

**VILLAGE OF ANTIOCH**

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**11-10-15**

**AN ORDINANCE AMENDING TITLE 10 OF THE VILLAGE CODE ENTITLED VILLAGE OF  
ANTIOCH MIXED USE DOWNTOWN OVERLAY DISTRICT**

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**ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES**

**OF THE**

**VILLAGE OF ANTIOCH, ILLINOIS**

**ON**

**October 17, 2011**

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**Published in pamphlet form by authority of the Village Board  
of the Village of Antioch, Lake County, Illinois,  
this 20<sup>th</sup> day of October, 2011.**

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**LAWRENCE M. HANSON**

**President**

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**Trustee**

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**Trustee**



**ORDINANCE NO. 11-10-15**

**AN ORDINANCE AMENDING TITLE 10 CHAPTER 10 OF THE VILLAGE CODE  
ENTITLED VILLAGE OF ANTIOCH MIXED USE DOWNTOWN OVERLAY DISTRICT**

**WHEREAS**, the Village of Antioch is a Non-Home Rule Illinois Municipal Corporation organized and operating under the Illinois Municipal Code, 65 ILCS 5/1 et seq.; and

**WHEREAS**, Pursuant to 65 ILCS 5/11-13-1 of the Municipal Code, To the end that adequate light, pure air, and safety from fire and other dangers may be secured, that the taxable value of land and buildings throughout the municipality may be conserved, that congestion in the public streets may be lessened or avoided, that the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters may be lessened or avoided, and that the public health, safety, comfort, morals, and welfare may otherwise be promoted, and to insure and facilitate the preservation of sites, areas, and structures of historical, architectural and aesthetic importance; the corporate authorities in each municipality are granted certain powers to affix standards to which development and redevelopment shall conform; and

**WHEREAS**, the previously adopted Village of Antioch Comprehensive Plan Amendment for Route 83 and Downtown Corridor specifically includes recommended regulatory changes for building materials, height, setbacks, and the location and design of parking lots, all of which influence the appearance of new construction. Other sections of the said Plan Amendment include each existing structure within downtown and a recommended list of construction and façade improvements that are sympathetic to the original structure and which are harmonious with the existing overall unique character of the entire downtown area; and

**WHEREAS**, pursuant to Chapter 1 of Title 2 of the Antioch Village Code, a public hearing was held by the Combined Planning Commission and Zoning Board on July 8, 2010 and continued to August 12, 2010 and September 9, 2010, and finally concluded on October 14, 2010 after due notice by newspaper publication, upon the application of Dustin Nilsen, on Behalf of the Village of Antioch ("Petitioner"), to amend Title 10 of the Village Zoning Code, resulting in a recommendation of that body for approval of the said amendment; and

**WHEREAS**, the corporate authorities find that regulating land uses in an orderly and coordinated manner and affixing building and construction standards thereto is in furtherance of the public interest by ensuring the economic and social sustainability and compatibility of redevelopment and future development, particularly in an area of existing historic buildings and structures built under differing zoning and building codes over a period of more than one hundred years; and

**WHEREAS**, it is the public interest to assure that public benefits derived from expenditures of public funds for the improvement and beautification of streets, and other

public structures and spaces, are protected by exercising reasonable controls over the character and private investments and development; and

**WHEREAS**, a comprehensive and balanced system of development and regulating standards that will preserve the right and enjoyment of the use of private property, provide an achievable balance and synergy between the built and the natural environment, and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance, is found to be in the best interest of the visitors, residents, and corporate citizens of the Village alike;

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Antioch, Lake County, Illinois, as follows:

**SECTION I:** The foregoing recitals represent the purpose and intent of this ordinance and insofar as each recital does it is incorporated by reference as a substantive provision hereof as though fully set forth herein.

**SECTION II:** The zoning and land use regulations incorporated here within are consistent with the best management and development practices endorsed by independent policy organizations such as the Urban Land Use Institute, the American Planning Association, Chicago Metro Agency for Planning, and are consistent with the Goals and Policies set forth within the Village's Comprehensive Plan, Especially the Route 83 and Downtown Corridor Study.

**SECTION III:** Chapter 10, Title 10 of the Antioch Village Code be and is hereby amended in its entirety and it shall hereafter consist solely of the regulating plan standards as outlined in the document entitled DOWNTOWN ANTIOCH Draft Form-Based Code Prepared for the Village by The Lakota Group and S.B. Friedman & Company dated October 1, 2010.

**SECTION IV:** The official Village of Antioch Zoning Map is hereby amended to include the land use plans, districts and regulations set forth in the document adopted in Section III hereinabove.

**SECTION V:** Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action arising, acquired or existing under any act or ordinance or portion thereof hereby repealed or amended by this ordinance; nor shall any just or legal right, claim, penalty or remedy of any character of the corporate authority existing on the effective date hereof be lost, impaired or affected by this Ordinance.

**SECTION VI:** If any provision, clause, sentence, paragraph, section, or part of this ordinance or application thereof to any person, firm, corporation, public agency or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to

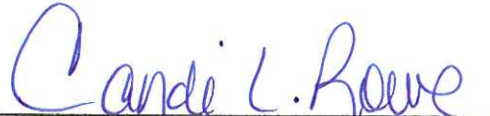
be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provision to other persons, firms, corporation, or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, or circumstances involved. It is hereby declared to be the legislative intent of the corporate authorities that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not been included.

**SECTION VII:** This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

**Passed and approved this 17<sup>th</sup> day of October, 2011.**

  
LAWRENCE M. HANSON, President

ATTEST:

  
CANDI L. ROWE, Village Clerk



STATE OF ILLINOIS)  
                                  )     SS  
COUNTY OF LAKE )

**CERTIFICATE**

I, Candi L. Rowe, certify that I am the duly appointed Municipal Clerk of the Village of Antioch, Lake County, Illinois.

I certify that on October 17, 2011, the Corporate Authorities of such municipality passed and approved **Ordinance No. 11-10-15**, entitled "***AN ORDINANCE AMENDING TITLE 10 OF THE VILLAGE CODE ENTITLED VILLAGE OF ANTIOCH MIXED USE DOWNTOWN OVERLAY DISTRICT***" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 11-10-15**, including the Ordinance and cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on October 20, 2011, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

DATED at Antioch, Illinois, this 20<sup>th</sup> day of October, 2011.

  
Candi L. Rowe, Village Clerk

