

## ORDINANCE

### **AN ORDINANCE AMENDING ARTICLE 8 (“USES”), SECTION 8.3 (“USE RESTRICTIONS”), SUB-SECTION A (“DT DISTRICT”) OF THE OAK PARK ZONING ORDINANCE TO ADD CERTAIN EXCEPTIONS TO THE 50 FOOT SETBACK USE RESTRICTION**

**WHEREAS**, on October 27, 2020 the Village of Oak Park Plan Commission (“Plan Commission”) held a public hearing on the application of the Petitioner, the Village of Oak Park (“Applicant”), for text amendments to Article 8 (“Uses”), Section 8.3 (“Use Restrictions”), Sub-Section A (“DT Districts”) of the Oak Park Zoning Ordinance; and

**WHEREAS**, notice of the public hearing was published in the *Wednesday Journal* on October 7, 2020; and

**WHEREAS**, the Plan Commission recommended that the text amendments reflected in this Ordinance be granted by a vote of seven (7) in favor and zero (0) against upon the close of the public hearing held on October 27, 2020 as reflected in the minutes of the public hearing, incorporated herein by reference as though fully set forth; and

**WHEREAS**, the Plan Commission adopted its Findings of Fact and Recommendation on October 27, 2020 which is adopted by the President and Board of Trustees of the Village and incorporated herein as though fully set forth; and

**WHEREAS**, the President and Board of Trustees of the Village have considered the Plan Commission’s Findings of Fact and Recommendation and have determined that it is appropriate to adopt the text amendments as provided in this Ordinance.

**NOW THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

**Section 1. Recitals Incorporated.** The above recitals are incorporated herein by reference as though fully set forth.

**Section 2. Zoning Ordinance Amended.** Article 8 (“Uses”), Section 8.3 (“Use Restrictions”), Sub-Section A (“DT Districts”) of the Oak Park Zoning Ordinance is amended to add the underlined language to read as follows:

#### **ARTICLE 8. USES**

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#### **8.3 USE RESTRICTIONS**

##### **A. DT District**

The use restrictions of this section apply to the DT-1 and DT-2 Sub-Districts.

1. Only uses that are listed as permitted or special within the “retail” category of Table 8-1 for the DT District are allowed within the first 50 feet of the street lot line at grade level or on the ground floor of any building, with the following exceptions:

- a. Personal service establishment is allowed at grade level or on the ground floor within the first 50 feet of the street lot line.
- b. Live performance venue is allowed at ground level or on the ground floor within the first 50 feet of the street lot line.
- c. Design studio with retail is allowed at ground level or on the ground floor within the first 50 feet of the street lot line.
- d. Specialty food service is only allowed at grade level or on the ground floor if it maintains a retail and/or restaurant component.
- e. This restriction also applies to temporary uses with the following exceptions: temporary pop-up business and temporary real estate sales office/model unit are permitted at ground level or on the ground floor within the first 50 feet of the street lot line
- f. Work Lounge is allowed at grade level or on the ground floor within the first 50 feet of the street lot line.
- g. Art and Fitness Studio is allowed at grade level or on the ground floor within the first 50 feet of the street lot line.
- h. Health Club is allowed at grade level or on the ground floor within the first 50 feet of the street lot line.
- i. Recreation, Indoor is allowed at grade level or on the ground floor within the first 50 feet of the street lot line.
- j. Business Service Center is allowed at grade level or on the ground floor within the first 50 feet of the street lot line.

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**Section 3. Severability and Repeal of Inconsistent Ordinances.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 4. Effective Date.** This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

**ADOPTED** this 16<sup>th</sup> day of November 2020, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb				
Trustee Andrews				
Trustee Boutet				
Trustee Buchanan				
Trustee Moroney				
Trustee Taglia				
Trustee Walker-Peddakotla				

**APPROVED** this 16<sup>th</sup> day of November 2020.

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Anan Abu-Taleb, Village President

**ATTEST**

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Vicki Scaman, Village Clerk

Published in pamphlet form this 16<sup>th</sup> day of November, 2020.

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Vicki Scaman, Village Clerk