

**AN ORDINANCE AMENDING TITLE 5, ZONING REGULATIONS SET FORTH IN CHAPTER 6 BUSINESS DISTRICTS REGARDING SPECIAL USES IN THE BP BUSINESS DISTRICT**

**WHEREAS**, the Village of Barrington Hills (hereinafter the "Village") is a duly organized and existing Illinois home rule municipality pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

**WHEREAS**, the Village of Barrington Hills is authorized and empowered, under the Municipal Code and the Code of Ordinances of the Village of Barrington Hills, to regulate properties located within the municipal boundaries of the Village; and

**WHEREAS**, in furtherance of this authorization, the Village of Barrington Hills has adopted a zoning code, set forth in Title 5 Zoning Regulations of the Village's Municipal Code to, among other purposes, effectuate the Village's planning program and to regulate individual property use by establishing use districts, building site requirements, setback, density, parking and height regulations, and by specifying external impact standards for noise, smoke, odor, glare and vibration; and

**WHEREAS**, Section 5-10-6(B) of the Village's Municipal Code provides that a property owner may initiate an amendment to the text of the zoning code; and

**WHEREAS**, Community Unit School District 220 applied to amend the text of the zoning code relative to special uses enumerated in the BP Business District, Section 5-6-4(E), specifically to define the special use allowed therein for "public and private schools" to state: "public and private schools, related administrative offices and athletic fields, playgrounds, parks and parking of passenger vehicles;" and

**WHEREAS**, Notice of Public Hearing with respect to the proposed text amendment was published in the Daily Herald Newspaper in the Village of Barrington Hills, as required by the village code and statutes of the State of Illinois; and

**WHEREAS**, pursuant to said Notice, the Zoning Board of Appeals of the Village of Barrington Hills conducted a Public Hearing on the Amendment on November 13, 2017 and after hearing the amendment, the Zoning Board of Appeals voted unanimously to make a minor revision to the proposed amendment, to state as follows: "public and private schools, related administrative offices and athletic fields, playgrounds, parks and parking of passenger **automobiles**" and, thereafter to recommend that the Village Board approve the amendment as revised; and

**WHEREAS**, the Zoning Board of Appeals has forwarded its findings and recommendation in regard to the amendment to the Village Board, in the Findings and Recommendation, attached hereto and incorporated herein by reference as Exhibit "A;" and

**WHEREAS**, the President and Village Board of Trustees has considered the matter and determined that the proposed text amendment to Title 5 Zoning Regulations, Section 5-6-4(E) relative to special uses allowed in the BP District be approved, as such action is believed to be in the best interests of the Village and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Barrington Hills, a home rule community located in Cook, Lake, Kane and McHenry Counties, Illinois, duly assembled at a regular meeting, as follows:

**SECTION ONE:** That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

**SECTION TWO:** That Title 5 Zoning Regulations, Chapters 6, Section 5-6-4 (E) be revised to state as follows:

(E) Special Uses, BP District: The following special uses may be allowed in the BP district, subject to the provisions of section 5-10-7 of this title:

Communications towers.

Daycare centers, freestanding.

Drive-throughs, provided drive-throughs serving restaurants are not permitted.

Hospitals.

Hotels within a development containing at least eight (8) lots. Such use shall, together with restaurants, occupy no more than ten percent (10%) of the land area covered by a development plan.

Public and private schools, **related administrative offices and athletic fields, playgrounds, parks, and parking of passenger automobiles.**

Restaurants as a freestanding building in a development containing at least eight (8) lots. Such uses shall, together with hotels, occupy no more than ten percent (10%) of the land area covered by a development plan.

**SECTION THREE:** That all other ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, expressly repealed.

**SECTION FOUR:** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Ayes: 5    Nays: 0    Absent: 1

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Barrington Hills, Illinois, this 19<sup>th</sup> day of December, 2017.

APPROVED:

  
Village President

ATTEST:

  
Village Clerk