

**ITEM FOR OMINBUS VOTE CONSIDERATION**

**Item #4:**

**Ordinance Re: Uses & Architectural Review In Downtown**

**VILLAGE OF LONG GROVE**  
**ORDINANCE NO. 2014-O-\_\_\_\_\_**

**AN ORDINANCE AMENDING THE LONG GROVE VILLAGE CODE REGARDING  
PERMITTED AND SPECIAL USES AND ARCHITECTURAL  
REVIEW STANDARDS IN THE B-1 HISTORIC BUSINESS DISTRICT**

Adopted by the  
President and Board of Trustees  
of  
the Village of Long Grove  
this \_\_\_ day of \_\_\_\_\_, 2014

Published in pamphlet form by direction  
and authority of the Village of Long Grove,  
Lake County, Illinois  
this \_\_\_ day of \_\_\_\_\_, 2014

VILLAGE OF LONG GROVE

ORDINANCE NO. 2014-O-\_\_\_

**AN ORDINANCE AMENDING THE LONG GROVE VILLAGE CODE REGARDING  
PERMITTED AND SPECIAL USES AND ARCHITECTURAL  
REVIEW STANDARDS IN THE B-1 HISTORIC BUSINESS DISTRICT**

**WHEREAS**, various provisions of the Long Grove Village Code ("**Village Code**"), including certain provisions of the Long Grove Zoning Code ("**Zoning Code**") set forth as Title 5 of the Village Code, establish regulations applicable to the Village's B-1 Historic Business District ("**B1 District**"); and

**WHEREAS**, Chapter 4 of the Zoning Code enumerates the land uses that are allowable as permitted and special uses within the B1 District; and

**WHEREAS**, the Village has determined that certain modifications should be made to Chapter 4 of the Zoning Code regarding the allowable permitted and special uses in the B1 District; and

**WHEREAS**, Sections 5-11-4 and 5-11-19 of the Zoning Code and Section 2-3-3 of the Village Code set forth architectural design standards for construction in the B1 District and grant jurisdiction to the Village's Architectural Commission to review building permit applications for conformity to those standards; and

**WHEREAS**, the Village has determined that certain modifications should be made to Sections 5-11-4 and 5-11-19 of the Zoning Code and Section 2-3-3 of the Village Code regarding the Architectural Commission's duties and jurisdiction; and

**WHEREAS**, pursuant to notice duly published in the *Daily Herald*, the Plan Commission and Zoning Board of Appeals (the "**PCZBA**") conducted a public hearing that commenced on August 5, 2014 and concluded on September 2, 2014 to consider proposed amendments to the Zoning Code concerning permitted and special uses in the B1 District; and

**WHEREAS**, pursuant to notice duly published in the *Daily Herald*, the PCZBA conducted a public hearing commencing on July 1, 2014 and concluding on September 2, 2014 for the purpose of considering text amendments to the Zoning Code regarding the Architectural Commission's jurisdiction over the review of certain applications for building permits for construction within the B1 District; and

**WHEREAS**, at the conclusion of the public hearings, the PCZBA recommended that: (i) the Zoning Code be amended to provide that building permits for certain minor exterior alternations may be approved administratively and the Architectural Commission shall provide guidance and guidelines to Village staff regarding such administrative approvals; and (ii) Chapter 4 of the Zoning Code be amended with respect to the B1 District to: (a) eliminate the maximum percentage of off-site sales of goods permitted without a special use permit; (b) eliminate the minimum space requirement for operation of a business; and (c) recommend consideration of adding drive-ups and drive-throughs as an allowable special use, all as set forth in the PCZBA's recommendations to the President and Board of Trustees; and

**WHEREAS**, the President and Board of Trustees have considered the PCZBA's recommendations and determined that amendments to the Village Code regarding permitted and special uses and architectural review standards in the B1 District, as set forth in this Ordinance, are necessary, desirable, and appropriate;

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Long Grove, County of Lake, State of Illinois, as follows:

**SECTION ONE.**      **Recitals.**      The foregoing recitals are incorporated into this Ordinance as the findings of the President and Board of Trustees.

**SECTION TWO.**      **Amendment to Section 5-4-5.**      Section 5-4-5, titled "Special Uses," of Chapter 4, titled "Business Districts" of Title 5, titled "Zoning Regulations" of the Village Code is hereby amended in part as follows:

**5-4-5 SPECIAL USES:**

The uses listed in the following subsections may be permitted in the applicable business districts subject to the issuance of a special use permit as provided in section 5-11-17 of this title:

(A) B1 District:

\* \* \*

~~5. Off site sales of manufactured or produced retail goods in excess of five percent (5%) of annual gross receipts, as described in subsection 5-4-9(B)3 of this chapter. This subsection intentionally left blank.~~

\* \* \*

**SECTION THREE. Amendment to Section 5-4-9.** Section 5-4-9, titled "Use Limitations" of Chapter 4, titled "Business Districts" of Title 5, titled "Zoning Regulations" of the Village Code is hereby amended in part as follows:

**5-4-9 USE LIMITATIONS:**

\* \* \*

(B) Special B1 District Use Limitations:

1. Nonretail Uses: Notwithstanding the regulations contained in this title that are otherwise applicable, the following use limitations shall apply within the B1 district, unless otherwise approved by an ordinance of the Village Board, which ordinance shall not require public notice or hearing prior to its adoption:

(a) The aggregate floor area devoted to nonretail uses in the B1 district shall be limited to twenty percent (20%) of ground floor space in the B1 district; and

(b) The number of all ground floor storefronts within the B1 district devoted to nonretail uses shall be limited to twenty percent (20%) of all ground floor storefronts within the B1 district.

2. Multiple Buildings: More than one structure may be erected and maintained on a single lot, provided that the lot complies with all requirements of this title and all other village ordinances. Where more than one structure is erected and maintained on a single lot, a twenty foot (20') separation must be maintained between structures; provided, however, that covered walkways may be constructed to connect structures if such walkways are not used as commercial areas.

3. Sale Of Manufactured Or Produced Goods: All goods or foodstuffs produced or manufactured on any premises situated in the B1 district shall be sold at retail only, not wholesale, ~~and shall be sold only in premises situated within the B1~~

~~district; provided, however, that incidental off site sales of such goods or foodstuffs amounting to less than five percent (5%) of the gross annual receipts derived from the total sales of such items shall be permitted. Off site sales in excess of five percent (5%) of annual gross receipts may be permitted only by special use.~~

4. Hours of Operation In B1 District: The hours of operation of businesses within the B1 district shall be confined to the hours of five o'clock (5:00) A.M. to twelve o'clock (12:00) midnight, except for: a) special events specifically approved by the village board and b) restaurants issued a liquor license that otherwise regulates the hours of operation.

~~5. Minimum Space: No business shall be operated from a space on a lot in the B1 district open to the public which is less than two hundred fifty (250) square feet.~~

6. 5. Architectural Board Review: All architectural plans for buildings in the B1 district shall be reviewed and approved by the architectural board prior to issuance of any building permit for New Construction or Major Remodeling or Improvements, as defined in Section 5-11-4 of this title, in accordance with section 5-11-19 of this title.

**SECTION FOUR. Amendment to Section 5-11-4.** Section 5-11-4, titled

“Architectural Board,” of Chapter 11, titled “Zoning Administration and Enforcement” of Title 5, titled “Zoning Regulations” of the Village Code is hereby amended in part as follows:

**5-11-4 ARCHITECTURAL BOARD**

\* \* \*

(F) Jurisdiction and Authority: The architectural board shall have the following jurisdiction and authority:

\* \* \*

~~2. To review all building permit applications for construction within the B1 zoning district.~~ The Architectural Commission shall review all applications for building permits for New Construction and/or Major Remodeling or Improvements to existing structures within the B1 zoning district (Historic Business District). Minor Exterior Alterations and remodeling involving materials which substantially match, duplicate, or mirror existing building materials in terms of architectural style, form, and character may be allowed subject to administrative review and approval by the Village Manager, or the Manager’s designee. The Architectural Commission shall provide guidance and guidelines to the Village Manager for administrative review of applications for such Minor Exterior Alterations and

remodeling. Village Architectural Commission review and approval shall be required in the event that the Village Manager, or the Manager's designee deems any proposed modification or construction to be inconsistent with the architectural style, character, and/or form of the structure or to be a Major Remodeling or Improvement, as defined in Section 5-11-4(G), as a result of the administrative review process.

\* \* \*

(G) For purposes of this Section 5-11-4, the following terms shall have the following meanings:

NEW CONSTRUCTION: The preparation of a site for, and construction of, entirely new structures and/or significant extensions, enlargements, alterations, or additions to existing structures whether or not the site was previously built upon or occupied.

MAJOR REMODELING OR IMPROVEMENTS: Any reconstruction, rehabilitations, addition, enlargement, expansion, or other significant alteration to an existing structure, including exterior alterations which significantly alter the architectural style, outward appearance, and/or character and integrity of the structure, and any other construction or alteration that requires a building permit and is not a Minor Exterior Alteration, as defined below.

MINOR EXTERIOR ALTERATION: The repair or replacement, in a previously-completed structure, of surfaces and materials or structural maintenance in a "like-for-like" manner, which utilizes materials or finishes that do not represent a new or significant alteration of the floor area, architectural style, outward appearance and character, or integrity of the structure.

**SECTION FIVE.**      **Amendment to Section 5-11-19.**      Section 5-11-19, titled "Architectural Review," of Chapter 11, titled "Zoning Administration and Enforcement" of Title 5, titled "Zoning Regulations" of the Village Code is hereby amended in part as follows:

**5-11-19      ARCHITECTURAL REVIEW**

\* \* \*

C. Architectural Review Required: Architectural review shall be required in connection with the construction of any new building or the alteration, enlargement, or remodeling of any existing building in the B4, B2, HR, HR-1, O, and OR districts and any New Construction or Major Remodeling or

Improvements, as defined in Section 5-11-4, in the B1 district. In addition, architectural review shall be required in connection with the construction, installation, alteration, enlargement, or remodeling of any exterior lighting system or signage in the village.

\* \* \*

**SECTION SIX.**        **Amendment to Section 2-3-3.**        Section 2-2-3, titled "Duties," of Chapter 3, titled "Architectural Review" of Title 2, titled "Boards and Commissions" of the Village Code is hereby amended in part as follows:

**2-3-3 DUTIES**

Except as otherwise provided in section 2-3-2 of this chapter **and section 5-11-4 of this code**, the architectural commission shall review all building permit applications for construction within the B1 zoning district (historic business district) and shall withhold its approval of all permit applications which are not in accordance with the Long Grove style as set forth in section 7-2-4 of this code.

The architectural commission shall also review those other matters which are delegated to it by the terms of this code including, but not limited to, applications for signs, as set forth in subsection 5-9-5(G)4 of this code; applications for building permits for residential use in the B1 district, as set forth in subsection 5-11-4(F)2 of this code; all architectural and landscaping plans for construction within the office districts, as set forth in subsection 5-5-9(B) of this code; all exterior lighting plans, as described in subsections 5-9-9(C) and 5-11-21(A) of this code; all plans for preliminary planned unit development including plat and supporting data, as set forth in subsection 5-11-18(D)2(d) of this code; and in all other instances as required by this code as or hereafter required by this code.

The architectural commission is encouraged to make recommendations to the village president and board of trustees as to any changes necessary to improve regulations concerning architecture and the architecture review procedure.

**SECTION SEVEN.**    **Effective Date.** This ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

AYES:        ( )

NAYS:        ( )

ABSENT:     ( )

ABSTAIN:    ( )

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

\_\_\_\_\_  
Angie Underwood, Village President

ATTEST:

\_\_\_\_\_  
Heidi Locker-Scheer, Village Clerk