

Article 1. General Provisions

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1-101. Title

- A. This document shall be known, and may be referred to, as the Northbrook Zoning Code. This title may also be referred to as "the Code" or "this Code".

1-102. Authority and Purpose

- A. Section 6(a) of Article VII of the Constitution of the State of Illinois (1970) provides that any municipality which has a population of more than 25,000 is a Home Rule Unit. The Village of Northbrook, with a population in excess of 30,000, is a Home Rule Unit and may, therefore, exercise any power and perform any function pertaining to its government and affairs. This Code is adopted pursuant to such Constitutional authority for the following purposes:

1. **Land Use Patterns.**
 - a. Implement and foster the goals and policies of the Village's Official Comprehensive Plan;
 - b. Establish a rational pattern of land uses and encourage the most appropriate use of individual parcels and land throughout the Village;
 - c. Provide for the gradual elimination of nonconforming uses that adversely affect the character and value of permitted development;
 - d. Protect the character of the existing residential, commercial, office and manufacturing areas in the Village from the encroachment of incompatible uses;
 - e. Encourage compatibility among different land uses;

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- f. Encourage and enhance the preservation of natural resources, aesthetic amenities and natural features;
- g. Secure adequate natural light, clean air, privacy, a safe environment and convenience of access to property; and
- h. Promote and protect the public health, safety, morals and general welfare of the Village.

2. **Public Infrastructure.**

- a. Facilitate the most efficient use of existing and planned public facilities and utilities;
- b. Protect existing public facilities and utilities from being overloaded due to excess development;
- c. Protect and enhance a pattern of interconnected streets and highways that is unified, integrated, safe, effective and efficient;
- d. Regulate use along arterial streets and highways to protect their through-traffic function and capacity;
- e. Protect residential streets from degradation by non-residential traffic;
- f. Reduce congestion and promote safety on streets and highways by limiting traffic generation through the control of land use intensity;
- g. Avoid or lessen the hazards of flooding and storm water accumulation and run-off; and
- h. Establish and regulate setback lines along streets and highways, property lines and storm and flood water run-off channels and basins.

3. **Justifiable Expectations and Taxable Value.**

- a. Protect and respect the justifiable reliance of existing residents, business owners and taxpayers on the continuation of existing, established land use patterns;
- b. Establish procedures for the efficient and effective use of the provisions of this Code;
- c. Establish standards for the review of applications filed pursuant to this Code; and
- d. Protect and enhance the taxable value of land and buildings.

4. **Administration.**

- a. Define the powers and duties of administrative officers and bodies necessary to administer this Code;
- b. Establish procedures for the efficient and effective use of the provisions of this Code;
- c. Establish standards for the review of applications filed pursuant to this Code; and
- d. Prescribe penalties for the violation of the provisions of this Code.

1-103. Applicability

- A. **General Application.** This Code applies to all land, uses, buildings, and structures in the Village of Northbrook, including that owned by other municipal corporations and government bodies.
- B. **Required Conformance.**
 - 1. All lots of record created after the effective date of this Code, by subdivision or otherwise, shall conform to the requirements of this Code for the zoning district in which the land is located, except as otherwise provided by this Code.
 - 2. All buildings, structures, or land shall be used or occupied, and all buildings, structures, or part thereof shall be constructed, moved, enlarged, or altered in conformance with the provisions of this Code governing the zoning district in which it is located, except as otherwise provided by this Code.
 - 3. All buildings, structures, and required improvements shall not cross lot lines unless specifically allowed in this Code or approved as a Planned Development as provided in Article 2.

- C. **Interpretation.**

- 1. Where standards or requirements of this Code conflict with those of another section of this Code or any other applicable law, Code, rules, or regulations, the provisions which are more restrictive, or which impose higher standards shall govern.
- 2. In their interpretation and application, the provisions of this Code are held to be the minimum requirements for the promotion and protection of the public health, safety and general welfare, and shall be construed to achieve the purposes for which this Code was adopted.
- 3. This Code is not intended to repeal any easement, covenant, or other private agreement except that where the regulations of this Code are more restrictive or impose higher standards than such easements, covenants, or other private agreements, the requirements of this Code shall govern.

1-104. Transition Rules

- A. **Building Permits Issued Prior to Effective Date.** When a Building Permit has been lawfully issued prior to the effective date of this Code and construction has begun within six (6) months of the date of issue and is being diligently pursued to completion, the building or structure may be completed, and a certificate of occupancy may be issued, in accordance with the plans for which the Building Permit was issued.
- B. **Pending Applications.** Where a complete application for a Planned Development or Zoning Action, along with the applicable application fees, have been submitted to, and accepted by, the

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Village prior to the effective date of this Code, the provisions in effect when the application was filed shall govern the review and approval.

- C. **Existing Special Uses, Variance, and Planned Developments.** All Special Use Permits, Variances, and Planned Development granted by the Board of Trustees prior to the effective date of this Code shall remain in full force and effect. The recipient of the Special Use Permit, Variance, or Planned Development may proceed to develop the property in accordance with the plans approved by the Board of Trustees and any conditions attached thereto. Property owners shall continue to be obligated to conform to all such conditions and requirements even if the property is rezoned. However, if the recipient has failed to begin construction within six (6) months of the date of adoption of this Code, then the provisions of this Code shall govern.
- D. **Existing Permitted Uses.** When a lot is used for a purpose that was classified as a permitted use prior to the effective date of this Code, and such use is classified as a special use by this Code, such use is hereby deemed a lawful special use. Any addition, enlargement, or expansion of such use shall conform to the requirements of Article 12.
- E. **Uses, Structures, Buildings, and Lots Rendered Nonconforming.** Existing uses, structures, buildings, and lots that do not comply with the regulations of this Code shall be subject to Article 12 of this Code relating to nonconformities.
- F. **Existing Unlawful Uses, Structures, and Buildings.** No building, structure, or use, which was unlawful at the time of the adoption of this Code, shall become or be made lawful solely due to adoption of this Code. To the extent, and in any manner, that said unlawful building, structure, or use is in conflict with the requirements of this Code, said building, structure, or use remains unlawful.

1-105. Severability

- A. It is hereby declared the intention of the Northbrook Village Board that the several provisions of this Code are severable, in accordance with the following:
 - 1. If any court of competent jurisdiction adjudges any provisions of this Code to be invalid, such judgment shall not affect the validity and continued enforcement of any other provisions of this Code.
 - 2. If any court of competent jurisdiction adjudges the application of any provision of this Code to any property, structure, building, or use to be invalid, such judgment shall not affect the application of that provision to any other property, building, structure, or use not specifically included in that judgement.

1-106. Effective Date

- A. The effective date of this Code shall be the latest to occur of:
 - 1. Passage and approval by the Village Board of Trustees;

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2. Publication in pamphlet form as required by law; and
3. September 22, 2025, which is the date calculated pursuant to Section 1-2-4 of the Illinois Municipal Code (65 ILCS 5/1-2-4). The effective date of each amendment to this Code shall be the date of adoption of such amendment unless otherwise provided.

1-107. Repeal of Previous Code

- A. On the effective date of this Code, all provisions of the Zoning Code of the Village of Northbrook adopted on November 22, 1988, and as amended from time to time, are expressly repealed in their entirety, except with respect to pending applications as expressly provided in Section 1-104.B of this Code.