

ORDINANCE NO. F-1098**AN ORDINANCE AMENDING THE TEXT OF THE WHEATON ZONING
ORDINANCE – ARTICLE XIX “C-4 CBD PERIMETER COMMERCIAL
DISTRICT” – GROUP CARE HOMES**

WHEREAS, the City of Wheaton, Illinois ("City"), has received a request to consider certain amendments to Article XIX of the text of the City Zoning Ordinance pertaining to Group Care Homes; and

WHEREAS, the 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 Wheaton Zoning Ordinance; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board on October 25, 2005, and the Wheaton Planning and Zoning Board has voted 5-0 in favor of recommending approval of certain amendments to the text of Article XIX of the Wheaton Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, that Article 19.2 “Permitted Uses” and Article 19.3 “Special Uses” of the City of Wheaton Zoning Ordinance is hereby amended by repealing and rescinding those Articles in their entirety and replacing them with a new Article 19.2 and Article 19.3 which shall read as follows to include “Group Care Homes” with no more than five occupants as permitted uses within the C-4 CBD Perimeter Commercial District, and “Group Care Homes” with six to fifteen occupants as special uses within the C-4 CBD Perimeter Commercial District:

ARTICLE 19.2 shall be replaced with the following:

“19.2 Permitted Uses

Any use permitted in the C-2 zoning district

Adult day care facilities
Animal hospitals
Business and professional offices
Catering
Dwellings (Single and Multi-family)
Furniture stores and upholstering
Governmental uses and buildings
Group Care Homes, with no more than five (5) occupants, including staff persons, and not located within 500 feet of another Group Care Home
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 Director of Planning and Economic Development, but specifically excluding those uses which are first permitted in the C-3 zoning district.”

ARTICLE 19.3 shall be replaced with the following:

“19.3 Special Use Permit Required”

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

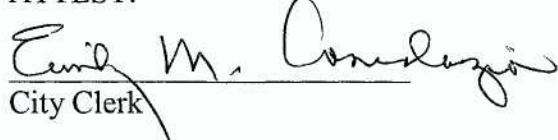
Any use involving sales or service directly to customers in vehicles
Automobile repair facilities
Automobile service stations
Banks and financial institutions with a drive through facility
Banquet facilities
Fast food restaurants with a drive through facility
Group Care Homes, with six (6) to fifteen (15) occupants, including staff persons, and not located within 500 feet of another Group Care Home
Pre-schools and kindergartens operated by a public or private elementary school system, secondary level school units, or institutions of higher learning.”

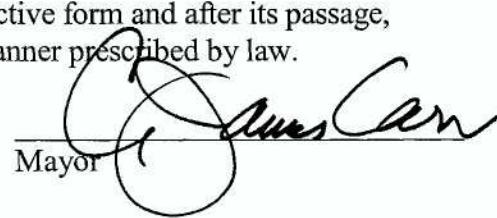
Section 1: In all other respects, the Wheaton Zoning Ordinance is ratified and remains in full force and effect.

Section 2: All ordinances or parts of ordinance in conflict with these provisions are repealed.

Section 3: This ordinance shall become effective form and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

ATTEST:


Emily M. Condino
City Clerk


James C. Canfield
Mayor

Roll Call Vote

Ayes: Councilman Mouhelis
Councilman Bolds
Councilwoman Corry
Mayor Pro Tem Johnson
Councilman Levine

Nays: Mayor Carr
Councilman Seuss

Absent: None

Motion Carried Unanimously

Passed: November 7, 2005
Published: November 8, 2005