

ARTICLE 8. MULTIPLE-FAMILY RESIDENTIAL DISTRICTS

CURRENT CODE	REORGANIZED CODE PROVISIONS
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§4-101
§4-102

8.1 PURPOSE

Two zoning districts are provided for multiple-family residential development. Only select service uses that are compatible with the residential character of these zoning districts are allowed in addition to permitted residential uses.

A. Purpose of the R-5 Multiple-Family District

The R-5 District is designed principally in recognition of the existence of certain multiple family uses on property developed under county zoning regulations and subsequently annexed into the Village. The R-5 District is intended to function as a transition between single-family detached and other zoning districts, and to provide for ~~lower density~~ medium density multiple-family building types, which may result in higher densities than in single-family developments.

The R-5 District shall be mapped only in areas where: it is appropriate to accommodate existing multiple-family development; the flexibility offered by use of alternate low density housing types facilitates a logical transition between an area of established single-family detached housing and adjacent property zoned in less restrictive zoning districts; where there are existing large tracts of land that are inappropriate for classification in a more restrictive district and that offer the opportunity for the creation of significant amounts of usable open space through the use of alternate low density housing types; or where there is opportunity for expansion onto abutting property of an existing R-5 District.

B. Purpose of the R-6 Multiple-Family District

The R-6 Multiple-Family District allows for taller buildings and higher densities to accommodate multiple-family structures developed under ~~DuPage~~ county zoning regulations and subsequently annexed into the Village. The permitted use and bulk regulations are designed to encourage a moderate density residential area including alternate housing types in a suburban environment.

The R-6 District is designed to accommodate higher density multiple-family uses ~~existing in the Village on the effective date of this Code~~, most of which were developed under county zoning regulations and subsequently annexed into the Village. ~~The R-6 District is inappropriate for mapping, and shall not be mapped, in any other area of the Village.~~

The purpose of the R-5 and the R-6 District should reflect the nature of each district and the intensity of the uses within each. References to annexation and prior county zoning are unnecessary; it would be better to use language such as “the districts are accommodating established areas of multi-family housing.” In addition, the “Mapping Restrictions” have be eliminated because it is legally suspect and violates the Fair Housing Act. No zoning district should be created that cannot be mapped, as language for the R-6 District stated. An applicant should be able to apply for any zoning district anywhere within the municipality; this does not mean that the Village Board is obligated to approve such a request, but the applicant is entitled to apply for it.

Item 8.1.A: The current districts and the lifestyle housing provisions of the planned development section do not provide an appropriate transitional district between single-family residential areas and commercial areas. A typical approach for many communities is to include a townhouse district that is sensitive to the character of adjacent single-family residential areas yet provides the appropriate buffer from the commercial development. The creation of such a district, with appropriate bulk controls and a set of clear design standards, can ensure that new development matches Hinsdale's character and that it is of a high quality. The standards would address the full range of design elements, including aspects like basic site layout (a limit on how many townhouses could be attached, locations of garages and driveways, etc.) permitted and prohibited building materials, landscaping requirements, scale and massing, relation to surrounding development, and façade articulation. Design standards can be used to ensure that development match the character of Hinsdale, such as the rowhouses at Chicago and Clay.

Because Hinsdale is primarily a single-family detached residential Village, there are limited places where such a district would be appropriate. Townhouse development would be viable only in certain areas, such as close to downtown where a transition from commercial to single-family residential is appropriate and a small increase in density over detached single-family may result in some additional foot traffic. This type of district would provide a more appropriate transition in form than the use of the O-1 District or other low intensity professional office use. Another example of an appropriate area is the redevelopment of existing multi-family development. A townhouse district can also provide additional housing options for members of the community, similar in intent to the lifestyle housing use. It is recommended that the current R-5 District be revised as such a district.

§4-103
§4-107

8.2 USES

The permitted and special uses allowed in the multiple-family residential districts are set forth in the following table.

Permitted uses

The following uses and no others are permitted as of right in the multiple family residential districts:

- A. ~~Single family detached dwellings.~~
- B. ~~Townhouse (single family attached) dwellings, but not more than eight attached dwelling units in any one building.~~
- C. ~~Two family dwellings.~~
- D. ~~Multiple family dwellings, but only in the R-6 District.~~

Special uses

~~Except as specifically limited in the following paragraphs, the following uses may be permitted in all multiple family residential districts subject to the issuance of a special use permit as provided in Section 11-602 of this Code and subject to the additional standards hereinafter set forth:~~

- A. ~~Multiple family dwellings in the R-5 District.~~
- B. ~~Senior citizen housing~~
- C. ~~Nursing and personal care facilities~~
- D. ~~Planned developments, subject to the special procedures and standards set forth in Section 11-603 of this Code and subject to the additional standard that uses in planned developments in each multiple family residential district shall be limited to the permitted, special, accessory, and temporary uses as otherwise permitted in that district.~~
- E. ~~Transitional service facilities for up to six transitional service facility residents~~
- F. ~~Public utility stations~~
- G. ~~Personal wireless services antennas~~

MULTIPLE-FAMILY RESIDENTIAL DISTRICTS PERMITTED & SPECIAL USES VILLAGE OF HINSDALE			
P = Permitted // S= Special			
USES	DISTRICTS		USE STANDARDS
	R-5	R-6	
RESIDENTIAL USES			
Community Residence	P	P	See Section 13.4
Dwelling, Multiple-Family	S	P	
Dwelling, Single-Family	P	P	
Dwelling, Townhouse	P	P	See Section 13.15
Dwelling, Two-Family	P	P	
Nursing or Personal Care Facility	S	S	See Section 13.9
Senior Citizen Housing	S	S	See Section 13.13
GOVERNMENT & PUBLIC USES			
Public Utility Stations	S	S	See Section 13.11
OTHER			
Personal wireless services antennas, with or without antenna support structures, and related electronic equipment and equipment structures (481) – <u>Stealth Design</u>	S	S	See Section 13.10.A
Planned Developments	S	S	See Article 5

The primary uses within the multi-family districts are multi-family dwellings and senior citizen housing. This should be updated to reflect the modern range of senior care – independent living facilities, assisted living facilities and nursing homes. “Transitional service facility” has been updated with the term “community residence.”

As a multi-family district, it is counter to the purpose to allow multi-family uses as a special use. The size of multi-family structures can be limited in the R-5, but some sort of multi-family development should be permitted by-right.

Both the R-5 and R-6 Districts permit single-family and two-family dwellings. The Village may want to revisit this permission and determine whether or not the potential to redevelop existing multi-family areas as single-family is desirable. The established multi-family areas are valuable to the Village for a number of reasons. They diversify the type of housing stock available within Hinsdale and offer opportunities for affordable housing, which is required by the Illinois Affordable Housing Planning and Appeal Act (10% of housing stock). These areas are already established as home to multi-family uses; their continued use as multi-family areas is already accepted by the community, as opposed to rezoning areas for multi-family. A way to ensure continued use of these areas as multi-family is to remove single-family and two-family uses from the permitted use list.

CURRENT CODE	REORGANIZED CODE PROVISIONS
§4-112 §4-111 Art. 4 Footnotes	8.3 BULK AND SETBACK REQUIREMENTS The building height, lot, yard , <u>setback</u> , floor area ratio, and coverage requirements applicable in the multiple-family residential districts are set forth in the following table. <u>Within the bulk table, bulk and setback requirements for nonconforming lots within the multiple-family districts are included. When no specific requirement is indicated for a nonconforming lot, the bulk or setback requirement shall apply to both conforming and nonconforming lots.</u> No construction or development requiring a building permit and affecting the exterior

appearance of any structure shall be permitted in any multiple family district except upon approval of the exterior appearance review application by the Board of Trustees pursuant to Section 11-606 of this Code and site plan approval by the Board of Trustees pursuant to Section 11-604 of this Code. This Section shall not be construed as a limit on any other requirement for site plan approval pursuant to Section 11-604 of this Code.

Building permit and site plan review language was stricken because it is redundant.

**MULTIPLE-FAMILY DISTRICTS
BULK & SETBACK REQUIREMENTS TABLE
VILLAGE OF HINSDALE**

STANDARDS	DISTRICTS	
	R-5	R-6
BULK REQUIREMENTS		
BULK REQUIREMENTS		
Minimum Lot Area		
<i>Community Residence: 6 or Fewer Residents</i>	10,000sf	10,000sf
<i>Dwelling, Multiple-Family</i>	5,000sf/du, but no less than 15,000sf	3,000sf/du, but no less than 15,000sf
<i>Dwelling, Single-Family</i>	10,000sf	10,000sf
<i>Dwelling, Townhouse</i>	7,500sf/du, but no less than 15,000sf	7,500sf/du, but no less than 15,000sf
<i>Dwelling, Two-Family</i>	7,500sf/du, but no less than 15,000sf	7,500sf/du, but no less than 15,000sf
<i>Nursing or Personal Care Facility</i>	2,000sf/du, but no less than 30,000sf	1,500sf/du, but no less than 30,000sf
<i>Planned Development¹</i>	5,000sf/du, but no less than 18,000sf	3,000sf/du, but no less than 18,000sf
<i>Public Utility Station</i>	10,000sf	10,000sf
<i>Senior Citizen Housing</i>	3,000sf/du, but no less than 15,000sf	2,500sf/du, but no less than 15,000sf
<p>The Code update offers Hinsdale the chance to reevaluate current permitted densities in the R-5 and R-6 Districts. The townhouse densities are very low, almost comparable to a single-family detached dwelling. Because of their compact design townhouses are usually permitted a higher density than the 7,500sf per dwelling unit allowed in the existing Code.</p> <p>There are, however, a number of impacts that result from an increase in permitted multi-family density. Currently buildings are limited to a 30 foot height in the R-5 and a 50 foot height in R-6 District, which make design of a higher density building difficult. The Code would have to increase permitted building height for multi-family dwellings. With more dwelling units, parking becomes an issue as more cars need to be accommodated. Many communities also resist increased density because of how these “bigger” buildings are perceived. A code that carefully addresses all the different site elements (placement on the lot, landscaping, setback from the right-of-way, etc.) and building design can off-set many of these concerns. It may be necessary to include new multi-family design guidelines to ensure that these developments are in keeping with the character of Hinsdale.</p>		
Minimum Lot Width	70 ft	70 ft
Minimum Lot Depth	125 ft	125 ft
Maximum Building Height	30 ft and 2 stories	50 ft and 4 stories
<p>The current building height restriction in the R-5 District is low. The R-5 District only allows a two-story building, while the single-family residential districts are permitted three-story buildings. Both the single-family districts and the R-5 District are limited to a building height of 30 feet. In the R-6 District, the limit is four-stories and 50 feet, which is able to accommodate higher density development but may create nonconformities. For example, the Spinning Wheel Tower exceeds the district’s maximum building height.</p> <p>There is also a distinction in townhouse developments from multi-family, multi-story developments. A specific set of building height restrictions should be crafted for townhouse developments, which should be similar to single-family developments.</p>		
Maximum Building Coverage²		
<i>Interior Lots</i>	25%	25%
<i>Corner Lots</i>	35%	35%

**MULTIPLE-FAMILY DISTRICTS
BULK & SETBACK REQUIREMENTS TABLE
VILLAGE OF HINSDALE**

STANDARDS	DISTRICTS	
	R-5	R-6
<p>The building coverage restriction for the R-5 and R-6 Districts is the same as that of the single-family districts for interior lots (25%) and slightly larger for corner lots (35%). Multi-family development, is typically higher – such as 60% and more – depending on permitted densities.</p>		
Maximum FAR	0.45	0.60
<p>The FAR within the R-5 and R-6 District is low. However, any recommended change to the FAR standard cannot be given until height and density standards are confirmed. Currently, the type of multi-family development permitted in the districts is not very dense and very limited in height. If the standards are revised to better address multi-family development, which may be larger in scale, the use of an FAR may be unnecessary. If it is maintained, multi-story, multi-family and townhouse developments would most likely require different FAR standards, as would lower density residential such as single-family if still permitted within the districts (example: in the R-6, single-family dwellings are currently allowed a 0.60 FAR).</p>		
SETBACK REQUIREMENTS		
Minimum Front Setback	<p>35 ft, unless:</p> <p>1) When abutting lots on either side are developed, the front setback shall be determined by taking the average of the front setbacks on the abutting lots on either side, but in no case less than 25 ft</p> <p>2) When one abutting lot is developed and the other lot is vacant or the lot is a corner lot, the front setback shall be determined by averaging the front setback of the developed lot & the required front setback, but in no case less than 25 ft</p>	<p>35 ft for 2 stories or less; 40 ft for 3 or more stories, unless:</p> <p>1) When abutting lots on either side are developed, the front setback shall be determined by taking the average of the front setbacks on the abutting lots on either side, but in no case less than 25 ft</p> <p>2) When one abutting lot is developed and the other lot is vacant or the lot is a corner lot, the front setback shall be determined by averaging the front setback of the developed lot & the required front setback, but in no case less than 25 ft</p>
<p>The current front setback requirements are very large for multi-family development (a 35 to 40 foot front yard, dependent on the building height). Typically, the front setback is reduced for multi-family development to bring buildings closer to the street. This relates to the appearance of the building from the street.</p> <p>In the Village's case, multi-family buildings are required to have a significant front setback, which, depending on lot depth, could create difficulties in accommodating rear parking areas or access to rear-loaded garages, which is the preferred parking design. Also, the setback area is not landscaped the way a single-family dwelling would be. It is usually maintained as lawn, which is not necessarily visually appealing. Townhouse developments also have smaller front yards, though there is usually more landscaping at the front of units, but again, a smaller front setback helps to ensure rear yard parking areas, rather than parking in front of units, whether via attached front-loaded garages or surface parking areas.</p>		
Minimum Interior Side Setback ³	<p>8 ft For interior lots: minimum combined interior side setback of 18 ft</p> <p><i>Nonconforming Lots: 6 ft For nonconforming interior lots: minimum combined interior side setback of 20 ft or 30% of lot frontage, whichever is greater</i></p>	<p>15 ft For interior lots: minimum combined interior side setback of 30 ft</p> <p><i>Nonconforming Lots: 6 ft For nonconforming interior lots: minimum combined interior side setback of 20 ft or 30% of lot frontage, whichever is greater</i></p>
Minimum Corner Side Setback	<p>35 ft, unless the abutting lot is developed, then the corner side setback shall be determined by averaging the front setback of the developed lot & the required front setback, but in no case less than 25 ft</p>	<p>35 ft for 2 stories or less; 40 ft for more than 3 stories, unless the abutting lot is developed, then the corner side setback shall be determined by averaging the front setback of the developed lot & the required front setback,</p>

**MULTIPLE-FAMILY DISTRICTS
BULK & SETBACK REQUIREMENTS TABLE
VILLAGE OF HINSDALE**

STANDARDS	DISTRICTS	
	R-5	R-6
	<i>Nonconforming Lots: 6 ft or 30% of lot width, whichever is greater</i>	but in no case less than 25 ft <i>Nonconforming Lots: 6 ft or 30% of lot width, whichever is greater</i>
Minimum Rear Setback	25 ft	25 ft

¹ See Section 5.4.C.2 for clustering exemption.

² Coverage by decks shall not be included in determining the amount of building coverage.

³ In the case of townhouse dwellings, side yard requirements shall apply to the entire structure and not to the individual dwelling units.

BULK & SETBACK TABLE WITHOUT NOTES

MULTIPLE-FAMILY DISTRICTS BULK & SETBACK REQUIREMENTS TABLE VILLAGE OF HINSDALE		
STANDARDS	DISTRICTS	
	R-5	R-6
BULK REQUIREMENTS		
BULK REQUIREMENTS		
Minimum Lot Area		
<i>Community Residence: 6 or Fewer Residents</i>	10,000sf	10,000sf
<i>Dwelling, Multiple-Family</i>	5,000sf/du, but no less than 15,000sf	3,000sf/du, but no less than 15,000sf
<i>Dwelling, Single-Family</i>	10,000sf	10,000sf
<i>Dwelling, Townhouse</i>	7,500sf/du, but no less than 15,000sf	7,500sf/du, but no less than 15,000sf
<i>Dwelling, Two-Family</i>	7,500sf/du, but no less than 15,000sf	7,500sf/du, but no less than 15,000sf
<i>Nursing or Personal Care Facility</i>	2,000sf/du, but no less than 30,000sf	1,500sf/du, but no less than 30,000sf
<i>Planned Development¹</i>	5,000sf/du, but no less than 18,000sf	3,000sf/du, but no less than 18,000sf
<i>Public Utility Station</i>	10,000sf	10,000sf
<i>Senior Citizen Housing</i>	3,000sf/du, but no less than 15,000sf	2,500sf/du, but no less than 15,000sf
Minimum Lot Width	70 ft	70 ft
Minimum Lot Depth	125 ft	125 ft
Maximum Building Height	30 ft and 2 stories	50 ft and 4 stories
Maximum Building Coverage²		
<i>Interior Lots</i>	25%	25%
<i>Corner Lots</i>	35%	35%
Maximum FAR	0.45	0.60
SETBACK REQUIREMENTS		
Minimum Front Setback	35 ft, unless: 1) When abutting lots on either side are developed, the front setback shall be determined by taking the average of the front setbacks on the abutting lots on either side, but in no case less than 25 ft 2) When one abutting lot is developed and the other lot is vacant or the lot is a corner lot, the front setback shall be determined by averaging the front setback of the developed lot & the required front setback, but in no case less than 25 ft	35 ft for 2 stories or less; 40 ft for 3 or more stories, unless: 1) When abutting lots on either side are developed, the front setback shall be determined by taking the average of the front setbacks on the abutting lots on either side, but in no case less than 25 ft 2) When one abutting lot is developed and the other lot is vacant or the lot is a corner lot, the front setback shall be determined by averaging the front setback of the developed lot & the required front setback, but in no case less than 25 ft
Minimum Interior Side Setback³	8 ft For interior lots: minimum combined interior side setback of 18 ft <i>Nonconforming Lots: 6 ft For nonconforming interior lots: minimum combined interior side setback of 20 ft or 30% of lot frontage, whichever is greater</i>	15 ft For interior lots: minimum combined interior side setback of 30 ft <i>Nonconforming Lots: 6 ft For nonconforming interior lots: minimum combined interior side setback of 20 ft or 30% of lot frontage, whichever is greater</i>
Minimum Corner Side Setback	35 ft, unless the abutting lot is developed, then the corner side setback shall be determined by averaging the front setback of the developed lot & the required front setback, but in no case less than 25 ft	35 ft for 2 stories or less; 40 ft for more than 3 stories, unless the abutting lot is developed, then the corner side setback shall be determined by averaging the front setback of the developed lot & the required front setback, but in no case less

**MULTIPLE-FAMILY DISTRICTS
BULK & SETBACK REQUIREMENTS TABLE
VILLAGE OF HINSDALE**

STANDARDS	DISTRICTS	
	R-5	R-6
	<i>Nonconforming Lots: 6 ft or 30% of lot width, whichever is greater</i>	than 25 ft <i>Nonconforming Lots: 6 ft or 30% of lot width, whichever is greater</i>
Minimum Rear Setback	25 ft	25 ft

¹ See Section 5.4.C.2 for clustering exemption.

² Coverage by decks shall not be included in determining the amount of building coverage.

³ In the case of townhouse dwellings, side yard requirements shall apply to the entire structure and not to the individual dwelling units.

§4-104
§4-105
§4-106
§4-108
§4-109
§4-110**8.4 GENERAL STANDARDS OF APPLICABILITY****A. Accessory Structures and Uses**

See Section ____ (Accessory Structures and Uses) for standards covering accessory structures and uses.

~~Accessory structures and uses are permitted in all multiple family residential districts subject to the provisions of section 9-101 of this code.~~

~~Home occupations are permitted in all multiple family residential districts subject to the provisions of section 9-102 of this code.~~

B. Landscaping, Buffering and Screening

See Article ____ (Landscaping) for standards governing landscaping, buffering and screening.

~~The requirements relating to buffering and landscaping of certain uses and structures in single multiple residential districts are set forth in section 9-107 of this code.~~

C. Off-Street Parking and Loading

See Article ____ (Off-Street Parking and Loading) for standards governing off-street parking and loading.

~~The parking and loading requirements applicable in all multiple family residential districts are set forth in sections 9-104 and 9-105 of this code.~~

D. Permitted Encroachments

See Section ____ (Permitted Encroachments) for standards governing encroachments.

E. Temporary Uses

See Section ____ (Temporary Uses) for standards governing temporary uses.

~~Temporary uses are permitted in all multiple family residential districts subject to the provisions of section 9-103 of this code.~~

F. Signs

See Article ____ (Signs) for standards governing signs.

~~The sign regulations applicable in all multiple family residential districts are set forth in section 9-106 of this code.~~