

CITY OF WEST CHICAGO

ORDINANCE NO. 22-O-0025

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
A CONTRACT AMENDMENT #2 WITH RJN GROUP, INC. FOR PROFESSIONAL
ENGINEERING DESIGN SERVICES RELATED TO
THE SANITARY LIFT STATION #5 REPLACEMENT PROJECT**

**ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF WEST CHICAGO
October 17, 2022**

Published in pamphlet form by the authority of the City Council of the City of West Chicago,
DuPage County, Illinois, on the 18th day of October, 2022.

ORDINANCE NO. 22-O-0025

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST CHICAGO – APPENDIX A ARTICLES VII AND XIII OF THE ZONING CODE RELATING TO FENCES AND DRIVEWAYS

WHEREAS, the City of West Chicago periodically reviews the text of the Zoning Code for inconsistencies, discrepancies, and regulations in need of clarification ; and

WHEREAS, it is necessary to amend the Zoning Code, from time to time, to explain in clear terms how certain codes are enforced; and

WHEREAS, vague or inconsistent regulations within the Zoning Code must be addressed to avoid confusion; and

WHEREAS, the City Council believes it is in the best interest of the City to clarify certain sections of the Zoning Code; and

WHEREAS, Notice of Public Hearing on said text amendment was published in the Daily Herald on or about July 18, 2022, as required by the ordinances of the City of West Chicago and the statutes of the State of Illinois; and

WHEREAS, a Public Hearing was conducted by the Plan Commission/Zoning Board of Appeals of the City of West Chicago on August 2, 2022 pursuant to said Notice; and

WHEREAS, at the Public Hearing all interested parties had an opportunity to be heard; and

WHEREAS, the corporate authorities of the City of West Chicago have received the recommendation of the Plan Commission/Zoning Board of Appeals which contains specific findings of fact, pursuant to Recommendation No. 22-RC-0008, a copy of which is attached hereto as Exhibit “A” which is, by this reference, made a part hereof.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, Du Page County, Illinois, in regular session assembled, as follows:

Section 1. That Section 7.1(B) – Fence Construction Standards, of Article VII, Appendix A, of the Code of Ordinances of the City of West Chicago be amended as follows:

(1) Location: Each fence shall be located completely within the boundaries of the lot ~~on~~ for which ~~it is located~~ the permit has been issued, including all posts, bases and other structural parts.

Section 2. That Section 7.1(C) – District Regulations, of Article VII, Appendix A, of the Code of Ordinances of the City of West Chicago be amended as follows:

(1) Residential districts.

- a. Only decorative and open fences shall be permitted in actual front yards and shall not exceed four (4) feet in height, except within a visibility triangle, in which case the fence shall not exceed three (3) feet in height. Chain-link fences shall be prohibited in the actual front yard.
- b. Fences shall be permitted in actual interior and corner side yards, provided that the fence does not extend beyond the front line of the building or structure and shall not exceed six (6) feet in height, except within a visibility triangle, in which case the fence shall not exceed three (3) feet in height.
- c. Fences shall be permitted in actual rear yards and shall not exceed six (6) feet in height, except within a visibility triangle, in which case the fence shall not exceed three (3) feet in height. ~~or in Fences located in an actual rear yard extending along any state highway or railroad right-of-way, in which case the fence shall not exceed eight (8) feet in height.~~
- d. Privacy fences immediately adjacent to patios or first floor decks shall not exceed six (6) feet in height, as measured from the top of the patio or deck. A privacy fence immediately adjacent to a deck other than a first floor deck shall not exceed five (5) feet in height, as measured from the top of the deck. Said privacy fences shall not exceed a total of ten (10) lineal feet and shall not require a permit.
- e. Fences within a ~~front yard~~ visibility triangle shall not exceed three (3) feet in height. ~~Fences within a corner side yard visibility triangle shall not exceed four (4) feet in height.~~

(2) Commercial and manufacturing districts.

- a. Fences shall be permitted in interior side yards, corner side yards and rear yards and shall not exceed eight (8) feet in height, except within a visibility triangle, which shall not exceed three (3) feet in height. Fences that are required to provide screening of outside activity or storage, in accordance with Section 11.2-1(C)(2)(a) of Appendix A (the Zoning Code), shall be permitted up to ten (10) feet in height, except within a visibility triangle, which shall not exceed three (3) feet in height.
- b. Fences shall be permitted in actual front yards and shall not exceed four (4) feet in height in commercially zoned districts and six (6) feet in height in manufacturing zoned districts, except within a visibility triangle, which shall not exceed three (3) feet in height.
- c. Fences within a ~~front yard~~ visibility triangle shall not exceed three (3) feet in height. ~~Fences within a corner side yard visibility triangle shall not exceed four (4) feet in height.~~

Section 3. That Section 13.1-13(A) – Location of Parking, of Article XII, Appendix A, of the Code of Ordinances of the City of West Chicago, be amended to add the following: defined terms:

(A) Residential districts.

(1) Permit required: No person shall begin the construction, alteration, or replacement of a driveway within a Residential District without first having applied for and obtained a permit in writing to do so from the City of West Chicago.

~~(1)~~ (2) Driveway coverage of a lot. A ~~new~~ driveway shall cover no more than fifteen (15) percent of a lot. However, in the event that a ~~new~~ driveway leads to a detached garage located behind the rear building line, the driveway shall cover no more than twenty (20) percent of the lot. All existing driveways that are to be repaired or replaced at or less than the same dimensions and areas that they currently exist shall be exempt from the aforementioned lot coverage regulations in this subsection. Existing driveways enlarged beyond the current dimensions shall comply with the aforementioned lot coverage regulations in this subsection.

~~(2)~~ (3) Driveway coverage of front yard. A driveway shall not cover more than the following percentages of an actual front yard of a residential lot:

- a. R-1 40%
- b. R-2 40%
- c. R-3 42.5%
- d. R-4 45%
- e. R-5 45%

~~(3)~~ (4) Driveway width:

- a. Driveways (other than ribbon driveways): The maximum width of a driveway in the actual front yard shall not exceed forty-five (45) percent of the lot width. The minimum width of a driveway, at any point in the driveway, shall not be less than eight (8) feet.
- b. Ribbon driveways: The maximum width of a ribbon driveway in the actual front yard, as measured from the outermost edges of each strip, shall not exceed forty-five (45) percent of the lot width. The minimum width of each strip in a ribbon driveway shall be not less than two (2) feet and the strips shall have a minimum separation of five (5) feet on center.

~~(4)~~ (5) Parking spaces accessory to dwellings located in any residential zoning district shall be located on the same lot as the dwelling. Each parking space accessory to a multifamily dwelling shall be unobstructed so that no vehicle needs to be moved in order to allow another vehicle to enter/exit the parking area.

~~(5)~~ (6) There shall be no parking except on driveways, parking lots, or in enclosed garages, constructed consistent with the provisions of this section.

(7) All new driveways shall lead directly from a street or alleyway to the entrance of a garage.

~~(6)~~ (8) ~~New driveways~~ Driveways ~~accessory to dwellings located in any residential zoning district~~ shall be surfaced with a minimum of two and one-half (2 ½) inches of bituminous asphalt pavement over six (6) inches of compacted gravel, or with a minimum of four (4) inches of concrete pavement over four (4) inches of compacted gravel, or with interlocking pavers designed and approved for vehicle parking over ten (10) inches of compacted gravel.

Existing driveways that do not comply with the aforementioned surfacing requirements in this subsection as of December 20, 2021 shall be deemed legal nonconforming with respect to the surface material and may remain provided that no expansion

or replacement of the legal nonconforming driveway occurs. An expansion or replacement of the legal nonconforming driveway shall require compliance with the surfacing requirements of this subsection.

(9) Driveway approaches within a public right-of-way shall comply with Section 15-4. - Standards and procedures for driveway approaches and sidewalks, of the Code of Ordinances of the City of West Chicago.

~~(7)~~ (10) All new single-family dwellings shall be required to provide two (2) completely enclosed parking spaces.

~~(8)~~ (11) It shall be prohibited to use a garage as a dwelling space unless it is attached to a house and another garage providing the same number of parking spaces is provided on the same property.

~~(10)~~ (12) All parking spaces accessory to permitted non-dwelling uses located in any residential district generally shall be located on the same lot as the use served. An exception: The administrator may allow such parking facilities to be located on another parcel within two hundred (200) feet of the use served if the "same lot" requirement is not feasible.

~~(11)~~ (13) Paved and concrete driveways and sidewalks may only be expanded using the same or higher quality surface material as approved by the Code Official.

~~(12)~~ (14) Driveway location.

- a. Residences having primary access off of Neltnor Boulevard (IL Route 59) or North Avenue (IL Route 64) shall be exempt from these regulations.
- b. Driveways shall have a minimum setback of one (1) foot from an interior side lot line, excluding driveways unless the driveway is located in the R-5 zoning district and that leads to a detached garage, in which case no setback shall be required.
- c. Driveways shall be prohibited in an actual interior side yard, except when leading to a detached garage.
- d. When leading to an attached garage the driveway shall only be located in the area directly in front of the garage or in that portion of the actual front yard between the closest interior side lot line and the garage.
- e. No portion of any driveway Driveways in front of the non-garage portion of the residence shall be prohibited. may be located in front of a non-garage portion of a residence.
- e. f. Any portion of a driveway that leads to an attached garage and is located in that portion of the actual front yard between the closest interior side lot line and the garage shall be tapered so that the maximum width of the driveway at the property line is equal to or less than the width of the garage. This portion of the driveway shall have a maximum width of nine (9) feet and a maximum length of eighteen (18) feet, measured from the front of the garage to the start of the taper. The taper shall reduce at a maximum ratio of one (1) foot length for every one (1) foot in width of that portion of the driveway.

Section 4. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

Section 5. 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 17th day of October, 2022.

Alderman Beifuss	<u>Aye</u>	Alderman Chassee	<u>Aye</u>
Alderman Sheehan	<u>Aye</u>	Alderman Brown	<u>Aye</u>
Alderman Hallett	<u>Aye</u>	Alderman Dettman	<u>Absent</u>
Alderman Birch-Ferguson	<u>Absent</u>	Alderman Dimas	<u>Aye</u>
Alderman Swiatek	<u>Aye</u>	Alderman Garling	<u>Absent</u>
Alderman Stout	<u>Aye</u>	Alderman Short	<u>Aye</u>
Alderman Jakabcsin	<u>Aye</u>	Alderman Morano	<u>Aye</u>

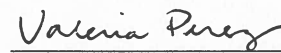
APPROVED as to form:


City Attorney

APPROVED THIS 17th day of October, 2022.


Mayor Ruben Pineda

ATTEST:


Executive Assistant Clerk Valeria Perez

PUBLISHED: October 18, 2022



EXHIBIT “A”

RECOMMENDATION # 21-RC-0008

TO: The Honorable Mayor and City Council

SUBJECT: PC 22-09
Zoning Text Amendments.

DATE: August 2, 2022

DECISION: The motion to approve the proposed amendments was approved by a vote of six (6) “yes” and zero (0) “no”.

RECOMMENDATION:

After a review of the proposed Zoning Text Amendments as presented, the Plan Commission/Zoning Board of Appeals finds that the proposed amendments do not pose a threat to the health, safety and welfare of the community. It is the Commission’s opinion that the proposed amendments will be beneficial to the City of West Chicago.

The amendments are in keeping with the purpose of the Zoning Code. The Plan Commission is of the opinion that the proposed amendments will protect, promote, and improve the public health, safety, morals, convenience, order, appearance, prosperity and the general welfare of the citizens of West Chicago community.

Respectfully submitted,

Barbara Laimins
Chairperson

VOTE:

For
Laimins
Hale
Billingsley
Slattery
Henkin
Banasiak

Against

Abstain

Absent
Kasprak

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

CERTIFICATE

I, Valeria Perez, Certify that I am the Executive Assistant of the City of West Chicago, DuPage County, Illinois.

I further certify that on October 17, 2022 the Corporate Authorities of such municipality passed and approved Ordinance No. 22-O-0025 entitled:

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
THE CITY OF WEST CHICAGO – APPENDIX A
ARTICLES VII AND XIII OF THE ZONING CODE
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Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 22-O-0025 including the ordinance and a cover sheet hereof was prepared, and a copy of such ordinance posted in the municipal building, commencing on October 18, 2022 continuing for at least ten days thereafter. Copies of such ordinance were also available for public inspection upon request in the Office of the City Administrator.

Dated at West Chicago, Illinois, this 17th of October, 2022.

SEAL



Valeria Perez

Valeria Perez, Executive Assistant