

**ORDINANCE NO. 20 - \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 7 (BUSINESS DISTRICTS) OF  
TITLE 6 (ZONING REGULATIONS) OF THE NAPERVILLE MUNICIPAL CODE**

**RECITALS**

- A. WHEREAS**, the intent of the B5 zoning district is to accommodate activities which may be incompatible with the predominantly retail uses permitted in the B4 district, but are required to service the downtown as well as provide a transition to outlying residential areas.; and
- B. WHEREAS**, the B5 district accommodates a mix of office, service and multi-family residential uses in a pedestrian-oriented environment with sufficient parking provided to accommodate permitted uses; and
- C. WHEREAS**, the proposed text amendment seeks to modify existing code allowances to permit daycare centers, preschools, primary schools and secondary schools as conditional uses in the B5 zoning district; and
- D. WHEREAS**, Section 6-7E-4 (B5/Required Conditions) of the Naperville Municipal Code identifies required conditions for all conditional uses in the B5 zoning district (in addition to the conditional use standards noted in Section 6-3-8:2); and
- E. WHEREAS**, identifying daycare centers, preschools, primary schools and secondary schools as conditional uses in the B5 district will help to achieve the land use recommendations provided in *Naperville Downtown 2030*; and
- F. WHEREAS**, at their October 21, 2020 meeting, the Planning and Zoning Commission initiated the proposed amendment in response to a development petition presented by Guidepost Montessori School (approved 6-0); and
- G. WHEREAS**, at their November 18, 2020 meeting, the Planning and Zoning Commission conducted a public hearing regarding the proposed amendment to the B5 district and voted to recommend approval to add daycare centers, preschools, primary schools and secondary schools as conditional uses in the B5 district (approved 8-0); and
- H. WHEREAS**, the Naperville City Council has determined that it is appropriate to adopt the amendments to include daycare centers, preschools, primary schools and secondary schools as conditional uses in the B5 district as provided herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule authority, as follows:**

**SECTION 1:** The Recitals set forth above are incorporated herein and made part hereof as though fully set forth in this Section 1.

**SECTION 2:** Chapter 7 (Business Districts) of Title 6 (Zoning Regulations) of the Naperville Municipal Code is hereby amended by adding the underlined language, as follows:

**6-7E-3: - CONDITIONAL USES:**

The following conditional uses may be permitted in specific situations in accordance with the procedures outlined in Section 6-3-8 and Chapter 4 of this Title, as appropriate:

1. Any conditional uses in the B4 district except those that are now permitted uses in the B5 district.
2. General retail.
3. Specialty food establishments.
4. Primary and secondary schools that do not have boarding facilities.
5. Nursery schools, preschools, and daycare centers.

**SECTION 3:** This Ordinance shall be in full force and effect upon its passage and approval as required by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph.D.  
City Clerk