

**VILLAGE OF LONG GROVE**

**ORDINANCE NO. 2022-O-\_\_\_**

**AN ORDINANCE AMENDING SECTION 5-9-3 OF THE LONG GROVE ZONING CODE  
REGARDING TEMPORARY USES IN THE HR HIGHWAY RETAIL DISTRICT**

Adopted by the  
President and Board of Trustees  
of  
the Village of Long Grove  
this \_\_\_ day of June, 2022

Published in pamphlet form by direction  
and authority of the Village of Long Grove,  
Lake County, Illinois  
this \_\_\_ day of June, 2022

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**AN ORDINANCE AMENDING SECTION 5-9-3 OF THE LONG GROVE ZONING CODE REGARDING TEMPORARY USES IN THE HR HIGHWAY RETAIL DISTRICT**

**WHEREAS**, Section 5-9-3 of the Long Grove Zoning Code (“**Zoning Code**”) authorizes the establishment of certain temporary uses in specified zoning districts, including the HR Highway Retail District; and

**WHEREAS**, Section 5-9-3 currently restricts temporary uses in the HR Highway Retail District to a period of not more than five (5) years, but in no event are any such temporary uses allowed to continue beyond December 31, 2023; and

**WHEREAS**, the President and Board of Trustees (the “**Village Board**”) of the Village of Long Grove (the “**Village**”) has previously granted temporary uses in the H-R District for the property commonly known as 2727 Illinois Route 53 (the “**Subject Property**”); and

**WHEREAS**, the owner of the Subject Property has requested the Village to consider an amendment to Section 5-9-3 to extend the time period during which temporary uses may operate within the H-R District (the “**Proposed Amendment**”); and

**WHEREAS**, pursuant to notice duly published, the Plan Commission/Zoning Board of Appeals of the Village (“**PCZBA**”) conducted a public hearing on June 7, 2022 to consider the Proposed Amendment and heard testimony from all those attending the public hearing who wished to testify regarding the Proposed Amendment; and

**WHEREAS**, at the conclusion of the public hearing, the PCZBA recommended that Section 5-9-3 of the Zoning Code be amended with respect to the expiration date of temporary uses in the HR Zoning District as set forth in this Ordinance; and

WHEREAS, the President and Board of Trustees have considered the PCZBA's recommendation and determined that amendments to Section 5-9-3 of the Zoning Code as set forth in this Ordinance are necessary, desirable, and appropriate;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, COUNTY OF LAKE, STATE OF ILLINOIS, as follows:

**SECTION ONE: Recitals.** The foregoing recitals are hereby incorporated into this Ordinance as the findings of the President and Board of Trustees.

**SECTION TWO: Amendment to Paragraph 5-9-3.D.4.** Paragraph 4, entitled "H-R District," of Subsection D, entitled "Permitted Temporary Uses," of Section 5-9-3, entitled "Temporary Uses," of Chapter 9, entitled "District Regulations of General Applicability," of Title 5, entitled "Zoning Regulations," of the Village Code is hereby amended in part as follows:

**"5-9-3 TEMPORARY USES**

\* \* \*

(D) *Permitted Temporary Uses.* Subject to the specific regulations and time limits that follow and to the other applicable regulations of the district in which the use is permitted, the following temporary uses and no others are permitted in the zoning districts herein specified:

\* \* \*

4. *HR District.*

(a) The uses specified in subsection (D)4(b) of this section shall be permitted on properties comprised of at least ten acres and located within the HR District. Such properties must, at the time of application, have a principal use of open space, which may include the presence of existing but unused structures. Any such use shall require the specific prior approval of the Village Board by ordinance or resolution on the basis of compliance with the standards and limitations set forth in this section; adequacy of lot size and configuration; adequacy of existing buildings, utilities, and other improvements; parking provisions; traffic access and safety; and absence or minimization of negative impacts on other properties, natural resources, and the public health, safety, and welfare. The Board shall specify the maximum duration of the temporary use, not to extend beyond the temporary use authorization expiration date set forth in Paragraph 5-9-3.D.4(c) ~~exceed five years~~, and may impose

such conditions as may be reasonably necessary to achieve the purposes of this section and protect the public health, safety, and welfare. Storage of heavy equipment and machinery, gasoline, and hazardous substances shall not be permitted in connection with any temporary use under this subsection (D)4 unless expressly authorized by the Village Board. Any application for a temporary use permit pursuant to this subsection (D) shall include a proposed site plan and such other information as the Board may require in its reasonable discretion.

(b) The following uses shall be permitted as temporary uses in accordance with this subsection (D)4:

- (1) Seasonal retail sale of landscape nursery plants, flowers, and landscape equipment.
- (2) Self-storage or warehousing within a fully-enclosed structure.
- (3) Contractors' offices and/or material storage in relation to a general contractor's or landscape contractor's operations and not accessory to an on site construction project, which may include outdoor parking and storage of vehicles and equipment associated with such operations.
- (4) Entertainment or recreation facilities, such as batting cages or go-cart driving, within a fully-enclosed structure.
- (5) Equipment rental, storage, and leasing within a fully enclosed structure.
- (6) Seasonal and holiday retail stores.
- (7) Retail sales of alcoholic beverages.
- (8) Dog daycare, overnight boarding, grooming, and training facilities within a fully enclosed structure; provided, however, that such facilities may also include designated outdoor dog training, exercise, and relief areas. Dog kennels in which dogs are bred, sold, or offered for sale or adoption shall not be permitted.

(c) The temporary use authorizations set forth in this subsection (D)4 shall expire as of ~~December 31, 2023~~ **[DATE]**.

**SECTION THREE: Applicability of Text Amendment.** To the extent that any temporary uses have heretofore been authorized within the H-R District that are active and

operating as of the date of this Ordinance (the "**Prior Temporary Uses**"), the authorizations of such Prior Temporary Uses shall be extended to the date set forth in Section 5-9-3.D.4(c) as herein amended, notwithstanding any other expiration date set forth in the ordinances authorizing any such Prior Temporary Uses.

**SECTION FOUR:**    **Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this \_\_\_ day of June, 2022.

AYES: ( )

NAYS: ( )

ABSENT: ( )

APPROVED this \_\_\_ day of June, 2022.

\_\_\_\_\_  
Village President, Bill Jacob

ATTEST:

\_\_\_\_\_  
Village Clerk, Michele Schmitke