

Memo

To: Plan Commission Members
From: Nectarios Pittos, Planner
CC: Jane Turley, Senior Planner
Date: November 9, 2010
Re: Additional Land Development Code Amendments – Attachments Addendum;

The following amendments are in addition to those outlined in the staff report dated November 9, 2010 and are submitted for consideration as an addendum to the attachments. At the end of this memo is a revised motion.

Section 6-209 Old Orland Historic District

The first amendment below is for the Old Orland Historic District zoning regulation. The amendment relates to redevelopment and building/ use conversion requirements for existing buildings in the commercial and non-commercial areas of the district. The regulations address conditions in which uses and building conversions impact the use, density, scale and other changes to a site and the surrounding neighborhood. The proposed provisions would be added under the introductory paragraph of sub-section B and are modeled after existing provisions in the Village Center district zoning regulations.

In Section 6-209.B:

The following applies to redevelopment in the Old Orland Historic District:

In the non-commercial areas, existing residential buildings cannot be converted to mixed use buildings, or be used for office or commercial uses;

In the commercial areas, mixed use and single use commercial/ office buildings can replace existing residential buildings via a tear-down when a parcel is redeveloped, but require a special use permit.

In the commercial areas, mixed use and single use commercial/ office uses are permitted in existing residential buildings as a permitted use.

Section 8-101 Nonconformities

The second amendment was inadvertently omitted in the staff report. It deals with correcting the bufferyard references in this section, deleting references to obsolete bufferyards “E” and “F” and replacing them with references to bufferyard “D”.

In Section 8-101.F.3.a:

3. A special use permit shall not be issued for the nonconforming use or structure unless it is to be improved according to the following requirements:
 - a. A buffer conforming to the standards of Section 6-305 shall be provided between the nonconforming use or structure and any abutting lot. Where the nonconforming use or structure is residential and the adjacent lot is located in a residential or agricultural district, a Class C buffer shall be provided. Where the nonconforming use or structure is residential and the adjacent lot is located in a district other than a residential or agricultural district, a ~~Class E~~ Class D buffer shall be provided. Where the nonconforming use or structure is non-residential and the adjacent lot is located in a residential or agricultural district, a ~~Class F~~ Class D buffer shall be provided. Where the nonconforming use or structure is non-residential and the adjacent lot is located in a district other than a residential or agricultural district, a Class C buffer shall be provided.

REVISED MOTION

I move to accept as findings of fact of this Plan Commission the findings of fact set forth in this staff report dated November 9, 2010

and

I move to recommend to the Village Board of Trustees to approve the Land Development Code Amendments for Sections 2-102, 6-205.1, 6-207, 6-208, 6-209, 6-210, 6-211, 6-305.1, 6-306, 6-307, 6-310, 7-102, and 8-101 as presented in the attachments titled "Part Three: Attachments" and "Additional Land Development Code Amendments – Attachments Addendum" prepared by the Development Services Department and dated November 9, 2010.