

AN ORDINANCE AMENDING CHAPTER 106 OF THE
MUNICIPAL CODE OF THE VILLAGE OF NEW LENOX, ILLINOIS
(Temporary Uses)

WHEREAS, the New Lenox Village Board of Trustees has deemed it to be in the best interest of the Village of New Lenox, Illinois, to amend certain portions of Chapter 106 as they pertain to temporary uses; and,

WHEREAS, the New Lenox Village Board of Trustees has determined that Zoning Board of Appeals and Village Board review and approval is not necessary for certain temporary uses, subject to compliance with certain regulations; and,

WHEREAS, the New Lenox Village Board of Trustees has determined that, based upon the size and/or location of certain developments, more than one temporary use is warranted; and,

WHEREAS, a public hearing was held before the New Lenox Plan Commission on January 15, 2007 for the purpose of soliciting public comment on the ordinance amendments.

NOW, THEREFORE, be it ordained by the Mayor and Board of Trustees of the Village of New Lenox, Will County, Illinois, as follows:

Section 1: That Section 106-162 (d) (1) a. C-1 neighborhood convenience shopping district shall be amended to read as follows:

(d) *Temporary uses permitted.*

- (1) Upon application to the community development department, the following uses may be operated as temporary uses:
 - a. Temporary buildings for construction offices and/or for the storage of construction materials and/or equipment, both incidental and necessary to construction and/or related to the development of the site and not for the sale of buildings or parcels located in the development. Each permit shall specify the location of the building and the area of permitted operation. Temporary buildings shall not be located within the required front, side or rear yard setback as specified in Section 106-162 (f) (2), (3) and (4). One sign, not exceeding thirty-two (32) square feet and identifying the contractor and/or project, may be placed on the temporary building. Each such permit shall be valid for a period of not more than six calendar months, and shall be granted on a per unit/phase basis. All temporary buildings permitted under this section shall be removed prior to the issuance of a certificate of occupancy for the development on the site for which the temporary buildings were necessary.

Section 2: That Section 106-163 (d) (1) a. C-2 community shopping district shall be amended to read as follows:

(d) *Temporary uses permitted.*

(1) Upon application to the community development department, the following uses may be operated as temporary uses:

- a. Temporary buildings for construction offices and/or for the storage of construction materials and/or equipment, both incidental and necessary to construction and/or related to the development of the site and not for the sale of buildings or parcels located in the development. Each permit shall specify the location of the building and the area of permitted operation. Temporary buildings shall not be located within the required front, side or rear yard setback as specified in Section 106-163 (f) (2), (3) and (4). One sign, not exceeding thirty-two (32) square feet and identifying the contractor and/or project, may be placed on the temporary building. Each such permit shall be valid for a period of not more than six calendar months, and shall be granted on a per unit/phase basis. All temporary buildings permitted under this section shall be removed prior to the issuance of a certificate of occupancy for the development on the site for which the temporary buildings were necessary.

Section 3: That Section 106-164 (d) (1) a. C-3 general business district shall be amended to read as follows:

(d) *Temporary uses permitted.*

(1) Upon application to the community development department, the following uses may be operated as temporary uses:

- a. Temporary buildings for construction offices and/or for the storage of construction materials and/or equipment, both incidental and necessary to construction and/or related to the development of the site and not for the sale of buildings or parcels located in the development. Each permit shall specify the location of the building and the area of permitted operation. Temporary buildings shall not be located within the required front, side or rear yard setback as specified in Section 106-164 (g) (2), (3) and (4). One sign, not exceeding thirty-two (32) square feet and identifying the contractor and/or project, may be placed on the temporary building. Each such permit shall be valid for a period of not more than six calendar months, and shall be granted on a per unit/phase basis. All temporary buildings permitted under this section shall be removed prior to the issuance of a certificate of occupancy for the development on the site for which the temporary buildings were necessary.

Section 4: That Section 106-165 (d) (1) a. C-4 automotive service district shall be amended to read as follows:

(d) *Temporary uses permitted.*

- (1) Upon application to the community development department, the following uses may be operated as temporary uses:
 - a. Temporary buildings for construction offices and/or for the storage of construction materials and/or equipment, both incidental and necessary to construction and/or related to the development of the site and not for the sale of buildings or parcels located in the development. Each permit shall specify the location of the building and the area of permitted operation. Temporary buildings shall not be located within the required front, side or rear yard setback as specified in Section 106-165 (g) (3), (4) and (5). One sign, not exceeding thirty-two (32) square feet and identifying the contractor and/or project, may be placed on the temporary building. Each such permit shall be valid for a period of not more than six calendar months, and shall be granted on a per unit/phase basis. All temporary buildings permitted under this section shall be removed prior to the issuance of a certificate of occupancy for the development on the site for which the temporary buildings were necessary.

Section 5: That Section 106-166 (d) (1) a. C-5 office/transitional district shall be amended to read as follows:

(d) Temporary uses permitted.

- (1) Upon application to the community development department, the following uses may be operated as temporary uses:
 - a. Temporary buildings for construction offices and/or for the storage of construction materials and/or equipment, both incidental and necessary to construction and/or related to the development of the site and not for the sale of buildings or parcels located in the development. Each permit shall specify the location of the building and the area of permitted operation. Temporary buildings shall not be located within the required front, side or rear yard setback as specified in Section 106-166 (f) (2), (3) and (4). One sign, not exceeding thirty-two (32) square feet and identifying the contractor and/or project, may be placed on the temporary building. Each such permit shall be valid for a period of not more than six calendar months, and shall be granted on a per unit/phase basis. All temporary buildings permitted under this section shall be removed prior to the issuance of a certificate of occupancy for the development on the site for which the temporary buildings were necessary.

Section 6: That Section 106-167 (d) (1) a. C-6 office and research park district shall be amended to read as follows:

(d) Temporary uses permitted.

- (1) Upon application to the community development department, the following uses may be operated as temporary uses:

- a. Temporary buildings for construction offices and/or for the storage of construction materials and/or equipment, both incidental and necessary to construction and/or related to the development of the site and not for the sale of buildings or parcels located in the development. Each permit shall specify the location of the building and the area of permitted operation. Temporary buildings shall not be located within the required front, side or rear yard setback as specified in Section 106-167 (g) (3), (4) and (5). One sign, not exceeding thirty-two (32) square feet and identifying the contractor and/or project, may be placed on the temporary building. Each such permit shall be valid for a period of not more than six calendar months, and shall be granted on a per unit/phase basis. All temporary buildings permitted under this section shall be removed prior to the issuance of a certificate of occupancy for the development on the site for which the temporary buildings were necessary.

Section 7: That Section 106-168 (d) (1) a. C-7 regional shopping district shall be amended to read as follows:

(d) *Temporary uses permitted.*

(1) Upon application to the community development department, the following uses may be operated as temporary uses:

- a. Temporary buildings for construction offices and/or for the storage of construction materials and/or equipment, both incidental and necessary to construction and/or related to the development of the site and not for the sale of buildings or parcels located in the development. Each permit shall specify the location of the building and the area of permitted operation. Temporary buildings shall not be located within the required front, side or rear yard setback as specified in Section 106-168 (g) (2), (3) and (4). One sign, not exceeding thirty-two (32) square feet and identifying the contractor and/or project, may be placed on the temporary building. Each such permit shall be valid for a period of not more than six calendar months, and shall be granted on a per unit/phase basis. All temporary buildings permitted under this section shall be removed prior to the issuance of a certificate of occupancy for the development on the site for which the temporary buildings were necessary.

Section 8: That Section 106-182 (c) (1) a. I-1 limited industrial district shall be amended to read as follows:

(c) *Temporary uses permitted.*

(1) Upon application to the community development department, the following uses may be operated as temporary uses:

- a. Temporary buildings for construction offices and/or for the storage of construction materials and/or equipment, both incidental and necessary to construction and/or related to the development of the site and not for the sale of buildings or parcels located in the development. Each permit shall specify the location of the building and

the area of permitted operation. Temporary buildings shall not be located within the required front, side or rear yard setback as specified in Section 106-182 (f) (3), (4) and (5). One sign, not exceeding thirty-two (32) square feet and identifying the contractor and/or project, may be placed on the temporary building. Each such permit shall be valid for a period of not more than six calendar months, and shall be granted on a per unit/phase basis. All temporary buildings permitted under this section shall be removed prior to the issuance of a certificate of occupancy for the development on the site for which the temporary buildings were necessary.

Section 9: Severability: That each section and part hereof of this ordinance is deemed to be severable and should any section or part hereof be held invalid or unconstitutional by any court of competent jurisdiction, such ruling shall not affect the validity of constitutionality of the remaining portion(s) of this ordinance.

Section 10: Repeal of Inconsistent Ordinances: That all ordinances or parts thereof in conflict with the terms of this ordinance are hereby repealed and of no further force and effect to the extent of any such conflict.

Section 11: Publication: That the Village Clerk is hereby directed to publish this ordinance in pamphlet form.

Section 12: Effective Date: That this ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

PASSED THIS 20th day of February, 2007
with six members voting AYE, with -0- members voting NAY, and with
-0- members ABSENT, the Mayor voting aye; and said vote being, MADSEN aye,
DYE aye, BOWDEN aye, SMITH aye, WALTER aye, and
TUMINELLO aye.

Marcia Engert
VILLAGE CLERK

Ordinance No. 1829

APPROVED this 21st day of February, 2007.



MAYOR

ATTEST:



VILLAGE CLERK