

ARTICLE 12. OVERLAY DISTRICTS

CURRENT CODE	REORGANIZED CODE PROVISIONS
§8-102	<p>12.1 USE OF OVERLAY DISTRICTS</p> <p>The An Design Review overlay district appears on the Zoning Map as an "overlay district," imposed on top of other districts created by this Code, referred to in this Article as "base districts." Development of properties in the an Design Review overlay district must comply both with the regulations of the an Design Review overlay district and with the regulations of the base district in which they are located. When there is any conflict between the an Design Review overlay district and the base district, the more restrictive provision shall control.</p>
<p>This was revised to reflect the process for all overlay districts, in the event that the Village would create more overlay districts. It is anticipated that there may be additional overlay districts in the future, especially for the Ogden Avenue Plan.</p>	

§8-101 §8-103 §8-105	<p>12.1 <u>HISTORICAL GATEWAY DESIGN REVIEW OVERLAY DISTRICT</u></p> <p>A. Purpose</p> <p>The regulations of the DR <u>Historical Gateway</u> Design Review Overlay District are intended to promote the historic and architectural qualities of the Village and thereby preserve the distinctive character of the Village. Various areas of the Village, such as the area around the old Graue Mill and the downtown business district, have special historical, cultural, and design significance. These areas contain historic or unique sites deserving protection. Many areas also serve a sensitive transitional function from one land use to another that must be protected from incompatible development or redevelopment. The preservation and development of these areas require rules and regulations specifically addressing these distinctive characteristics. The DR <u>Historical Gateway</u> Overlay District has been created and shall be mapped on the Zoning Map to further the following public purposes, which are hereby found to be in the interest of the health, prosperity and welfare of the Village and its residents:</p> <ol style="list-style-type: none">1. To effect and accomplish the protection, enhancement, perpetuation and use of improvements and areas of special character or special historic and aesthetic interest or value which represent or reflect elements of the Village's cultural, social, economic, political and architectural history or distinction.2. To maintain the local, "small town" atmosphere of various residential and business areas within the Village.3. To insure new development is compatible with the existing characteristics of the area.4. To protect sensitive areas of transition from one land use to another.5. To protect and enhance the Village's attractiveness to visitors, and
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the support and stimulus to local business provided thereby.

6. To strengthen the economy of the Village.
7. To promote the use of areas within the DR Overlay District for the education, pleasure and welfare of the residents of the Village.

B. Location Criteria of the Historical Gateway Design Review Overlay District

The DR Historical Gateway Design Review Overlay District shall be mapped on the Zoning Map only in those areas of the Village that ~~constitute logically distinct areas having~~ have the potential to provide cultural and civic benefits for the residents of the Village, by satisfying ~~by reason of the prevalence of~~ at least two (2) of the following factors:

1. The presence of special historical interest relating to local, state or national history.
2. The presence of special character or aesthetic interest or value caused by the development pattern of the area or by natural conditions or vegetative, landscaping or topographical features of the area.
3. The presence of one (1) or more periods or styles of architecture typical of one (1) or more eras in the history of the Village that gives the area a distinct character.
4. The concentration of indigenous examples of local architecture that have not been significantly altered from their original design.
5. The presence of one (1) or more distinguished buildings or structures of high architectural quality and historic interest.
6. A location in a sensitive transitional area between varied land uses requiring careful control of development, redevelopment and remodeling, tailored to the special character of the area, to preserve and enhance the transitional function served by existing structures and uses.

C. Historical Gateway Design Review Overlay District Mapping

1. The DR Historical Gateway Design Review Overlay District shall be mapped on the Zoning Map in accordance with the map amendment procedures of this Code. ~~only pursuant to Subsection 11-604D of this Code.~~
2. The DR Historical Gateway Design Review Overlay District shall be mapped only after the Village Board has prepared of a written and graphic plan for the area proposed to be included in the district addressing the above-listed factors, and has described the purposes and intentions of the Village Board in mapping the district. Such a written and graphic plan shall be attached to, incorporated into, and approved as part of any ordinance granting approval of an application to map a DR Historical Gateway Design Review Overlay District. ~~The requirement of this Section shall not apply to the area previously classified as the~~

**CURRENT
CODE**

REORGANIZED CODE PROVISIONS

~~"Historic Graue Mill Gateway District" by Ordinance No. 10-7-80, which area is being mapped into the Design Review District as of the effective date of this Code.~~

D. Design Review Permit Required

Unless a design review permit has been obtained in accordance with Section 4.6, no person shall perform, cause or permit any construction, alteration, remodeling, removal, movement or demolition of any building, structure or other improvement or premises that is located within the DR Historical Gateway Design Review Overlay District, and no person shall secure or issue a permit authorizing any such work. No person shall maintain any property located within the DR Historical Gateway Design Review Overlay District on which any such work has been performed in the absence of, or in violation of the terms of, a design review permit. Repair of fire, storm, or other catastrophic damage with the same material and configuration as existed prior to the fire does not require a design review permit.

Item 12.2.C: Is it the case that the Village Board prepares the development plan?

GENERAL COMMENT:

The DR Design Review Overlay District has been renamed the DR Historical Gateway Design Review Overlay District to reflect the purpose of the district – design sensitivity to the gateway area shared between Hinsdale and Oak Brook. The purpose statement and location criteria need to be revised to reflect the agreement between the communities on the design of this area. As noted in the design review permit section of the administrative chapter, design standards should be integrated into district as well.