CHAPTER 8
SPECIAL PUBLIC INTEREST [SPI] OVERLAY DISTRICTS

8-1 GENERAL PROVISIONS

8-1.1 Statement of Intent

An overlay district is intended to provide supplemental regulations or standards pertaining to specific geographic features or land uses, wherever these are located, in addition to, but not necessarily more restrictive than the "base" or underlying zoning district regulations applicable within a designated area. Whenever there is a conflict between the regulations of a base zoning district and those of an overlay district, the overlay district regulations control.

8-1.2 Definition

A Special Public Interest (SPI) District is defined as a geographic area exhibiting or planned to contain special and distinctive characteristics that are of significant value or importance to the public. These characteristics include natural phenomena such as unique geologic strata, soil formations, slopes, vegetation, water flow, significant scenic views or other similar natural features, or have physical development features such as substantial public investment in public improvements or community plans that coordinate public and private investment, or have characteristics that include institutional uses or neighborhood support services in residential neighborhoods or village developments in suburban metropolitan areas. An SPI district shall be classified according to an SPI category type, and the characteristics of each SPI district shall be in accordance with the characteristics of its type as described in this Chapter.

8-1.3 Purposes

The purposes of SPI regulations are to assist the development of land and structures to be compatible with a larger planning area beyond the immediate vicinity of the site and to protect or improve the quality of the environment in those locations where the characteristics of the environment or the amount of public investment are of significant public interest and are vulnerable to damage or loss of public opportunity by the cumulative effect of development in such planning areas permitted under conventional zoning regulations. SPI regulations are required to protect the public and property owners in the district:

(a) From blighting influences that might be incrementally caused, extended or worsened by the application of conventional land use regulations to properties and areas of sensitive and special public interest;

(b) From significant damage to neighborhoods that contain large institutional and other nonresidential uses or support services;

(c) From significant damage or destruction of prominent wetlands, floodplains, hillsides and/or valleys or other natural resources caused by improper development thereof;

(d) From significant damage to the economic value and efficiency of operation of existing properties and/or new developments due to the interdependence of their visual and functional relationships;

(e) From soil erosion, stream situation and development on unstable land;

(f) From the loss or destruction of mature and/or valuable trees and other natural resources;

(g) From the detrimental cumulative effects of incremental development decisions in suburban centers, corridors, neighborhoods and villages on:

(1) conservation and correction of the character, integrity, safety, access and circulation.

(2) preservation and enhancement of pedestrian safety and views from the public right-of-way.

(3) balance of convenience and compatibility between residential and nonresidential areas.

(4) coordination of useful and attractive signage and streetscape elements.

(5) minimization of traffic congestion and coordination of land use intensity with local capacities and goals.

8-1.4 Identification

The location of all SPI districts shall be shown on the Zoning Map as an overlay zone superimposed in specific areas over existing zoning district areas.

8-1.5 Applicability

Except as otherwise provided herein and in other sections of this Zoning Resolution, all regulations of the underlying zoning districts shall apply to and control property in the SPI district. However, in the case of conflict between the provisions of an underlying zoning district and an SPI district, the provisions of the SPI district shall prevail. The adoption of an SPI district shall not have any effect on a previously approved zoning certificate or PUD Plan during the period of validity of such approval.

8-1.6 Creation

The Board of Township Trustees may, from time to time, create SPI districts as defined and containing the characteristics, as set forth in Sections 8-2 through 8-5 of this Chapter.

8-1.7 Procedure

The establishment or adoption of SPI districts shall be in accordance with the following procedures.

(a) Adoption of Special Public Interest Strategy. Prior to the submittal of an application for initiation of a zoning amendment or supplement for a Special Public Interest (SPI) Overlay District, an SPI strategy shall be duly adopted by the Sycamore Township Zoning Commission. The strategy shall contain:

- a boundary map for the proposed overlay district,
- justifications for establishment of the proposed overlay district standards and boundaries including development goals and policies for the area within the proposed boundary, and
- the specific supplemental standards proposed for achieving the SPI strategy.

The strategy shall describe in words and/or illustrations the special and distinctive characteristics of public interest that are to be protected, improved or achieved and the related specific and measurable standards or development features that will be required for coordinated implementation of the plan. The SPI Strategy may contain goals, policies and standards for the following physical elements: location of buildings; architectural character of buildings; signage; public spaces; streetscape; building and land use mix, diversity and unifying elements; perimeter buffers; provision of utilities such as sewage disposal; pedestrian and vehicular circulation; parking; open space, landscaping and other elements essential to the achievement of adopted community goals. Prior to the adoption of any SPI Strategy, copies thereof shall be forwarded for review and comment to the appropriate citizen or township groups and township trustees representing the community within the SPI boundary.

(b) Adoption of Zoning Text and Map Amendment. The Board of Township Trustees, pursuant to procedures for zoning amendments in Chapter 16, shall approve, deny or modify such standards and boundary recommended in the SPI strategy and incorporates the same in the resolution establishing any specific SPI district as a supplement to this Chapter. In the SPI District the adopted specific standards shall serve as supplemental requirements to the regulations of the underlying district in reviewing all requests for zoning certificates within the Overlay District boundary.

8-1.8 Supplemental SPI District Regulations

SPI district standards adopted by the Board of Township Trustees may relax or further restrict the underlying zoning districts regulations for land use, lot area, coverage, density, floor area, setback, parking, height, fencing, landscaping or other specific development standards for specific SPI districts upon finding that conditions peculiar to such district and the achievement of adopted community plans require supplemental regulations. Any such supplemental regulations shall be set forth in the resolution establishing such SPI district or in an amendment thereto.

8-1.9 Classification

SPI districts shall be classified by categories, according to the provisions and qualifications as described herein, and each adopted SPI district shall be shown on the official Zoning Map. The four categories of SPI overlay districts include:

(a) Natural Resource (SPI-NR)

(b) Neighborhood Quality (SPI-NQ)

(c) Suburban Center / Corridor (SPI-SC)

(d) Suburban Village (SPI-SV)

8-2 SPECIAL PUBLIC INTEREST-NATURAL RESOURCE DISTRICTS

Special Public Interest (SPI) Natural Resource Districts shall be identified as SPI-NR Overlay Districts.

8-2.1 Legislative Findings and Specific Purpose

Natural resources are an important component of quality of life for all residents in the Township. When irreplaceable natural features are threatened, their preservation should be weighed and evaluated in relation to public and private interests.

(a) The existence of a 20 percent slope, in combination with Miami town Shale or Kope geologic formation, is evidence of a condition of natural critical stability, and development under conventional regulations may precipitate landslides or excessive soil erosion. Additional regulations are needed to preserve the prominent views from the top or from the slopes of the hillside and the natural contours thereof.

(b) Hillsides, as community separators or boundaries, are historic aids to the identification of residential communities which help citizens to relate to their communities and to relate the social organizations of communities to their physical environments.

(c) The location of natural resources often coincides with prime development sites. Long term benefits of conserving natural resources in a metropolitan area can be achieved through innovative development regulations based on comprehensive plans.

8-2.2 Characteristics

SPI-NR districts shall be limited to geographic areas included in a SPI-Natural Resource Protection Strategy (as defined in Section 8-1.7) adopted by the Sycamore Township Zoning Commission and containing one or more of the following characteristics:

(a) Lakes, rivers, floodplains, wetlands, mineral deposits, aquifers, forests, parks, or hillsides (20% slope or greater) or other natural features of significant public interest;

(b) Existence of Miami town Shale or Kope geologic formations, or soils classified as having severe constraints for development;

(c) Prominent hillsides and natural resources which are readily viewable from a public thoroughfare;

(d) Scenic areas providing views of a major stream or valley or other natural resource;

(e) Hillsides and other natural features functioning as community separators or community boundaries;

(f) Hillsides which support a substantial natural wooded cover.

8-2.3 Designation

The SPI-Natural Resource Districts which meet the characteristics contained in Section 8-2.2 are listed below and are illustrated on the official zoning map. The adopted specific standards for each Natural Resource District listed below are included in this Zoning Resolution as a supplement to Chapter 8.

8-4.2 Characteristics

SPI-SC districts shall be limited to geographic areas included in a SPI-Suburban Center or SPI-Suburban Corridor Strategy (as defined in Section 8-1.7) adopted by the Sycamore Township Zoning Commission and which contain or are planned to contain the following characteristics:

(a) A concentration of retail and service-oriented commercial establishments serving as a principal business activity center for a sociogeographic neighborhood, community, or region;

(b) An area that has received or been approved for substantial public investment.

(c) An area that is planned for unusual intensity or density of development.

8-4.3 Designation

The SPI-Suburban Center Districts and Suburban Corridor District which meet the characteristics contained in Section 8-2.2 are listed below and are illustrated on the official zoning map. The adopted specific standards for each Suburban Center/Corridor District listed below are included in this Zoning Resolution as a supplement to Chapter 8.

8-4.3.1 Special Public Interest District – Suburban Center/Corridor Kenwood/Montgomery Road Corridor Overlay

8-4.3.1.1 Purpose

The purpose of the SPI-SC Kenwood/Montgomery Road Corridor Overlay is to establish and maintain areas of economic resources and centers for community orientation. It is in the interest of the Township to protect and enhance the features of public interest in such business districts by:

A. Preventing the deterioration of property and the extension of blighting conditions;

B. Encouraging and protecting private investment which improves and stimulates the economic vitality and social character of the area; and

C. Preventing the creation of influences adverse to the physical character of the area.

Unless otherwise identified in the Sections below, the underlying zoning district regulations shall remain in full force.

8-4.3.2 Permitted Uses

Permitted uses within this overlay district shall be as follows and as further identified in Table 3-2 – Table of Permissible Uses:

A. Office
B. Retail Shopping – Greater than 100,000 square feet in gross floor area
C. Public Service Uses
D. Recreation, Community Facility – Public
E. PUD-2; any use listed above; I.S.R. above .50

8-4.3.3 Accessory Uses

Accessory uses and structures shall be permitted in this overlay district subject to the provisions of Chapter 10 and Section 8-4.3.5

8-4.3.4 Other Uses

Other uses within this overlay district shall be permitted as follows and as further identified in Table 3-2 – Table of Permitted Uses, Chapter 17, and Chapter 18. Uses not listed in this table or in Section 8-4.3.2 are not permitted in the Montgomery Road / Kenwood Road corridor overlay district.

A. Institutional Uses (Conditional Use)
B. Churches (Conditional Use)
C. Mixed Use; Retail Shopping / Office and or Residential (PUD 2)
D. Retail - Shopping – Less than 100,000 square feet in gross floor area. (PUD 2)
E. Retail - Commercial Entertainment Facility (PUD 2)
F. Retail – Personal Services (PUD 2)
G. Restaurant – Without Drive Thru or Drive up service (PUD 2)
H. Gasoline Service Station / Convenience Mart (PUD 2)
I. Nursing and Convalescent Home (Conditional Use)

8-4.3.5 Lot Area, Bulk and Yard Requirements for the Kenwood/ Montgomery Road Corridor Overlay

Requirement		
A. Maximum Height		
1. Principal Building Height (ft.)	40	
2. Accessory Structure Height (ft.)	20	
B. Lot Requirements		
1. Minimum Lot Area (sq. ft.)	20,000	
2. Minimum Lot Width (ft.)	100	
C. Minimum Yard Requirements		
1. Front Yard (ft.)	40	
2. Side Yards (ft. each)	20	
3. Rear Yard	20	
D. Maximum Impervious Surface Ratio (unless otherwise identified in Section 8-4.3.4)	.50	

8-4.3.6 Vehicular Use Areas

Except as otherwise identified in the specific regulations below, vehicular use areas shall be regulated as established in Chapter 12.

(a) Location of Required Parking Spaces
Off-street parking areas may be located in the front yard setback. However, the off-street parking area shall not encroach into any streetscape buffer or be any closer than ten feet (10') to the public right of way.

(b) Joint and Shared Parking
Joint and shared parking is encouraged in the Kenwood/ Montgomery Road Corridor Overlay District. Off-Street Parking Requirements for individual uses may be reduced by up to twenty percent (20%), per parcel, for joint and shared parking arrangements. A recorded agreement from the owner, or between owners involved, and all future owners or assigns, shall be submitted with the required parking plan as identified in Section 12-2.

(c) Access to Off-Street Parking
No off-street parking area shall be so designed that parking spaces are accessed directly from the street or right-of-way.

(d) Parking for Residential Dwelling Conversions
Parking for residential dwellings that have been converted into a non-residential use shall locate parking to the rear of the property, using the existing driveway as access to the spaces.

8-4.3.7 Signs

Except as otherwise identified in this chapter, signs shall be regulated as established in Chapter 13.

8-4.3.8 Building Materials and Design Standards

A. Rooflines
Buildings incorporating flat roofs shall provide architectural features to break up the flat line created by the roof.

B. Materials and Architectural Treatment

1. The use of reflective metals and painted/unpainted cinderblock shall be prohibited for any façade of a building or structure that can be seen from the public right-of-way. Brick and natural stone are the preferred material.

2. All walls that are visible from the public right-of-way shall include windows, doors or other architectural features to prevent blank walls on any story of the structure.

C. Orientation

1. Buildings erected at the corner of a street intersection shall provide a primary entrance that is visible from both streets.

2. The front wall of the principal structure shall be parallel to Montgomery, Kenwood or Galbraith Road.

8-4.3.9 Vehicular Use Areas

The interior landscaping and streetscape buffering of vehicular use areas shall be regulated as established in Chapter 12 and 14 of this Zoning Resolution.

8-4.3.10 Buffer Yards and Resource Protection

Buffering is required between adjoining parcels, subject to the provisions of Chapter 14 of this Resolution.

8-4.3.11 Definitions

Retail - Shopping
Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Does not include adult entertainment or sexually oriented businesses.

Retail - Commercial Entertainment Facility
A facility for any profit-making activity which is generally related to the entertainment field, such as motion picture theaters, carnivals, amusement parks, bowling alleys, race tracks, miniature golf, video game rooms and similar entertainment activities. Commercial Entertainment Facilities do not include adult entertainment or sexually oriented businesses.

8-4.2 Characteristics

SPI-SC districts shall be limited to geographic areas included in a SPI-Suburban Center or SPI-Suburban Corridor Strategy (as defined in Section 8-1.7) adopted by the Sycamore Township Zoning Commission and which contain or are planned to contain the following characteristics:

(a) A concentration of retail and service-oriented commercial establishments serving as a principal business activity center for a sociogeographic neighborhood, community, or region;

(b) An area that has received or been approved for substantial public investment.

(c) An area that is planned for unusual intensity or density of development.

8-4.3 Designation

The SPI-Suburban Center Districts and Suburban Corridor District which meet the characteristics contained in Section 8-2.2 are listed below and are illustrated on the official zoning map. The adopted specific standards for each Suburban Center/Corridor District listed below are included in this Zoning Resolution as a supplement to Chapter 8.

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A. Preventing the deterioration of property and the extension of blighting conditions;

B. Encouraging and protecting private investment which improves and stimulates the economic vitality and social character of the area; and

C. Preventing the creation of influences adverse to the physical character of the area.

Unless otherwise identified in the Sections below, the underlying zoning district regulations shall remain in full force.

8-4.3.2 Permitted Uses

Permitted uses within this overlay district shall be as follows and as further identified in Table 3-2 – Table of Permissible Uses:

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H. Gasoline Service Station / Convenience Mart (PUD 2)
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8-4.3.5 Lot Area, Bulk and Yard Requirements for the Kenwood/ Montgomery Road Corridor Overlay

Requirement		
A. Maximum Height		
1. Principal Building Height (ft.)	40	
2. Accessory Structure Height (ft.)	20	
B. Lot Requirements		
1. Minimum Lot Area (sq. ft.)	20,000	
2. Minimum Lot Width (ft.)	100	
C. Minimum Yard Requirements		
1. Front Yard (ft.)	40	
2. Side Yards (ft. each)	20	
3. Rear Yard	20	
D. Maximum Impervious Surface Ratio (unless otherwise identified in Section 8-4.3.4)	.50	

8-4.3.6 Vehicular Use Areas

Except as otherwise identified in the specific regulations below, vehicular use areas shall be regulated as established in Chapter 12.

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Off-street parking areas may be located in the front yard setback. However, the off-street parking area shall not encroach into any streetscape buffer or be any closer than ten feet (10') to the public right of way.

(b) Joint and Shared Parking
Joint and shared parking is encouraged in the Kenwood/ Montgomery Road Corridor Overlay District. Off-Street Parking Requirements for individual uses may be reduced by up to twenty percent (20%), per parcel, for joint and shared parking arrangements. A recorded agreement from the owner, or between owners involved, and all future owners or assigns, shall be submitted with the required parking plan as identified in Section 12-2.

(c) Access to Off-Street Parking
No off-street parking area shall be so designed that parking spaces are accessed directly from the street or right-of-way.

(d) Parking for Residential Dwelling Conversions
Parking for residential dwellings that have been converted into a non-residential use shall locate parking to the rear of the property, using the existing driveway as access to the spaces.

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8-4.3.8 Building Materials and Design Standards

A. Rooflines
Buildings incorporating flat roofs shall provide architectural features to break up the flat line created by the roof.

B. Materials and Architectural Treatment

1. The use of reflective metals and painted/unpainted cinderblock shall be prohibited for any façade of a building or structure that can be seen from the public right-of-way. Brick and natural stone are the preferred material.

2. All walls that are visible from the public right-of-way shall include windows, doors or other architectural features to prevent blank walls on any story of the structure.

C. Orientation

1. Buildings erected at the corner of a street intersection shall provide a primary entrance that is visible from both streets.

2. The front wall of the principal structure shall be parallel to Montgomery, Kenwood or Galbraith Road.

8-4.3.9 Vehicular Use Areas

The interior landscaping and streetscape buffering of vehicular use areas shall be regulated as established in Chapter 12 and 14 of this Zoning Resolution.

8-4.3.10 Buffer Yards and Resource Protection

Buffering is required between adjoining parcels, subject to the provisions of Chapter 14 of this Resolution.

8-4.3.11 Definitions

Retail - Shopping
Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Does not include adult entertainment or sexually oriented businesses.

Retail - Commercial Entertainment Facility
A facility for any profit-making activity which is generally related to the entertainment field, such as motion picture theaters, carnivals, amusement parks, bowling alleys, race tracks, miniature golf, video game rooms and similar entertainment activities. Commercial Entertainment Facilities do not include adult entertainment or sexually oriented businesses.

Retail - Personal Services
Any enterprise conducted for gain which primarily offers services to the general public such as a health club, fitness facility, shoe repair, watch repair, barber shop, beauty parlor, dry cleaner and similar activities but excluding sexually oriented business and other adult entertainment services.

8-5 SPECIAL PUBLIC INTEREST-SUBURBAN VILLAGE DISTRICTS

Special Public Interest (SPI) Suburban Village Districts shall be designated SPI-SV Overlay Districts.

8-5.1 Legislative Findings and Specific Purpose

The development and conservation of village and hamlet character within an expanding metropolitan area requires protection over and above the protection provided by conventional zoning regulations as follows:

(a) To bring many of the activities of daily living, including dwellings, shopping and working within walking distance;

(b) To minimize traffic congestion by reducing the number and length of automobile trips;

(c) To limit the need for road construction and encourage public transit by organizing appropriate building densities;

(d) To create a sense of place by providing public spaces and squares;

(e) To integrate economic class and age groups into an authentic community by providing a wide range of housing types and workplaces; and

(f) To enable and protect quality village ambiance through proper balance of concentration, complexity and continuity.

8-5.2 Characteristics

SPI-SV districts shall be limited to geographic areas included in an SPI-Suburban Village Development Strategy (as defined in Section 8-1.7) adopted by the Sycamore Township Zoning Commission and which contain or are planned to contain all of the following characteristics:

(a) The Village is physically understood and limited in size.

(b) A diversity of uses, such as residences, shops, workplaces, and public buildings are located in the Village, all in close proximity.

(c) A hierarchy of streets serve the needs of the pedestrian and the automobile equitably.

(d) Physically defined squares and parks provide places for informal social activity and recreation.

(e) Private buildings form a clear edge, delineating the public street space and the block interior.

(f) Public buildings and squares reinforce the identity of the neighborhood, becoming symbols of community identity and providing places of purposeful assembly for social, cultural and religious activities.

8-5.3 Designation

The SPI-Suburban Village Districts which meet the characteristics contained in Section 8-2.2 are listed below and are illustrated on the official zoning map. The adopted specific standards for each Suburban Village District listed below are included in this Zoning Resolution as a supplement to Chapter 8.

8-6 DEVELOPMENT AUTHORIZATION

8-6.1 Applications; Contents

Applications for zoning certificates in SPI districts shall be made to the Zoning Administrator pursuant to Chapter 20. Said applications shall be made on such form or forms as may be provided. The information required for submission shall demonstrate the compliance of the proposed improvement, construction or development with the specific standards for the SPI district as well as all requirements of the underlying

district not in conflict with the SPI standards.

8-6.2 Modification Procedure

Any supplemental regulations adopted pursuant to this Chapter may be modified as provided in Section 8-6.3 after public hearing upon a finding by the Sycamore Township Zoning Commission that the modifications will result in public benefit through substantial improvements related to any of the following conditions:

(a) Provision will be made for substantial usable open space where the slope does not exceed 10 percent for the use of the occupants of the area;

(b) Usable open space will be created for the public by the dedication of public areas or space;

(c) The restoration of plant materials will be accomplished by the planting of trees, shrubs, and ground covers;

(d) Utility and other service distribution lines will be placed underground;

(e) An improvement in public safety willresult;

(f) An improvement in energy conservation willresult;

(g) The use of creative site planning and design in order to provide for efficient use of land and an improved environment will result.

8-6.3 Modification Limits

Upon having made the findings set forth in Section 8-6.2 the regulations set forth therein may be modified by the Sycamore Township Zoning Commission up to the following limits:

(a) The gross dwelling unit density and floor area limitations of any area proposed for development shall remain unchanged and conform to the basic overall density and floor area limitations of the supplemental regulations in the SPI District. However, lot dimensions, building height, building setbacks, parking requirements, front, side, and rear yard requirements or other specific development standards may be modified to provide for a more functional and desirable use of the property.

(b) Height limitations may be removed, provided such additional stories to dwelling structures shall not:

  (1) Increase gross dwelling unit densities or floor area as set forth in the approved development plan;

  (2) Such heights shall result in appropriate reduction in building coverage and adherence to the objectives set forth in this chapter; and

  (3) Such heights shall not adversely affect surrounding structures.

  (4) Accessory Uses And Structures