

VILLAGE OF ELBURN
KANE COUNTY, ILLINOIS

ORDINANCE NO. 2003-21

AN ORDINANCE AMENDING ZONING ORDINANCE
ESTABLISHING A PRS-PD PASSENGER RAIL
SERVICE - PLANNED DEVELOPMENT DISTRICT

ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF ELBURN

This 6th day of October, 2003

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ZONING ORDINANCE
ESTABLISHING A PRS-PD PASSENGER RAIL
SERVICE – PLANNED DEVELOPMENT DISTRICT**

WHEREAS, the President and Board of Trustees of the Village of Elburn have been working with Metra for a period in excess of ten years to bring commuter rail services to the Village of Elburn; and

WHEREAS, the funding necessary to bring commuter rail services to the Village of Elburn has been authorized by Congress; and

WHEREAS, Metra has petitioned the Village of Elburn for a zoning text amendment creating a PRS-PD – Passenger Rail Service District, and Metra has further requested the Village of Elburn for a zoning map amendment requesting its property be zoned “PRS-PD” – Passenger Rail Service District; and

WHEREAS, pursuant to notice, public hearings were held before the Village of Elburn Plan Commission to hear and consider reasons for and against said zoning text amendment; and

WHEREAS, following said public hearing the Plan Commission made its findings of fact and recommended the adoption of said zoning text amendment.

THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Elburn, Kane County, Illinois, that the Village of Elburn Zoning Ordinance is amended as follows:

SECTION ONE: That Section 2.1 of Article II “Zoning District” is amended by adding the following: “PRS-PD Passenger Rail Service-Planned Development District” to the list of zoning districts allowed in the Village.

SECTION TWO: That Article X-A "Passenger Rail Services – Planned Development (PRS-PD) District" is added to the list of zoning districts authorized by the Zoning Ordinance, to wit:

Article X-A: PRS-PD Passenger Rail Service – Planned Development District

10-A.1 PURPOSE: The PRS-PD, Passenger Rail Service – Planned Development (PRS-PD) District is intended to provide a zone for high quality transit-oriented services and amenities that encourage and accommodate pedestrian and bicycle access to public mass transit, while continuing to provide accessibility for automobiles through landscaped roads and commuter and employee parking areas.

The PRS-PD District is intended to preserve, protect, and enhance road, rail, and other important transportation corridors, and to facilitate public commuter transportation. It recognizes that transportation related uses are unique, and often dictated by the historical location of rail or other structures, and that the typical requirements of other zoning district classifications are not well suited to commuter passenger rail and related uses.

It is a goal of the PRS-PD District that the uses permitted hereunder will not have any negative impact, that are not customarily associated with transportation related uses, on any other use either within or outside of the District. The procedures and standards that govern the PRS-PD District are set forth in Article XI: Planned Developments of the Zoning Ordinance. Land included in the PRS-PD district shall be identified as "PRS-PD" on the official Village Zoning Map.

10-A.2 USES: The following uses may be permitted in the PRS-PD District, subject to approval as part of an agreed to planned development master plan:

A. Permitted Uses:

Rail Oriented

- (a) Passenger train coach yard.
- (b) Commuter warming shelter or train station.
- (c) Interior cleaning and maintenance of passenger train cars
- (d) Exterior washing of passenger cars and locomotives by hand-held or truck-mounted power-washer
- (e) Passenger crew welfare facility buildings.
- (f) Exterior storage of passenger trains.
- (g) Storage facilities for passenger rail related equipment and service vehicles.
- (h) Overnight storage of vehicles on the property.
- (i) Commuter and employee parking lots.
- (j) Parking structures.
- (k) Kiss-and-Ride Facilities

Retail Oriented

- (a) Antique shops.
- (b) Art galleries.
- (c) Art and school supplies.

- (d) Bakeries, in which the manufacture of goods is limited to goods retailed on the premises only.
- (e) Bicycle sales and repairs.
- (f) Book stores.
- (g) Bridal shops.
- (h) Butcher shops.
- (i) Camera stores.
- (j) Camping equipment sales and rental (excluding trailers and similar campers).
- (k) Candle shops.
- (l) Candy and confectionery stores.
- (m) Card shops.
- (n) Children's apparel shops.
- (o) China and glassware stores.
- (p) Christmas shops.
- (q) Compact disc, cassette tape and phonograph record stores.
- (r) Computers, sales and service.
- (s) Drug stores and pharmacies.
- (t) Florist shops.
- (u) Food stores, including grocery, convenience and specialty (coffee, fudge, etc).
- (v) Gift shops.
- (w) Handmade crafts.
- (x) Hardware stores.
- (y) Hearing aid stores.
- (z) Herbs, spices and kitchen specialties.
- (aa) Hobby shops.
- (bb) Ice cream stores or stands.
- (cc) Jewelry stores.
- (dd) Ladies apparel stores.
- (ee) Leather goods and luggage stores.
- (ff) Linen and bath shops.
- (gg) Men's apparel stores.
- (hh) Millinery and haberdasheries.
- (ii) Musical instrument sales and repairs.
- (jj) Office supply stores.
- (kk) Pewter and silver stores.
- (ll) Pottery shops.
- (mm) Retail, mail-order stores.
- (nn) Shoe stores.
- (oo) Special import stores.
- (pp) Sports card stores.
- (qq) Tack shops.
- (rr) Tobacco shops.
- (ss) Toy Stores.
- (tt) Variety and notion stores. (Dime stores).
- (uu) Woodcraft shops.
- (vv) Yarn and needlework shops.

Business Services

- (a) Artists and design studios.
- (b) Banks and financial institutions (excluding drive-up).
- (c) Beauty and barbershops.

- (d) Brokerage houses.
- (e) Chambers of commerce.
- (f) Charitable organizations.
- (g) Civic associations.
- (h) Coin and philatelic sales.
- (i) Currency exchanges.
- (j) Delicatessens.
- (k) Dry cleaning shops.
- (l) Gift-wrapping and mailing services.
- (m) Locksmiths.
- (n) Newspaper offices.
- (o) Photocopying and printing.
- (p) Photographic and art studio.
- (q) Picture framing.
- (r) Restaurant and eating places (without drive-through, entertainment or dancing).
- (s) Security and commodity brokers.
- (t) Shoe repair shops.
- (u) Convenience stores.
- (v) Tailor or dressmaker shop.
- (w) Travel agency.
- (x) Video rentals.

Institutional Uses:

- (a) Post office sub-stations
- (b) Police sub-stations
- (c) Fire and ambulance stations
- (d) Libraries

B. Prohibited Uses:

- (1) Freight train coach yard, equipment and buildings related thereto.
- (2) Freight trains, except for through freight rail service.
- (3) Storage of freight trains and related equipment

10-A.3 SITE DEVELOPMENT REQUIREMENTS: — See Article XII, “Site Development Requirements” for standards and review procedures that apply to properties in the PRS-PD District.

10-A.4 APPLICABILITY:

All uses permitted in Section 10-A.2, PRS-PD District shall be processed as a Planned Development in accordance with the procedures of Planned Development Section of the Zoning Ordinance, except where such use replaces an existing use and does not change the building floor area or architectural elevations approved as part of the original planned development or subsequent amendment approved by the Board of Trustees. All approved final Planned Development Plans within the PRS-PD District shall continue in force until amended as provided in the manner set forth in the Zoning Ordinance

10-A.5 LOT REQUIREMENTS:

- (1) Minimum Lot Size – None
- (2) Minimum Lot Width – None

10-A.6 YARD AND SETBACK REQUIREMENTS:

- (1) Minimum Front and Corner Side Yards – Not less than twenty (20) feet from a front or corner side lot line.
- (2) Minimum Interior Side Yards – Not less than twenty (20) feet from an interior side lot line.
- (3) Minimum Rear Yards – Not less than twenty (20) feet from a rear lot line
- (4) Transition Yards – Where any lot line coincides with any lot line in an existing residential district, the yard requirements for the lot in the PRS-PD District shall be increased to one-hundred (100) feet. Where any lot line coincides with any lot line in a business district, the yard requirements for the lot in the PRS-PD District shall be increased to fifty (50) feet.
- (5) The Village Board may approve a zero-foot setback from one parking lot to another parking lot when both lots are under single ownership and receives final PRS-PD District approval.

10-A.7 MAXIMUM LOT COVERAGE:

Maximum lot coverage shall be limited to that coverage which can be accommodated after compliance with the open space, buffering and landscape requirements of this Section and Article XII, and on-site storm water management required by all current Village, State and Federal requirements.

10-A.8 HEIGHT LIMITATIONS:

No building or structure of any kind shall exceed thirty-five (35) feet in height.

10-A.9 LIGHTING STANDARDS:

Planned Developments within the PRS-PD District shall comply with the lighting standards identified in the “Site Development Requirements Section” of the Zoning Code.

10-A.10 PARKING STANDARDS:

Passenger Rail Service – Planned Developments shall comply with the Zoning Code.

Section Three: That Article XI, Section 11.4 “Permitted Uses” is amended by adding subsection D. Passenger Rail Service – Planned Development, to wit:

D. Passenger Rail Service – Planned Development:

- (1) **General Objectives.** Some of the overall land use and design objectives for development within the Passenger Rail Service - Planned Development District may include:
 - Commuter passenger warming house or train station
 - Provide an opportunity for shopping and business uses catering to the commuting public and residents of nearby neighborhoods

- Landscaped public parking lots in accordance with the Village Ordinance, pedestrian walkways and bike paths that provide for commuter needs and encourage walking/biking to the station.
- Close linkage between the commuter station and future residential and commercial opportunities
- Promote cooperative development of the commuter station and existing and future adjacent residential and commercial areas, with adequate off-street parking, controlled access to existing neighborhood streets and major roads.
- Promotes the safe co-existence and flow of pedestrian and vehicular traffic.
- Buffers existing and future residential areas with berms or landscape screening.
- Promotes unified sign plans

Section Four: That Section 12-2A of Article XII "Site Development Requirements" is amended to incorporate the new "Passenger Rail Service-Planned Development District" to the list of zoning districts, to wit:

"(9) PRS-PD Passenger Rail Service-Planned Development District".

Section Five: This Ordinance shall take effect immediately upon its passage and approval as required by law.

Section Six: That if any part or portion of this ordinance shall be declared invalid by a court of competent jurisdiction, such partial invalidity shall not affect the remainder of this ordinance.

Section Seven: That this ordinance shall be in full force and effect from and after its passage and approval.

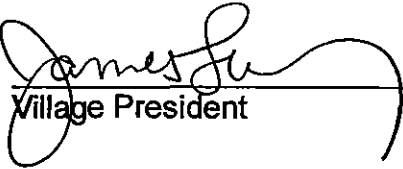
PRESENTED to the Board of Trustees of the Village of Elburn, Kane County, Illinois this 6th day of October, 2003.

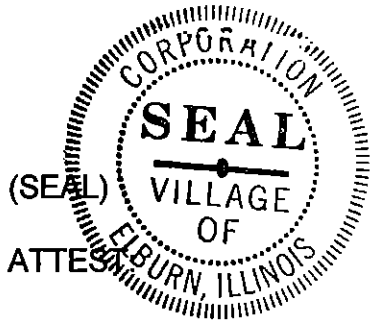
PASSED by the Board of Trustees of the Village of Elburn, Kane County, Illinois, this 6th day of October, 2003.

SIGNED by the President of the Board of Trustees of the Village of Elburn, Kane County, Illinois this 13th day of October, 2003.

AYES: Burgher, Dietsch, Grabrock, Humm, Metcalf, Swan
 NAYES: None.
 ABSENT: None.

APPROVED:


Village President




Village Clerk
Kane County, IL