

ORDINANCE NO. _____ - 2022

VILLAGE OF HOFFMAN ESTATES

**AN ORDINANCE AMENDING SECTION 9-8-3-C
OF THE HOFFMAN ESTATES MUNICIPAL CODE
(USES IN THE C-MU DISTRICT - MIXED-USE DEVELOPMENT OPTION)**

WHEREAS, the Planning and Zoning Commission of the Village of Hoffman Estates, at a public hearing duly called and held according to law on September 7, 2022, considered a request by Hoffman Estates Acquisitions LLC to amend Section 9-8-3-C of the Hoffman Estates Municipal Code regarding uses within the Commercial Mixed Use District for the Mixed-Use Development Option.

WHEREAS, the Planning and Zoning Commission made certain Findings of Fact attached hereto and made a part hereof as Exhibit "A" and recommended approval of the text amendments to the Board of Trustees; and

WHEREAS, the Corporate Authorities have received and considered said recommendation of said Planning and Zoning Commission and find that the standards of Section 9-1-17 of the Zoning Code of the Hoffman Estates Municipal Code have been met.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, as follows:

Section 1: That Section 9-8-3-C-2, *Permitted Uses*, of Chapter 9, ZONING CODE, of the Hoffman Estates Municipal Code be and is hereby amended to read as follows:

Sec. 9-8-3. C-MU Commercial Mixed-Use District.

C. Mixed-Use Development Option.

2. Permitted Uses.

- a. Permitted uses of land or buildings, as hereinafter listed, shall be permitted under the mixed-use development option of the C-MU District under the conditions specified. No building or lot shall be devoted to any use other than a use permitted hereunder, with the exception of the following:
 - (1) Uses lawfully established on the effective date of this Code; and
 - (2) Special uses allowed in accordance with the provisions of Section 9-8-3-C-3.
- b. The following uses are permitted:
 - (1) Animal hospitals/veterinary clinics without overnight boarding;
 - (2) Animal grooming facilities without overnight boarding;
 - (3) Animal training facilities without overnight boarding;
 - (4) Art galleries;
 - (5) Artisan and light manufacturing and production, including the use of light equipment or machinery, hand-tools, mechanical tools and electronic tools for the manufacture of semi-finished or finished products including design, processing, fabrication, assembly, treatment and packaging of said products; as well as the incidental storage, sales and distribution of such products, wherein such distribution requires a low level of trucking access typical of standard retail, office, or general service establishments;
 - (6) Bakeries, retail;
 - (7) Barber shops and beauty shops, provided no more than 20 percent of the customer-accessible floor space shall be used for massage services;
 - (8) Bookstores;
 - (9) Business, music, dance or commercial schools;
 - (10) Clothing stores;
 - (11) Department stores;
 - (12) Discount retailers;
 - (13) Drug stores;

- (14) Dwelling-Multiple, including single-purpose residential buildings and condominiums above retail or other nonresidential space;
- (15) Dwelling—One-Family Attached;
- (16) Dwelling—Two-Family;
- (17) Electrical appliance sales (including repair);
- (18) Financial institutions, where the use is located within a larger permitted business, or where the use occupies 50 percent or less of the floor area of a multi-tenant building.
- (19) Florist shops and greenhouses for retail sales only;
- (20) Furniture stores;
- (21) Governmental buildings and uses;
- (22) Grocery stores and retail beverage sales, including food stores, liquor stores and wine stores;
- (23) Hardware stores;
- (24) Health clubs;
- (25) Home improvement stores, including building material, remodeling supply, and decorating supply sales;
- (26) Hotels;
- (27) Indoor entertainment uses including miniature golf, golf simulators, laser tag, arcades, escape rooms, or similar;
- (28) Nursery/private school/day care with no overnight boarding;
- (29) Offices, including administrative, professional, medical/dental and governmental offices;
- (30) Personal improvement services (tanning salons, yoga studios, martial arts studios, etc.);
- (31) Pet supply stores with accessory animal training;
- (32) Printing and copying shops;
- (33) Research and Development Facilities;
- (34) Restaurants;
- (35) Theaters, indoor (not including outdoor motion picture theaters); and
- (36) Other retail stores and services.

Section 2: That Section 9-8-3-C-3, *Special Uses*, of Chapter 9, ZONING CODE, of the Hoffman Estates Municipal Code be and is hereby amended to read as follows:

Sec. 9-8-3. C-MU Commercial Mixed-Use District.

C. Mixed-Use Development Option.

- 3. *Special Uses.* Special uses, as hereinafter enumerated, may be allowed under the mixed-use development option of the C-MU District, subject to the issuance of special use permits in accordance with the provisions of Section 9-1-18. The following special uses may be allowed under the mixed-use development option of the C-MU District:
 - a. Game rooms, restaurant;
 - b. Game rooms, dart playing facility;
 - c. Light self-storage facilities, including ancillary truck and trailer rentals, when located within a multi-tenant building, provided that such uses cumulatively occupy no more than 5% of the total gross floor area of the building. Outdoor storage of trucks and trailers is only permitted when approved through the site plan process in Section §10-2-2 of the Village Code.
 - d. Light self-storage facilities, including ancillary truck and trailer rentals, when located within a stand-alone building. Outdoor storage of trucks and trailers is only permitted when approved through the site plan process in Section §10-2-2 of the Village Code;
 - e. All other public, civic or commercial use not otherwise listed as a Permitted or Special Use in paragraphs 2. or 3. of this subsection C.

- f. Financial institutions, where the use occupies a freestanding building or more than 50 percent of the floor area of a multi-tenant building. In addition to the special use standards in Section 9-1-18-I, it shall be demonstrated that the use will not have a detrimental effect on the mix of retail and non-retail uses in the immediate area, and that the building can be adapted for a different use in the future.
- g. Data center.

Section 3: The Village Clerk is hereby authorized to publish this Ordinance in pamphlet form.

Section 4: This Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2022

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen V. Mills	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary J. Pilafas	_____	_____	_____	_____
Trustee Gary G. Stanton	_____	_____	_____	_____
Trustee Michael Gaeta	_____	_____	_____	_____
Trustee Karen Arnet	_____	_____	_____	_____
Mayor William D. McLeod	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2022

Village President

ATTEST:

Village Clerk

Published in pamphlet form this _____ day of _____, 2022.