

ORDINANCE NO. F-2012

AN ORDINANCE ALLOWING SCHOOLS (PRE-KINDERGARTEN THROUGH EIGHTH GRADE) BY SPECIAL USE PERMIT IN THE C-3 GENERAL BUSINESS DISTRICT

WHEREAS, the City of Wheaton, Illinois ("City"), has determined it to be appropriate to amend the City Zoning Ordinance to allow Schools (Pre-Kindergarten through Eighth Grade) by Special Use Permit in the C-3 General Business 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 April 11, 2017 and April 25, 2017 to consider said amendment to allow Schools (Pre-Kindergarten through Eighth Grade) by Special Use Permit in the C-3 General Business District.

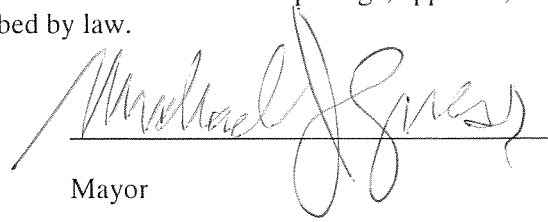
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

**Section 1:** The Wheaton Zoning Ordinance text is amended by adding to Article 18.3 (C-3 General Business District) "Special Use Permit Required": "Schools (Pre-Kindergarten through Eighth Grade), without frontage on an arterial or collector street and having at least a single one hundred percent coterminous property line located across the street from a residentially zoned district line."

**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with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.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:** If any phrase, clause, sentence, paragraph or section of this ordinance is 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.

**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:
- Councilman Prendiville
  - Mayor Gresk
  - Councilman Rutledge
  - Councilman Scalzo
  - Councilman Suss
  - Councilman Barbier
  - Councilwoman Fitch

Nays: None

Absent: None

Motion Carried Unanimously

Passed: June 5, 2017  
Published: June 6, 2017