

CITY OF WAUKEGAN

ORDINANCE NO. 22—O—209

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ZONING
ORDINANCE TO ALLOW GARAGES OVER 7500 S.F. AS PERMITTED USE**

**ADOPTED AND PASSED BY THE CITY COUNCIL
OF THE CITY OF WAUKEGAN**

**ON THE 21st
DAY OF NOVEMBER, 2022**

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Waukegan, Lake County, Illinois, on the 22nd day of NOVEMBER, 2022**



CITY CLERK JANET E. KILKELLY

ORDINANCE NO. 22—O—209

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ZONING
ORDINANCE TO ALLOW GARAGES OVER 7500 S.F. AS PERMITTED USE

WHEREAS, the City is an Illinois home rule municipality; and

WHEREAS, Section 8.4-4 of Article 8 of the “Waukegan Zoning Ordinance,” as amended (“*Zoning Code*”), requires that applicants seeking to operate a public garage for the storage, repair, and servicing of motor vehicles or a public garage for motor vehicle body repair, painting and engine rebuilding (“*Garage Uses*”), obtain a conditional use permit in the B3 General Commercial District (“*B3 District*”); and

WHEREAS, the process for applicants to apply for and receive a conditional use permit for Garage Uses which are located at properties comprising 7,500 square feet or more and are located in the B3 District poses an administrative burden on staff and taxpayer resources; and

WHEREAS, the City desires to amend certain sections of the Zoning Code to allow Garage Uses in premises of 7,500 square feet or over as permitted uses, subject to review and approval by the City’s Development Review Board; and

WHEREAS, the Mayor and City Council have determined that it will serve and be in the best interests of the City and its residents to amend the City Code;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY
COUNCIL OF THE CITY OF WAUKEGAN, ILLINOIS, AS FOLLOWS:

SECTION 1. RECITALS. The foregoing recitals are incorporated into, and made a part of, this Ordinance as the findings of the Mayor and City Council.

SECTION 2. AMENDMENTS TO SECTION 3.4-2 OF ZONING CODE. Subsection 3.4-2, titled “Jurisdiction”, of Section 3.4, titled “Development Review Board”, of Article 3, titled “Administration and Enforcement”, of the Zoning Code, is hereby amended to read as follows: (additions are in **bold underline** and deletions are ~~struck through~~)

“3.4-2. – Jurisdiction.

* * *

10. Review any application for a Category 3 Nightclub/Bar. The Development Review Board will consider the past licensing experience of the applicant with the City in determining whether to approve the request for a Category 3 designation. Conditions for Approved Category 3 Nightclub/Bar establishments are as follows:
 - a) Permitted to operate as such only on Thursday, Friday and Saturday nights.
 - b) Only live music is permitted in Category 3 establishments. No recorded music, DJs or the like are permitted.
 - c) Must comply with all applicable ordinances and laws of the City of Waukegan and State of Illinois.
 - d) Must be in good standing with the

City. e) Category 3 Nightclub/Bar owner/operator may charge a cover charge for entry by patrons, but no third-party promotions are permitted. f) Alcohol sale and service pursuant to liquor license must continue to be the principal use of the premises.

The Development Review Board will review the operations of permitted Category 3 Nightclub/Bars every 90 days after initial approval. In the event that the Development Review Board finds that the operation of any Category 3 establishment is not in compliance with applicable laws, or that any other condition of the initial approval is not being met, the Development Review Board will notify the owner of the Category 3 establishment and may revoke the approval to operate as a Category 3 Nightclub/Bar. Any aggrieved party may appeal the decision of the Development Review Board regarding revocation to the City Council.

11. Review any application for garages for storage, repair, and servicing of motor vehicles (7,500 square feet and over) and garages, including motor vehicle body repair, painting and engine rebuilding (7,500 square feet and over), pursuant to Section 2-376 of the Code of Ordinances, and impose any conditions deemed appropriate by the Development Review Board.

SECTION 3. AMENDMENTS TO SECTION 8.4 OF ZONING CODE. Section 8.4, titled “B3 General Commercial District”, of Article 8, titled “Commercial Business Districts”, of the Zoning Code, is hereby amended to read as follows: (additions are in **bold underline** and deletions are struck through)

“8.4-2-Permitted Uses

The following uses are permitted in the B3 District:

* * *

5. Automobile Accessory Stores, subject to review and conditions set by the Development Review Board

- ~~5-6.~~ Bakeries, retail
- ~~6-7.~~ Barber shops
- ~~7-8.~~ Beauty shops
- ~~8-9.~~ Bicycle sales, rental, repair stores
- ~~9-10.~~ Blueprinting and photostatting
- ~~10-11.~~ Boat showrooms, sales and repairs
- ~~11-12.~~ Book and stationery stores
- ~~12-13.~~ Camera and photographic supply stores
- ~~13-14.~~ Candy and ice cream stores
- ~~14-15.~~ Carpet and rug stores, retail
- ~~15-16.~~ China and glassware stores

- ~~16.~~17. Clothes pressing establishments
- ~~17.~~18. Clothing and costume rental
- ~~18.~~19. Coin and philatelic stores
- ~~19.~~20. Custom dressmaking
- ~~20.~~21. Dairy products
- ~~21.~~22. Department stores
- ~~22.~~23. Dog training facility
- ~~23.~~24. Drive-in establishments
- ~~24.~~25. Drive-thru establishments
- ~~25.~~26. Drugstores
- ~~26.~~27. Dry goods stores
- ~~27.~~28. Dry-cleaning and laundry receiving stations, processing to be done elsewhere

~~28.~~29. Dry-cleaning establishments

~~29.~~30. Dwelling

a. Multi-family, above the ground floor

~~30.~~31. Electrical and household appliance stores and repair services

~~31.~~32. Electrical showrooms and shops

~~32.~~33. Farm implement stores

~~33.~~34. Feed and seed stores

~~34.~~35. Florist shops

~~35.~~36. Food, grocery, meat markets and delicatessens

~~36.~~37. Frozen food stores, including accessory locker rental

~~37.~~38. Furniture stores, with accessory upholstery

~~38.~~39. Furrier shops, with accessory storage

40. Garages for storage, repair, and servicing of motor vehicles (7,500 square feet and over), subject to review and conditions set by the Development Review Board

41. Garages including motor vehicle body repair, painting and engine rebuilding (7,500 square feet and over), subject to review and conditions set by the Development Review Board

~~39.~~42. Garden supply, tool, and seed stores

~~40.~~43. Gift shops

~~41.~~44. Greenhouses and nurseries

~~42.~~45. Hardware stores

~~43.~~46. Hearing aid stores

~~44.~~47. Hobby shops, retail

~~45.~~48. [Reserved]

~~46.~~49. Household appliance stores

~~47.~~50. Inline retail

~~48.~~51. Interior decorating shops, with accessory upholstery

~~49.~~52. Jewelry stores, watch repair

~~50.~~53. Leather goods and luggage

51. <u>54.</u>	Libraries, museums, and art galleries: public
52. <u>55.</u>	Locksmith shops
53. <u>56.</u>	Medical and dental clinics and laboratories
54. <u>57.</u>	Millinery shops
55. <u>58.</u>	Mobile home sales
56. <u>59.</u>	Musical instrument sales and repairs
57. <u>60.</u>	Newspaper and magazine shops
58. <u>61.</u>	Nightclub/Bar (Category 3)
59. <u>62.</u>	Nightclub/Restaurant (Category 2)
60. <u>63.</u>	Offices, business and professional
61. <u>64.</u>	Office supply stores
62. <u>65.</u>	Opticians sales, retail
63. <u>66.</u>	Orthopedic and medical appliance stores
64. <u>67.</u>	Package liquor stores
65. <u>68.</u>	Paint, glass, and wallpaper stores
66. <u>69.</u>	Pet shops
67. <u>70.</u>	Phonograph record, and sheet music stores
68. <u>71.</u>	Photo studios, with accessory film developing
69. <u>72.</u>	Physical culture and health services
70. <u>73.</u>	Picture framing, retail
71. <u>74.</u>	Plumbing showrooms and shops
72. <u>75.</u>	Post office
73. <u>76.</u>	Printing shops
74. <u>77.</u>	Printing shops, primarily personal quick service
75. <u>78.</u>	Radio and television sales, service and repair
76. <u>79.</u>	Recording or sound studios
77. <u>80.</u>	Repair, rental and servicing of any article the sale of which is a permitted use in the district
78. <u>81.</u>	Restaurants
79. <u>82.</u>	Restaurants: Not including entertainment and dancing
80. <u>83.</u>	Second-hand stores and rummage shops
81. <u>84.</u>	Sewing machine sales and service
82. <u>85.</u>	Shoe, clothing, and hat repair stores
83. <u>86.</u>	Sporting goods stores
84. <u>87.</u>	Tailor shops
85. <u>88.</u>	Taxidermists
86. <u>89.</u>	Telegraph offices
87. <u>90.</u>	Telephone booths and coin telephones
88. <u>91.</u>	Theater, indoor
89. <u>92.</u>	Ticket agencies, amusement
90. <u>93.</u>	Tobacco shops
91. <u>94.</u>	Toy shops

- ~~92.~~95. Trailer and camper trailer sales and rental: for use with private passenger motor vehicles
- ~~93.~~96. Travel bureaus and transportation ticket offices
- ~~94.~~97. Variety stores
- ~~95.~~98. Wearing apparel shops
- ~~96.~~99. Wholesale establishments
- ~~97.~~100. Wireless telecommunications—Building or tower-mounted antenna

8.4-4 - Conditional uses

The following conditional uses may be allowed in the B3 District, subject to the provisions of Section 3.11 and any specific conditions contained within this Article 8.4:

* * *

- 24. Funeral homes
- 25. Garages for storage, repair, and servicing of motor vehicles **(under 7,500 square feet)**
- 26. Garages, including motor vehicle body repair, painting and engine rebuilding **(under 7,500 square feet)**
- 27. Hotels and motels”

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect and be in effect ten days after passage and publication according to law.

[SIGNATURE PAGE FOLLOWS]

PASSED THIS 21st DAY OF NOVEMBER, 2022.

RESOLUTION NO. 22—O—209
CITY OF WAUKEGAN



MAYOR ANN B. TAYLOR

ATTEST:



CITY CLERK JANET E. KILKELLY

ROLL CALL: Ald Florian, Ald Hayes, Ald Bolton, Ald Seger, Ald Moisio, Ald Kirkwood, Ald Newsome, Ald Turner, Ald Rivera.

AYE: Ald Florian, Ald Hayes, Ald Bolton, Ald Seger, Ald Moisio, Ald Kirkwood, Ald Newsome, Ald Turner, Ald Rivera.

NAY: None.

ABSENT: None.

ABSTAIN: None.