

**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 upholstery
- 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:

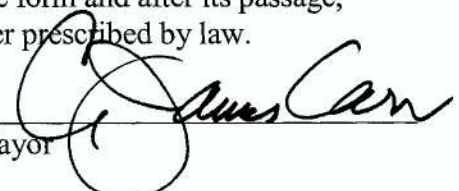
Any use involving sales or service directly to customers in vehicles  
Automobile repair facilities  
Automobile service stations  
Banks and financial institutions with a drive through facility  
Banquet facilities  
Fast food restaurants with a drive through facility  
Group Care Homes, with six (6) 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.

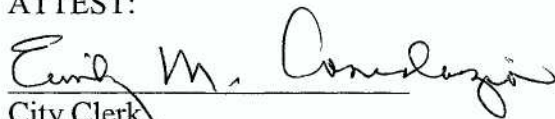
**Section 2:** All ordinances or parts of ordinance in conflict with these provisions are repealed.

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

Mayor



ATTEST:

  
City Clerk

Ayes: Roll Call Vote  
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