

ORDINANCE NO. F-1143

**AN ORDINANCE AMENDING THE TEXT OF THE WHEATON ZONING ORDINANCE
- Articles II, XV, XVI AND XVII AND DEFINITION OF "BANKS & FINANCIAL
INSTITUTIONS"**

WHEREAS, the City of Wheaton, Illinois ("City"), has determined it to be in the best interests of the City and its residents to consider an amendment to the text of the Wheaton Zoning Ordinance, Articles II, XV, XVI and XVII, which would re-define "Banks and Financial Institutions" and also delete "Banks and Financial Institutions", both with and without drive-through facilities, from the list of permitted and special uses allowed in the O-R Office and Research District, C-2 Retail Core Business District and C-4 CBD Perimeter Core Business District ("Text Amendment"); and

WHEREAS, the City has determined that: (i) the opening of additional banks and financial institutions in the O-R Office and Research District, C-2 Retail Core Business District and C-4 CBD Perimeter Core Business District would threaten the unique character of each of these districts; and (ii) existing banks and financial institutions shall be allowed to remain in these zoning districts as non-conforming uses and shall continue to be allowed in the C1, C3, C5 and R7 zoning districts as currently regulated by the Wheaton Zoning Ordinance.

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board on January 24, 2006 and February 14, 2006 to consider the Text Amendment; and the Wheaton Planning and Zoning Board has recommended approval of the Text Amendment.

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

Section 1: The Wheaton Zoning Ordinance text is amended as follows:

A. In Article II, the existing definition "Banks and Financial Institutions: Commercial banks, currency exchanges, savings and loan associations, and other similar financial institutions, but not including loan offices, finance companies and pawn shops" is *deleted* and in lieu thereof the following definition is *included*: "Banks and Financial Institutions: Commercial banks, currency exchanges, savings and loan associations, and other similar financial institutions. This definition shall not include business and professional offices such as loan and mortgage offices, finance companies, stock brokers, and investment bankers."

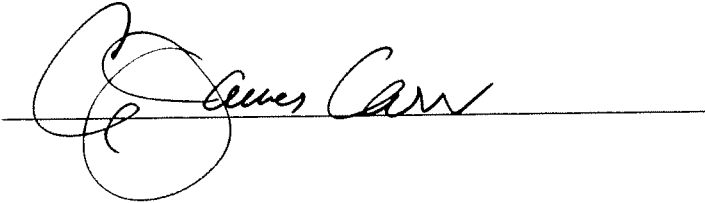
B. In Articles XV, XVI and XVII "Banks and Financial Institutions", both with and without drive-through facilities, shall be deleted from the list of permitted and special uses in the O-R Office and Research District, C-2 Retail Core Business District and C-4 CBD Perimeter Core Business District;

Section 2: In all other respects, the Wheaton Zoning Ordinance is ratified and remains in full force and effect.

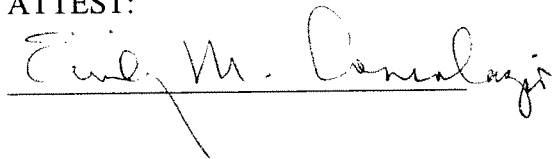
Section 3: All ordinances or parts of ordinance in conflict with these provisions are repealed.

Section 4: This ordinance shall become effective form and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

Mayor

A handwritten signature in cursive script, appearing to read "James Carr", written over a horizontal line.

ATTEST:

A handwritten signature in cursive script, appearing to read "Emily M. Conaluzzi", written over a horizontal line.

ROLL CALL VOTE:

Ayes: Councilman Levine
Councilman Mouhelis
Councilman Sues
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr

Nays: None

Absent: None

Motion Carried Unanimously

Passed: March 6, 2006
Published: March 7, 2006