



# Article 1: General Provisions

# ARTICLE 1. GENERAL PROVISIONS

## 1.1 Title

This ordinance shall be known as the “Downtown Development Code” for the Village of Glenview or the “Code.”

## 1.2 Applicability

The regulations of this code shall apply to all development, public or private, within the Downtown Development District, or “District,” as designated on the attached Zoning Map, unless otherwise expressly exempted or provided in this Downtown Development Code (see areas shaded in gray in **Figures 1.1, 2.5, and 3.2**).

The District generally encompasses Glenview Road from Washington Street to Waukegan Road, Waukegan Road from Lake Avenue to Henley Street, Railroad Avenue from Dewes Street to just north of Grove Street, Dewes Street from Washington to Waukegan, and portions of Pine, Grove, Church, Prairie, Harlem, McLean, and Maplewood that are side streets for the major roads in Downtown.

## 1.3 Effective Date

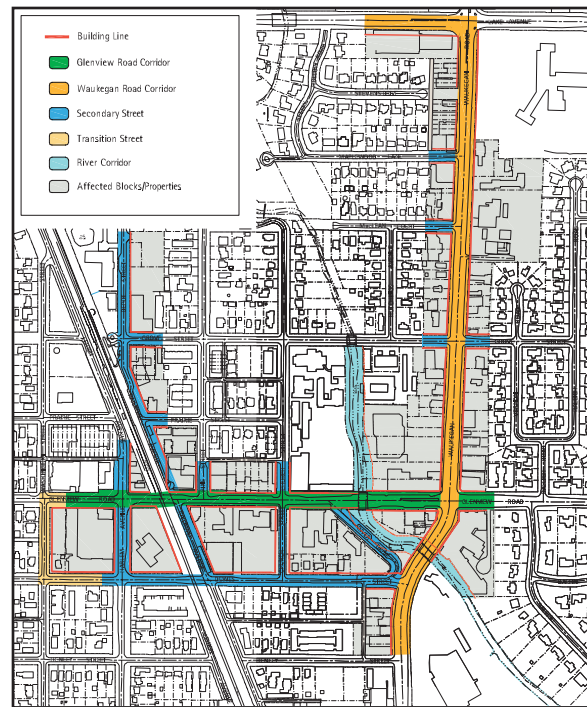
This code was adopted and became effective on June 17, 2008, Ordinance Number 5112.

## 1.4 Purpose + Authority

This code is adopted pursuant to the Home Rule powers of the Village of Glenview under the 1970 constitution of the State of Illinois.

This code is adopted for the purpose of:

- 1.4.1 Promoting the public health, safety, and general welfare;
- 1.4.2 Improve the Village’s quality of life for residents and visitors by enhancing Downtown’s “sense of place.”



**Figure 1.1 Downtown Development Code Street Frontages**

- 1.4.3 Implementing the policies and goals contained within the Village’s Downtown Revitalization Plan;
- 1.4.4 Maintaining orderly and compatible land-use and development patterns;
- 1.4.5 Enhancing and expanding Downtown’s retail environment by clustering shopping opportunities;
- 1.4.6 Expanding residential opportunities, both to improve housing choice and increase foot traffic and vitality;
- 1.4.7 Promoting rehabilitation and reuse of older buildings;
- 1.4.8 Accommodating office uses in the right locations;
- 1.4.9 Ensuring adequate light, air, privacy, and access to property;

- 1.4.10 Providing for adequate storm water drainage;
- 1.4.11 Enhancing pedestrian access and circulation;
- 1.4.12 Providing efficient parking and transportation facilities; and
- 1.4.13 Accommodating growth and development that complies with the preceding stated purposes.

## 1.5 Intent

- 1.5.1 The intent of this Downtown Development Code is to implement the Downtown Revitalization Plan adopted by the Village Board of Trustees on August 15, 2006.
- 1.5.2 New development regulations are needed for the Downtown District, as herein defined, because the existing zoning, subdivision, site plan and appearance ordinances include provisions that are inconsistent with the principles of the Downtown Revitalization Plan. This code focuses on the creation of mixed-use, walkable neighborhoods, and emphasizes building “form,” “public realm,” and high-quality site and building design. It is intended to set the foundation for a vital, attractive Downtown by encouraging streets, blocks, and buildings that are pedestrian-oriented, have a mix of uses, contain architectural diversity, and offer additional opportunities to live, work, and shop in the Village. Downtown Plan implementation is intended to:

- 1.5.2.1 Create a sense of place that has uses desired and needed by the community;
  - 1.5.2.2 Enhance the aesthetic appeal of the Downtown;
  - 1.5.2.3 Provide desirable amenities such as parking, open space and streetscape improvements;
  - 1.5.2.4 Address the needs of the Downtown merchants, while attracting additional high-quality establishments;
  - 1.5.2.5 Be financially prudent.
- 1.5.3 More specific statements of intent are found within each major section of this Downtown Development Code.

## 1.6 Adopted Plans

The following plans have been adopted by the Village Board of Trustees and shall be considered in any decisions under this Downtown Development Code in the Downtown Development District:

- 1.6.1 Downtown Revitalization Plan (August 2006)
- 1.6.2 Comprehensive Plan (2004)

## 1.7 Minimum Requirements

The provisions of this Downtown Development Code are the minimum requirements deemed necessary to carry out its stated purposes and intent.

### 1.8 Conflicting Provisions

**1.8.1 Conflicts with Local, State, or Federal Regulations:** If the provisions of this Downtown Development Code are inconsistent with those of the state or federal government or inconsistent with other adopted ordinances or regulations of the Village, the more restrictive provision will control. However, in the event any of the provisions herein conflict with any of the provisions of the Municipal Code, the provisions of the Downtown Development Code shall apply.

**1.8.2 Conflict with Private Agreements and Covenants:** This Downtown Development Code is not intended to interfere with, abrogate or annul any easement, covenant, deed restriction or other agreement between private parties. If the provisions of this Code impose a greater restriction than imposed by a private agreement, the provisions of this Code will control. If the provisions of a valid, enforceable private agreement impose a greater restriction than this Code, the provisions of the private agreement will control. The Village does not enforce or maintain a record of private agreements.

**1.8.3 D-1 Repealed:** Section 98-135 of the Glenview Municipal Code, “D-1 Downtown Business District regulations” is hereby repealed in its entirety.

### 1.9 Severability

Should any section, paragraph, sentence, clause, phrase, or word in this Downtown Development Code be declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs or sections of this Code, since they would have been enacted by the President and Board of Trustees without the incorporation in this Code of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, or section.