

ORDINANCE

AN ORDINANCE AMENDING ARTICLE 8 ("USES"), SECTION 8.3 ("USE RESTRICTIONS"), TABLE 8-1 ("USE MATRIX"), AND ARTICLE 8 ("USES"), SECTION 8.4 ("PRINCIPAL USE STANDARDS"), SUBSECTION 8.4E ("COMMUNITY RESIDENCE") OF THE OAK PARK ZONING ORDINANCE REGARDING COMMUNITY RESIDENCES

WHEREAS, on March 1, 2018 and April 5, 2018 the Village of Oak Park Plan Commission ("Plan Commission") held public hearings on the application of the Petitioner, the Village of Oak Park ("Village"), for a text amendment to Article 8 ("Uses"), Section 8.3 ("Use Restrictions"), Table 8-1 ("Use Matrix"), and Article 8 ("Uses"), Section 8.4 ("Principal Use Standards"), Subsection 8.4E ("Community Residence") of the Oak Park Zoning Ordinance; and

WHEREAS, notice of the public hearings were published in the *Wednesday Journal* on February 21, 2018 and March 21, 2018; and

WHEREAS, the Plan Commission recommended that the text amendment reflected in this Ordinance be granted by a vote of six (6) in favor, one (1) abstain, and one (1) against upon the close of the public hearing held on April 5, 2018, 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 April 5, 2018, 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 grant the text amendment 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"), Table 8-1 ("Use Matrix") and Article 8 ("Uses"), Section 8.4 ("Principal Use Standards"), E ("Community Residence") of the Oak Park Zoning Ordinance is amended to delete the stricken language and add the underlined italicized language to read as follows:

8.3 USE RESTRICTIONS

Certain use restrictions apply to the following districts and/or geographic areas.

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TABLE 8-1: USE MATRIX																		Use Standard § = Section
Use	R-1	R-2	R-3 -50 & -35	R-4	R-5	R-6	R-7	DT¹	HS	GC	MS¹	NA	NC¹	RR¹	OS	I	H	
Residential																		
Community Residence – Small (6 or Fewer Residents)	P	P	P	P	P	P	P											§8.4.E
Community Residence – Large (7 or More Residents)						S	S											§8.4.E
Children's Home							S											
Dwelling – Single-Family (Detached)	P	P	P	P	P	P	P											
Dwelling – Two-Family					P	P	P											
Dwelling – Townhouse						P	P			S	S	S	S	S				
Dwelling – Multi-Family						P	P		S	P	S	P	P	S				
Dwelling – Above the Ground Floor								P	P	P	P	P	P	P				
Live/Work Dwelling									P			P	P	S				
Residential Care Facility							S	S		S		S		S			P	§8.4.O
Retreat House					S	S	S											

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8.4 PRINCIPAL USE STANDARDS

Where applicable, principal uses are required to comply with all use standards of this section, whether a permitted or special use, in addition to all other regulations of this Ordinance.

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E. Community Residence

1. Community residences must meet all federal, state, and local requirements including, but not limited to, licensing, health, safety, and building code requirements.
2. The facility must retain a residential character, which is compatible with the surrounding residential neighborhood.
3. All applicants are required to submit a statement of the exact nature of the community residence, the qualifications of the agency that will operate the community residence, the number and type of personnel who will be employed, and the number and nature of the residents who will live in the community residence. No certificate of occupancy will be issued until such statement is submitted.

4. Requests for reasonable accommodations will be reviewed and acted upon in accordance with federal, state, and local laws and regulations.

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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.

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ADOPTED this 4th day of September, 2018, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb				
Trustee Andrews				
Trustee Button				
Trustee Boutet				
Trustee Moroney				
Trustee Taglia				
Trustee Tucker				

APPROVED this 4th day of September, 2018.

Anan Abu-Taleb, Village President

ATTEST

Vicki Scaman, Village Clerk

Published in pamphlet form this 4th day of September, 2018.

Vicki Scaman, Village Clerk