

ORDINANCE NO. F-0166

**AN ORDINANCE AMENDING THE TEXT OF THE
WHEATON ZONING ORDINANCE
ARTICLE II, XVII AND XIX**

WHEREAS, the City of Wheaton, Illinois ("City"), has determined it to be in the best interests of the City and its residents to consider certain amendments to the text of the City Zoning Ordinance;

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing to consider the proposed amendment was conducted by the Wheaton Board of Zoning Appeals on August 12, 1997; and the Wheaton Board of Zoning Appeals has recommended approval of the amendment.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The Wheaton Zoning Ordinance text is amended by adding the following to Article II:

"Athletic Training School: Schools offering instruction in various athletic endeavors including but not limited to gymnastics and martial arts."

Section 2: The Wheaton Zoning Ordinance text is amended by deleting the word "Specialty School" in Article II and replacing with:

"Specialty School: Schools offering instruction in languages, visual and performing arts, business skills, crafts and other similar specialties, but excluding any instruction involving the use of heavy machinery or any instruction conducted out-of-doors."

Section 3: The Wheaton Zoning Ordinance text is amended by deleting Article 17.2; Article 17.3; Article 17.4; Article 19.2; and Article 19.3 in their entirety and replacing them with the following sections:

"17.2 Permitted Uses

- Antique sales
- Appliance Stores
- Art gallery
- Art supplies
- Arts and crafts shops
- Automatic teller machines
- Bakery, retail
- Banks and financial institutions without drive through facilities
- Bath, bed, and kitchen shops
- Bicycle sales and repair
- Book, magazine and newspaper stores
- Candy and popcorn stores
- Carpet and tile sales
- Carry-out restaurants

China and glassware stores
Clothing and apparel stores
Coin and stamp stores
Convenience food stores
Cookware stores
Cosmetics sales
Curtain and drapery stores
Delicatessens
Dentists
Department stores
Dog grooming
Drug Stores
Engraving services
Fabrics, sewing supplies, and sewing machine stores
Fast food restaurants without drive through facilities
Florists
Furniture stores
Gift and card stores
Gourmet foods
Grocery stores
Hardware stores
Hobby shops
Ice cream parlors
Interior decorators
Jewelry stores
Leather goods and luggage stores
Meat markets
Movie theaters
Museums
Musical instrument sales and service
Office supplies, business machine sales, and computer sales
Opticians and optometrists
Paint, glass, and wallpaper stores
Pet shops
Picture framing
Photographic studios
Photographic supplies and cameras
Post office and parcel services
Printing, copying, and blueprint services, retail
Record, tape, and video tape sales and rental
Real estate offices
Restaurants
Shoe repair shops
Shoe stores
Specialty schools
Sporting goods stores
Tailors and dressmakers
Tea rooms
Tobacco and pipe shops
Toy stores
Variety stores

Other uses which are of the same general character as the above permitted uses, as determined by the City Planner, but specifically excluding those uses which are first permitted in the C-3 and C-4 zoning districts.

17.3 Permitted Uses - Other Than Main Floor

Business and professional offices
Dwelling units
Hair Stylists
Health clubs, tanning studios, gymnasiums, and athletic training schools
Meeting halls
Radio, TV, and recording studios

17.4 Special Uses

A special use permit is required for any of the following uses:

Banks and financial institutions with drive through facilities
Parking lots and parking garages, as the principal use of a lot
Governmental buildings and uses
Any use of the main floor of a building for any uses listed in Section 17.3, above

19.2 Permitted Uses

Any use permitted in the C-2 zoning district

Adult day care facilities
Animal hospitals
Business and professional offices
Catering
Dry Cleaners
Dwellings (Single and Multi-family)
Furniture stores and upholstering
Governmental uses and buildings
Hair Stylists
Health club, tanning studio, gymnasium, and athletic training schools
Libraries
Mail order and catalog sales
Meeting halls
Nursery schools
Parking lots
Private clubs
Public utility offices
Radio, TV, and recording studios

Other uses which are of the same general character as the above permitted uses, as determined by the City Planner, but specifically excluding those uses which are first permitted in the C-3 zoning district.

19.3 Special Uses

A special use permit is required for any of the following uses:

Any use involving sales or service directly to customers in vehicles
Automobile repair facilities
Automobile service stations
Banks and financial institutions with drive through facility
Banquet facilities
Fast food restaurants with drive through facility
Pre-schools and kindergartens operated by a public or private elementary school system, secondary level school units, or institutions of higher learning."

Section 5: In all other respects, the Wheaton Zoning Ordinance is ratified and remains in full force and effect.

Section 6: All ordinances or parts of ordinance in conflict with these provisions are repealed.

Section 7: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

ATTEST:

Emily M. Condeijo
City Clerk



Mayor Carr

Roll Call Vote:

Ayes:

Councilwoman Davenport
Councilman Eckhoff
Mayor Carr
Councilman Gresk
Councilman Johnson
Councilwoman Johnson
Councilman Mork

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: September 2, 1997
Published: September 3, 1997