

ORDINANCE NO. F-1603

AN ORDINANCE ADDING HAIR STYLISTS AS A PERMITTED USE IN THE C-2 ZONING DISTRICT

WHEREAS, the City of Wheaton, Illinois ("City"), prohibits locations and uses of buildings or structures and uses of land that are incompatible with the type of development planned for specific zoning districts in the City; and

WHEREAS, the intent of C-2 Zoning District is to accommodate pedestrian oriented retail businesses and other uses located at the center of the City, adjacent to commuter rail facilities which form the retail core of the Central Business District of the City; and

WHEREAS, City of Wheaton, Illinois ("City"), has determined that Hair Stylists are compatible with other retail uses in the C-2 Zoning District; and

WHEREAS, the City of Wheaton, Illinois ("City"), has determined it to be in the best interests of the public health, safety, morals, comfort, convenience and general welfare of the citizens of the City to amend the City Zoning Ordinance, Article 17.2, adding Hair Stylists as a permitted use in the C-2 Zoning District; 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, acting as a hearing body on September 27, 2011 and October 11, 2011 to consider said 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 by deleting Article 17.2 in its entirety and replacing it with the following:

17.2 Permitted Uses

Antique sales
Appliance Stores
Art gallery
Art supplies
Arts and crafts shops
Automatic teller machines
Bakery, retail
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
Hair Stylists
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
Performing Arts Theaters
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
Restaurants
Shoe repair shops
Shoe stores
Sporting goods stores
Tailors and dressmakers
Tea rooms
Tobacco and pipe shops
Toy stores

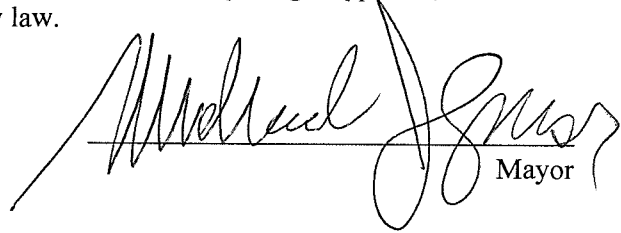
Variety stores

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

Section 2: This ordinance shall be cumulative of all provisions of the ordinances of the City of Wheaton, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 3: It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

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


Mayor

ATTEST 

Roll Call Vote

Ayes: Councilwoman Ives
Councilman Mouhelis
Councilman Rutledge
Mayor Gresk
Councilwoman Pacino Sanguinetti
Councilman Scalzo

Nays: None

Absent: Councilman Suess

Motion Passed Unanimously

Passed: November 21, 2011
Published: November 22, 2011

