



Village of Oak Park

STAFF REPORT

TO: Plan Commission

REVIEW DATE: February 6, 2025

FROM: Village Staff

PREPARED BY: Craig Failor, Village Planner
Planning & Urban Design Manager

P R O J E C T T I T L E

PC 25-01: Zoning Ordinance Text Amendment. The Village of Oak Park is proposing to amend their Zoning Ordinance as follows: **1.)** An amendment to the Table of Contents under Article 12 (“Ordinance Administrators”) by striking *12.5 Community Design Commission* and amending the Historic Preservation Commission section under Article 12, to 12.5 from 12.6. **2.)** Amending Article 5 (“Commercial Districts”), Section 5.4 (“RR District Dimensional and Design Standards”), subsection I(4)c (“Review and Approval of Building Materials”) by striking *Community Design Commission* and replacing it with *Zoning Board of Appeals*. **3.)** Amending Article 7 (“Design Standards”), Section 7.3 (“Design Review”) subsection A(3) by striking *Community Design Commission* and replacing it with *Zoning Board of Appeals*, and subsection B(2)a by striking *Customer*, B(2)c by striking *Community Design Commission* and replacing it with *Zoning Board of Appeals*, and striking *Customer*, and subsection B(2)d by striking *Community Design Commission* and replacing it with *Zoning Board of Appeals*, striking *Commission* and replacing it with *Zoning Board of Appeals*, and in the last sentence by striking *Community Design Commission* and replacing it with *Zoning Board of Appeals*. **4.)** Amending Article 12 (“Ordinance Administrators”) by striking *12.5 Community Design Commission* and amending Historic Preservation Commission from subsection 12.6 to become Section 12.5, and adding language to Section 12.3(A) (“Powers Related to Zoning Ordinance”) with new subsections 5 and 6, and adding a reference that the Zoning Board of Appeals will also review and decide on variances to the Village Sign Ordinance, and striking the full Subsection 12.5 (“Community Design Commission”) and amending subsection 12.6 to become 12.5 (“Historic Preservation Commission”).

A P P L I C A N T I N F O R M A T I O N

APPLICANT: Village of Oak Park, 123 Madison Street, Oak Park, IL 60302

A N A L Y S I S

The proposed Zoning Ordinance text amendments are meant to merge certain functions of the Community Design Commission with the Zoning Board of Appeals and eliminate all references to the Community Design Commission within the Zoning Ordinance. This initiative is occurring due to direction from the Village President to reduce the number of commissions thereby creating a more efficient and effective procedure relative to commission processes, in this case, sign variance applications. In a greater examination for eliminating the Community Design Commission, other responsibilities of theirs will go to other entities; e.g. The Cavalcade of Pride Awards program will become a function of the newly created Neighborhood Services Department, participation with urban design on public infrastructure improvement project will become the responsibility of the Plan Commission. Keep in mind that this particular change will occur within the enabling regulations for the Plan Commission found in the Village Code and not reflected in the Zoning Ordinance.

Z o n i n g O r d i n a n c e

The Plan Commission and Village Board must consider the following standards when determining appropriateness of the proposed Zoning Ordinance text amendment. The approval of amendments is based on a balancing of these standards.

Standards for Text Amendments:

- a. The extent to which the proposed amendment promotes the public health, safety, and welfare of the Village.
- b. The relative gain to the public, as compared to the hardship imposed upon the applicant.
- c. The consistency of the proposed amendment with the Comprehensive Plan and any adopted land use policies.
- d. The consistency of the proposed amendment with the intent and general regulations of this Ordinance.
- e. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.
- f. The extent to which the proposed amendment creates nonconformities.
- g. The extent to which the proposed amendment is consistent with the overall structure and organization of this Ordinance.

PROPOSED TEXT AMENDMENT:

VILLAGE OF OAK PARK ZONING ORDINANCE: TABLE OF CONTENTS

*	*	*	*	*
ARTICLE 12. ORDINANCE ADMINISTRATORS				
12.1	VILLAGE BOARD			12-1
12.2	PLAN COMMISSION			12-1
12.3	ZONING BOARD OF APPEALS			12-2
12.4	ZONING ADMINISTRATOR			12-3
12.5	COMMUNITY DESIGN COMMISSION			12-3
12.6 5	HISTORIC PRESERVATION COMMISSION			12-3

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ARTICLE 5. COMMERCIAL DISTRICTS

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I. Building Façade Elements

Building facade elements must be consistent with the requirements of this section. The requirements of this section do not apply to any civic building type or to any open space or parking development type.

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4. Building Material Standards

Quality and durable materials are required for all new commercial, mixed-use, or multi-family (three units or more) construction and to the rehabilitation of existing buildings where the rehabilitation costs exceed 150% of the building's assessed value.

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c. Review and Approval of Building Materials

The Zoning Administrator will be responsible for determining compliance with the building material standards. If the Zoning Administrator denies an application for failure to comply with the requirements of this Section, an appeal of this denial may be taken to the ~~Community Design Commission~~ Zoning Board of Appeals.

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ARTICLE 7. DESIGN STANDARDS

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7.3 DESIGN REVIEW

A. Initiation

Development identified in Section 7.2.A is subject to design review per the procedure in item D below, with the following exceptions:

1. Planned developments are reviewed for compliance with these design standards during the planned development process. No additional design review process is required.
2. In the historic districts, when a Certificate of Appropriateness is required, no additional design review per this Article is required. If no Certificate of Appropriateness is required, then design review is required.
3. Development subject to any other review process including, but not limited to, those conducted by the Historic Preservation Commission, Plan Commission, or ~~Community Design Commission~~ Zoning Board of Appeals, that includes review of building design are reviewed for compliance in those processes. Confirmation that additional design review is not required will be verified by the Zoning Administrator.

B. Procedure

1. Pre-Application Conference

Applicants, prior to submitting a formal application for a building permit, may request, at their option, a pre-application conference with the Zoning Administrator. The purpose of the conference is to help the applicant understand the applicable design standards by which the application will be evaluated.

2. Process

- a. Any building permit that requires design review will be submitted to the Department of Development ~~Customer~~ Services, who will determine if it meets or does not meet the applicable design standards.
- b. A denial requires written findings as to how the proposed development does not meet the design standards.
- c. A denial may be appealed to the ~~Community Design Commission~~ Zoning Board of Appeals and the applicant must submit a written statement explaining the reason for an appeal. All appeals must be filed within 14 days of the issuance of the Department of Development ~~Customer~~ Services denial.
- d. The ~~Community Design Commission~~ Zoning Board of Appeals will review the appeal at its next regularly scheduled meeting. The denial may be modified, reversed, or affirmed by the ~~Commission~~ Zoning Board of Appeals. The ~~Community Design Commission~~ Zoning Board of Appeals decision may be appealed to the circuit court.

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ARTICLE 12. ORDINANCE ADMINISTRATORS

- 12.1 VILLAGE BOARD
- 12.2 PLAN COMMISSION
- 12.3 ZONING BOARD OF APPEALS
- 12.4 ZONING ADMINISTRATOR
- ~~12.5 COMMUNITY DESIGN COMMISSION~~
- 12.6 5 HISTORIC PRESERVATION COMMISSION

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12.3 ZONING BOARD OF APPEALS

A. Powers Related to Zoning Ordinance

The Zoning Board of Appeals has the following powers pursuant to this Ordinance:

1. To make recommendations to the Village Board on special use applications;
2. To make final decisions on variation applications;
3. To make final decisions on zoning appeals; and
4. To hear and report to the Village Board on such other matters as may be referred to it by the Village Board.
- ~~5. To hear appeals of Zoning Administrator decisions on design review applications.~~
- ~~6. When called upon, to provide advice in the application of the development standards of this Ordinance.~~

~~For reference, the Zoning Board of Appeals also reviews and decides on variances to the Village of Oak Park Sign Ordinance.~~

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~~12.5 COMMUNITY DESIGN COMMISSION~~

~~The Community Design Commission also has the following powers pursuant to this Ordinance:~~

- ~~A. To hear appeals of Zoning Administrator decisions on design review applications.~~
- ~~B. When called upon, to testify or provide written recommendations in proceedings involving requests for a zoning map amendment, variation, planned development, or special-use permit application.~~
- ~~C. When called upon, to provide advice in the application of the development standards of this Ordinance.~~

~~For reference, the Community Design Commission also reviews and decides on variances to the Village of Oak Park Sign Ordinance.~~

12.6 5 HISTORIC PRESERVATION COMMISSION

End.

Recommendation

Staff supports the above-referenced Zoning Ordinance text amendments as proposed.

End of Report.

- c. Plan Commission
Gregory Smith, Plan Commission Attorney | Courtney Willits, Plan Commission Attorney
Emily A. Egan, Development Services Director
Michael Bruce, Zoning Administrator
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