

CITY OF WAUKEGAN

ORDINANCE NO. __05-O-113

**Set forth
The Title of The
Ordinance is**

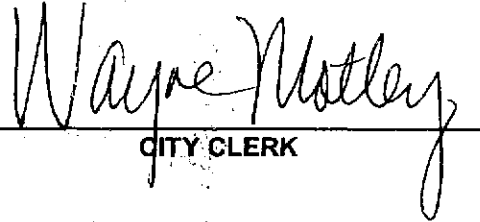
Ordinance amending the Waukegan Zoning Ordinance to create a downtown/Lakefront overlay district.

ADOPTED AND PASSED BY THE CITY COUNCIL

OF THE CITY OF WAUKEGAN

ON THE 1st DAY OF AUGUST 2005.

Published in pamphlet form by authority of the City Council, of the City of Waukegan, Lake County, Illinois, on the 8th day of August 2005.


CITY CLERK

ORDINANCE

05 - O - 113

**AN ORDINANCE AMENDING THE WAUKEGAN ZONING ORDINANCE
TO CREATE A DOWNTOWN/LAKEFRONT OVERLAY DISTRICT**

WHEREAS, on August 25, 2003, the City Council of the City of Waukegan unanimously accepted the Waukegan Downtown and Lakefront Master Plan, entitled "A 21st Century Vision for Waukegan's Downtown and Lakefront,"; and

WHEREAS, in December, 2003, the City Council of the City of Waukegan amended the City's 1987 Comprehensive Plan by adopting the Waukegan Downtown and Lakefront Master Plan entitled "A 21st Century Vision for Waukegan's Downtown and Lakefront," hereinafter referred to as the "Master Plan"; and

WHEREAS, the City of Waukegan engaged Skidmore, Owings and Merrill to further clarify the concepts expressed in the Master Plan by developing a set of guidelines and standards to which development would be held, hereinafter referred to as the "Design Guidelines"; and

WHEREAS, the Design Guidelines set out specific detailed requirements for development in the part of Waukegan that makes up the Lakefront and Downtown redevelopment area; and

WHEREAS, on May 2, 2005, the City Council of the City of Waukegan unanimously approved the Design Guidelines document; and

WHEREAS, the City Council now desires to create an overlay zoning district encompassing those specific areas which will complement and supersede the provisions of the underlying zoning districts in the Lakefront and Downtown redevelopment area, and where specified, certain provisions of the Waukegan Subdivision Ordinance, Sign Ordinance, Tree Preservation and Landscape Ordinance, and other ordinances which may impact development in the redevelopment area.

NOW, THEREFORE, BE IT ORDAINED BY THE City Council of the City of Waukegan, as follows:

SECTION 1: The Waukegan Lakefront/Downtown Overlay Ordinance is hereby established, and shall overlay the area (herein "Waukegan Lakefront/Downtown Overlay District") set forth in the Waukegan Lakefront/Downtown Master Plan adopted as an amendment to the City of Waukegan Comprehensive Plan on December 17, 2003, by Ordinance 03 -O - 140, and Design Guidelines, accepted by the City Council of the City

of Waukegan on May 2, 2005. Within the Waukegan Lakefront/Downtown Overlay District all ordinances and regulations shall continue to be in full force and effect, except where the Waukegan Lakefront/Downtown Overlay District ordinance and regulations supersede such underlying requirements or provide an alternative to such requirements.

SECTION 2: Within the Waukegan Lakefront/Downtown Overlay District all development shall be through Conditional Use Permit, or Design Approval Permit issued by the City of Waukegan Administrative Review Team, as set forth below.

SECTION 3: The procedures for application, public hearing, and issuance of a Conditional Use Permit, as set forth in the Waukegan Zoning Ordinance (Section 3.11-1 *et seq.*) are hereby modified within the geographic parameters of the Waukegan Lakefront/Downtown Overlay District as follows:

- A. All development proposals in excess of 10,000 square feet, whether single buildings or multiple building developments, shall present their application for Conditional Use Permit to the Waukegan Zoning Administrator, who, after staff review and recommendation, shall, within 30 days of receipt thereof, forward the application to the Waukegan Renaissance Commission (hereinafter "WRC") which shall review the application in the context of the Waukegan Lakefront/Downtown Master Plan and Design Guidelines, and issue its official report, which shall become part of the application packet. The official report of the WRC shall reference the Master Plan and Design Guidelines and make a statement regarding how closely the application comports with both of those. The WRC report shall further include a recommendation for either approval or denial of the application. The WRC shall issue its report to the Zoning Administrator within 30 days of receipt of the application.

The 30-day time requirements contained in Section 3.11-1, *et seq.*, of the Waukegan Zoning Ordinance are hereby amended to add an additional 30 days for consideration of the application by the Waukegan Renaissance Commission.

Following the submittal of the WRC report, the application packet shall then be forwarded to the Waukegan Development Commission (hereinafter "WDC"), in accordance with the procedures for Conditional Use Permit applications set forth in the Waukegan Zoning Ordinance at Section 3.11-1, *et seq.* Recommendations of the WDC to the City Council under the terms of the Zoning Ordinance and this overlay ordinance shall strictly follow the Master Plan and Design Guidelines.

- B. All development proposals of 10,000 square feet or less, shall present their application for a Design Approval Permit issued by the City of Waukegan Administrative Review Team to the Zoning Administrator. The Administrative Review Team shall have full and final authority to issue a Design Approval Permit for the development or deny such a permit, and its decision shall strictly follow the Master Plan and Design Guidelines. Decisions of the Administrative Review Team shall be appealable to the WDC. Upon appeal, the application shall convert to an application for a Conditional Use Permit and be processed as such.
- C. The Administrative Review Team shall consist of staff of the Waukegan Planning and Zoning department as designated by the Zoning Administrator, staff and designated members of the Waukegan Renaissance Commission, and such other City staff and officials who may from time to time be considered necessary to review a specific application.
- D. Requests for variations of up to 10% from the quantitative requirements of the Master Plan and Design Guidelines may be included in the permit application, and will be considered by the WDC or Administrative Review Team, as appropriate. Such variations shall be considered only in terms of other considerations given by the applicant in its permit application, including credits, set-asides, or other public benefit as appropriate in accordance with the Master Plan and Design Guidelines.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed, to the extent of such conflict.

SECTION 3: This ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.


MAYOR RICHARD H. HYDE

ATTEST:


WAYNE MOTLEY, City Clerk

Presented and Read at a regular meeting of the Waukegan City Council on the 1st
day of August, 2005.

Passed and Approved at a regular meeting of the Waukegan City Council on the 1st
day of August, 2005.

ROLL CALL: Aldermen Needham, Larsen, Rivera, Cunningham, Moisiso, Figueroa,
Newsome and TenPas

AYES: Aldermen Needham, Larsen, Rivera, Cunningham, Moisiso, Figueroa,
Newsome and TenPas

NAYS: None

ABSENT: Alderman Balen

ABSTAIN: None