

Sec. 8-3032. Planned development for certain nonconforming uses.

(a) *Intent.* Where nonconforming uses exist in districts and are found by the planning commission to be likely to continue indefinitely, it is intended to make possible rezoning of such nonconforming uses to PD-N status as a means for encouraging improvements and controlling further development or redevelopment. Only within the neighborhood housing services (NHS) district, when the NHS programs, goals and objectives are supported, may a nonconforming use be changed to one or more other nonconforming uses. Unless such nonconforming uses are rezoned to PD-N status, the provisions of article F shall apply.

(b) *Initiation and processing of planned development rezoning for certain nonconforming uses.* Planned development rezoning of nonconforming uses of the kind described above may be initiated by the owner of the property or his authorized agent or by the governing body or by the planning commission. Such amendments shall be processed as provided generally in article I of these regulations. Except within a neighborhood housing services district, such nonconforming use(s) shall not be changed to another nonconforming use. [For] changes in uses within a neighborhood housing services district, such nonconforming use(s) shall not be changed to another nonconforming use. Changes in uses within a neighborhood housing services district may occur only upon a finding by the planning commission that the new use(s) does not create any greater negative impacts on the adjacent properties and street network than did the original or previous nonconforming use(s).

(c) *Materials to accompany amendment proposals for certain nonconforming uses.* Materials to be submitted shall be as provided in article I and shall include specifically a plan showing existing structures and uses as located on the premises and as related to structures and uses within 50 feet on immediately adjoining premises not separated from the property by a street or alley, and on premises immediately across streets or alleys to the front, side or rear of the property. Said plan shall conform to the design standards set forth in this section and shall be subject to review and approval by the MPC.

(d) *Design standards.*

- (1) Access shall be located, designed and improved for safety, convenience, efficient circulation on the property and minimum interference with normal traffic flow on adjoining streets.
- (2) Yards shall be provided as required for adjoining districts, and in residential neighborhoods such required yards shall be landscaped and improved in a manner appropriate to the residential character of the adjacent district. Not more than two off-street parking spaces shall be permitted in any front yard required in residential neighborhoods, and not more than 20 percent of the area of such yard shall be occupied by driveways or parking areas.

- (3) Limitation on increase of lot coverage. The structure(s) housing such nonconforming use shall not be expanded to more than 50 percent lot coverage.
- (4) Off-street parking and loading. Off-street parking, loading and service areas shall meet the requirements of article D of this chapter.
- (5) Signs and lighting.
 - a. Signs shall be oriented away from residential property in such areas to the maximum extent reasonably feasible.
 - b. Lighting of signs and premises shall be directed, controlled and screened in a manner appropriate to the surroundings of the use.
 - c. Signs shall be scaled in relation to the size, bulk and purpose of the structure being expanded.
- (6) Buffering and screening. In addition to the provisions of section 8-3082(g), buffering and screening shall be provided in a manner sufficient to protect adjoining properties.
- (7) Other considerations. In addition to matters covered above, the recommendations and action shall give due consideration to the relation of the nonconforming use to existing and potential future surrounding development and shall establish such additional conditions and safeguards as are necessary in the circumstances of the case. Such conditions and safeguards may include, among other things, outdoor storage, operational activity, provision for seclusion of garbage and trash, and limitations on number of vehicles parked on the premises and the number of employees