intensity of use during the hours of the day. Mixed-use developments and other integrated development, as well as properties with established cross-access easements, would be eligible for this type of shared parking. (Retail centers as described earlier would not be eligible for this flexibility.) The following is an example of such a standard:

- » The required number of spaces for each use is calculated according to parking requirements.
- » The required number of spaces for each use is then applied to the percentages for each timeframe, according to the appropriate land use category, as shown in the table below, to determine the number of required spaces. This is done for each time category.
- » The numbers are summed for all land uses within each timeframe and the highest sum total in a timeframe is the required number of spaces. Due to the percentages, this is less than would be required by simply summing the requirements at 100%.

EXAMPLE OF SHARED PARKING EQUATION – FOR ILLUSTRATION PURPOSES ONLY						
LAND USE	Weekday			Weekend		
	Mid-7am	7am-6pm	6pm-Mid	Mid-7am	7am-6pm	6pm-Mid
Residential	100%	55%	85%	100%	65%	75%
Retail/Personal Service	0%	100%	80%	0%	100%	60%
Restaurant	50%	70%	100%	45%	70%	100%
Hotel/Motel	100%	50%	90%	100%	65%	80%
Office	5%	100%	5%	0%	40%	10%
Industrial/Laboratory	5%	100%	5%	0%	60%	10%

This table would be adjusted to reflect the new use structure and parking demand for Clarendon Hills. The above table is an example only.

The zoning ordinance should require bicycle parking for certain developments.

Bicycling is a mode of transportation that continues to rise in popularity. Similar to vehicular parking requirements, certain uses should be required to provide bicycle parking. Generally, those uses are multi-family dwellings, larger retail and office, and schools. Required bike spaces should be regulated in terms of both short-term and long-term bike parking.

When bike parking is required, proper design of such facilities should be included, such as distinctions between the design of short-term and long-term bike parking.

- » Bike parking facilities should provide racks or lockable enclosed lockers where the bicycle may be stored.
- » For residential uses, required bicycle parking should allow a variety of options for placement, such as in garages, storage rooms, and other resident-accessible secure areas, and exclude space within dwelling units or on balconies.
- » Large office or institutional developments can also be required to incorporate facilities for bicyclists, such as showers and locker rooms.

The required amount of loading spaces should be updated, and should include comprehensive design standards.

The number of required loading spaces is an important component of new development, and should be regulated by use type, which should be updated to link to the new use structure. Loading spaces should be required for larger developments that frequently have large truck deliveries. Design standards should address space dimensions, permitted location (such as distance from street intersections, and yards where loading spaces may locate), surfacing requirements, and required screening.

LANDSCAPE REGULATIONS

Modern landscape requirements should address all aspects of site development to properly beautify, screen, and buffer.

The contribution of landscape to the visual quality of the built environment cannot be overemphasized. In addition to its aesthetic benefits, green space can provide valuable environmental and economic benefits. The zoning ordinance should address the full range of landscape requirements that create the proper levels of beautification, screening, and positive environmental impacts.

The zoning ordinance should be organized around landscape requirements for:

- » Landscape Yards. Landscape yards should be required for all multi-family dwellings of a certain number of dwelling units, mixed-use developments, and non-residential uses that maintain a setback of ten or more feet along the street. Landscape yard requirements should include flexibilities allowing for plantings to be tailored to any unique site features and/or design of the building façade.
- » Perimeter of Parking Lots. Where a parking lot abuts the street, requirements should be in place to screen the cars from the right-of-way. This requirement could be an ornamental fence and shrubs planted every three feet to ensure proper screening. This could also be substituted with a pedestrian-scale wall. These types of requirements provide better screening of cars, and create a defined street wall.
- » Interior of Parking Lots. The ordinance should include specific interior parking lot requirements, including a minimum number of parking lot landscape islands, island dimensions, and a minimum percentage of overall landscape for larger parking lots. This improves the appearance of large parking lots, and can provide numerous environmental benefits.

- » **Buffer Yards and Screening.** Buffer yards should be required for larger, more intensively used sites. Buffer yards are planting areas typically required for more intensive uses that abut less intensive uses, such as a heavy commercial district abutting a residential district. Buffer yards create transitions between incompatible uses or districts, and mitigate light, noise, dust, and other impacts created by more intensive uses.

Requirements would be tailored to districts and/or uses to avoid onerous requirements or the creation of nonconformities. Additionally, all of the landscape requirements above would be encouraged to incorporate various stormwater management techniques where feasible and appropriate.

Installation and maintenance standards for landscape should be further detailed to ensure proper implementation of landscape requirements.

Basic landscape installation and maintenance standards should be included as part of the zoning ordinance. Standards should include regulations such as native planting requirements, prohibited species, and required species diversity. These standards are important because they assure a significant landscape impact by controlling the type of plantings and the level of maturity required for plant types at the time of installation. Plantings that are too young can result in an insufficient level of landscape improvements during the first several years of a project and may not perform the intended screening and beautification functions until the plants mature, or may result in landscape that does not survive the first growing season. Landscape standards should incorporate sustainable landscape design techniques such as native landscape requirements, prohibitions on invasive or exotic species, species diversity requirements, and drought-tolerant landscape requirements.

PLANNED UNIT DEVELOPMENTS

The Planned Unit Development (PUD) process should be revised for efficiency, though it should still entail a multi-step approval process with multiple points of public input.

While the Village has a PUD process, it is recommended that this process be revised to reflect a more efficient and modern approach. The intent of a PUD should be to allow developments that are guided by a total integrated design plan in which one or more zoning regulations are modified to allow flexibility and creativity in site and building design and location, in accordance with general guidelines that accrue benefits to the Village and the public interest.

While the PUD is a special use, the approval process is not simply that of a special use. Because of the complex nature of the application, there are additional steps for review and approval. An outline of the proposed process is provided below:

- » **Optional Pre-Application Meeting with Village staff.** Prior to the formal filing of an application for a PUD, the applicant has the option to meet with staff to discuss the proposed development. The purpose of the pre-application meeting is to make advice and assistance available to the applicant before preparation of the concept plan or preliminary plan.
- » **Optional Concept Plan.** Before submitting a formal application for a PUD, the applicant should be encouraged to present a concept plan to the Plan Commission for the purpose of obtaining information and guidance prior incurring the substantial expense of preparing the Preliminary Plan submission. Any opinions or advice provided at the meeting are not binding with respect to any official action on the subsequent formal application.
- » **Preliminary Plan.** Following the concept plan option, if exercised, a detailed preliminary plan is submitted, where the Plan Commission would hold a formal public hearing on PUD application and special use permit. As is the case with all special use permits, the Plan Commission recommendation would be forwarded to the Village Board for approval or denial.

- » Final Plan. Because all issues and concerns with the PUD should be resolved during the preliminary plan and the public hearing that takes place as part of that approval, the final plan approval is intended to be a technical confirmation of the approved preliminary plan. If there are numerous changes between the approved preliminary plan and the final plan, then the plan requires resubmittal as a new application. Typically, Village staff reviews the final plan for conformance with the approved preliminary plan, which is then forwarded on to the Plan Commission for approval or denial (no public hearing).

PUDs are an effective mechanism for leveraging high quality development.

The intent of a PUD is to encourage flexibility in the use and development of land and design of structures through a more creative approach than might otherwise be accomplished under the strict application of the ordinance. In exchange for flexibility offered under the PUD process, the process should be structured so that the Village gains high-quality amenities, open space, building design, and/or other benefits to the community. The PUD process should be updated to include a “menu” of public benefits and amenities that can be provided in exchange for modifications to district requirements. Examples of some of the design characteristics and amenities that can be considered in determining whether an exception should be granted include:

- » Use of sustainable design and architecture, such as green roofs, white roofs, blue roofs, and other energy efficient design and green building technologies.
- » Enhanced design characteristics including, but not limited to, mixed-use development.
- » Community amenities including plazas, squares, formal gardens, places to congregate, outdoor seating, public art, and pedestrian and transit facilities.
- » Preservation of natural areas, and site design that preserves environmental features.
- » Additional open space and recreational amenities such as recreational open space and playgrounds, including athletic fields, dog parks, and natural water features and conservation areas.
- » Public infrastructure improvements in addition to the minimum required by the planned unit development, such as new or repaved streets, provision of bicycle paths, installation of gutters and sewers, and traffic control devices to improve traffic flow.
- » Senior housing set-aside.
- » Affordable housing set-aside.
- » Provision of public car and/or bike share facilities.

As part of such revision, the PUD regulations should clearly state that both dimensional standards and use permissions can be modified as part of the PUD.

Provisions for minor, and major changes for approved PUDs should be included to allow for more flexibility.

Over the course of time, different levels of changes to an approved PUD may be needed for a variety of reasons. A more flexible change process may be warranted. One alternative is to create three levels of approval – administrative by the Zoning Administrator, minor by the Plan Commission, and major by the Village Board. One proposal for these three levels of changes is provided below:

Administrative Changes – Zoning Administrator

- » Alterations required by engineering or other physical site circumstances not foreseen at the time that the final development plan was approved
- » Changes to building design, architectural features and interior planning
- » Changes to accessory structures, whether attached or detached
- » Changes to the landscape plan that do not result in a reduction in the net amount of plant material or violate the landscape requirements of this Ordinance

Minor Changes – Plan Commission

- » Any minor extension, alteration or modification of existing structures that does not violate any PUD approval conditions or applicable district regulations
- » Changes to the landscape plan that result in a reduction in the net amount of plant material or in the visual impact of the approved landscape plan
- » Where major changes are defined by a threshold (feet, percentage increase/decrease, etc.), any changes below that threshold are considered a minor change

Major Changes – Village Board

- » A change in the number of dwelling units, the gross floor area of the development, or the gross floor area devoted to any particular use
- » An increase in building height
- » An increase in building coverage by more than 5%
- » A change in the orientation of any building by more than 10%
- » A decrease in open space
- » A change in excess of five feet in the location of walkways, vehicle circulation ways and parking areas, or exterior building or structure walls
- » A change or relocation of streets
- » An alteration, whether an increase or decrease, in the amount of any land use in any stage of the development by more than 10%
- » A reduction in the number of parking spaces or an increase of more than ten spaces

ZONING ADMINISTRATION

Reorganization of the zoning administration section of the Ordinance is recommended to make the various processes easier for applicants to follow.

In order to make the various applications and their respective processes and requirements more user-friendly, the following reorganization is proposed.

Article 14. Zoning Ordinance Administrative Bodies

Article 14 will list the powers and duties of all boards and officials involved in zoning ordinance administration. By listing all boards and officials for all applications, the process is clarified (i.e., the user can easily reference who recommends and who approves). The following boards and officials will be included:

- » Village Board
- » Planning and Zoning Commission
- » Zoning Administrator

Article 15. Zoning Administrative Procedures

This section will contain the rules for processing each of the administrative zoning procedures: a) zoning analysis; b) amendments; c) variations; d) special uses; e) site plan review f) occupancy certificate; and g) zoning certificate. These administrative procedures will be consistent with Illinois statute and case law, and each procedure will be organized in the following four sections:

- » Application and Submittal Requirements
- » Notice
- » Public Hearing
- » Findings, Approval Standards, Decisions and Actions

A completeness review should be included as part of the filing of applications provision.

The Village (Director of Community Development) currently performs an application completeness review for all applications, but this is not recognized in the zoning ordinance. It is recommended that a completeness process be added to the zoning ordinance to formalize this important step in the administrative process. An example of such a requirement is as follows:

The Zoning Administrator will determine whether a submitted application is complete. The Zoning Administrator will notify the applicant as to whether or not the application is complete within 15 days of receipt, and will not process the application until any deficiencies are remedied. Once the Zoning Administrator determines that the application is complete, the application will be scheduled for consideration.

This would allow interested members of the public to review the complete application prior to the hearing and would help to eliminate postponements on the basis of incomplete submittals. It should be noted that payment of fees should be considered part of completeness review.

Findings of fact or approval standards for the different applications should be updated.

Each of the applications, in particular amendments, variations, and special uses, should have a set of approval standards or findings of fact. Current standards for each application should be updated for consistency with Illinois case law and clarified.

NONCONFORMITIES

Nonconformity regulations should be updated to specifically address the variety of potential nonconforming situations.

While Clarendon Hills does not have many nonconformities, a good ordinance update should include comprehensive regulations on nonconformities. Many nonconformities are eliminated when new or revised districts are tailored to existing conditions or remapping of districts is undertaken. However, some properties and uses will remain nonconforming. Therefore, the nonconformities section should be rewritten for clarity and include provisions for nonconforming uses, structures, site characteristics, and lots. The updated provisions should clearly spell out what types of changes and/or alterations are permissible. The following are the types of nonconformities to be addressed:

- » **Nonconforming use.** A nonconforming use is the existing, legal use of a structure or land that is not allowed within the district, but was created either prior to the effective date of the Ordinance or, as of the effective date of the Ordinance and any subsequent amendment, is made nonconforming.
- » **Nonconforming structure.** A nonconforming structure is an existing, legal structure that does not conform to the standards of the district where it is located, but was created either prior to the effective date of this Ordinance or, as of the effective date of the Ordinance and any subsequent amendment, is made nonconforming.
- » **Nonconforming site characteristic.** A nonconforming site characteristic is an existing, legal site characteristic, such as landscape, fences or walls, lighting, or parking, that does not comply with the standards of the Ordinance, but was created either prior to the effective date of this Ordinance or, as of the effective date of the Ordinance and any subsequent amendment, is made nonconforming. This would be a new category of nonconformity for the Village.
- » **Nonconforming lot.** A nonconforming lot is an existing lot of record that does not comply with the lot dimension standards of the Ordinance, created either prior to the effective date of the Ordinance or, as of the effective date of the Ordinance and any subsequent amendment, is made nonconforming.

Flexibilities should be added to the nonconforming structure regulations for additions and enlargements.

Nonconforming structure regulations should be made more flexible with the addition of two provisions:

- » Nonconforming structure regulations should be clarified so that users understand that only the dimensional element of the structure that is nonconforming is not permitted to be expanded. For example, if a structure is nonconforming in terms of overall height, but seeks to build an addition that is not in violation of the district height limit, that addition can be built so long as it conforms to all other regulations without any special approvals.
- » Consideration should be given to allowing single family structures that are nonconforming due to yards/setbacks to be allowed additions, provided the addition does not increase the nonconformity. This type of provision is very useful, particularly in older neighborhoods where nonconformities are common, to allow additions to existing homes, as it encourages continued investment. Where a dwelling is deemed nonconforming because of encroachment into the required interior side or rear yard, the structure may be enlarged or extended vertically or horizontally along the same plane as defined by its existing perimeter walls, so long as the resulting structure does not increase the degree of the existing nonconformity or otherwise violate the Ordinance.

New regulations for nonconforming site characteristics should be added.

Rather than render a structure nonconforming because of a site characteristic, flexibility should be built into the Ordinance by creating a separate nonconformity category for the site elements of landscape, fences or walls, lighting, and parking. The regulations would allow normal maintenance and incidental repair to a nonconforming site element, but prohibit repairs or reconstruction that would create any new nonconformity or increase the degree of the previously existing nonconformity. The regulation would also spell out when nonconforming site elements must be brought into conformance, such as when a new principal structure is constructed on a site, an existing principal structure is increased in floor area by a certain amount, an existing parking lot is fully reconstructed or expanded, or in specific circumstances, such as when 50% or more of the length of a nonconforming fence is reconstructed.