

ORDINANCE NO. 12-O-0008

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF WEST CHICAGO – APPENDIX A VARIOUS SECTIONS OF THE ZONING CODE

WHEREAS, the City of West Chicago (the “APPLICANT”) proposed several amendments to various sections of the Zoning Code, Appendix A of the Code of Ordinances of the City of West Chicago; and,

WHEREAS, Notice of Public Hearing on said application was published in the Daily Herald on or about March 19, 2012, all 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, commencing on Tuesday, April 3, 2012, pursuant to said Notice; and,

WHEREAS, at the Public Hearing, the APPLICANT provided testimony in support of its application, and 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. 12-RC-0002, 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 Appendix A, Section 4.1 of the Code of Ordinances of the City of West Chicago entitled “Construction of terms” is hereby amended by adding the following definition in alphabetical order:

“Sign, multi-faced: A sign with two or more connected faces where the interior angle formed by any two of the faces is ninety (90) degrees or less, where each face is designed or intended to be viewed from a different direction.”

Section 2. That Appendix A, Section 12.5-1 of the Code of Ordinances of the City of West Chicago entitled “Calculation of sign area” is hereby amended by deleting the following subsection in its entirety and replacing it with the following language:

“(C) In calculating the sign area, only one (1) side of any multi-faced sign shall be counted.”

Section 3. That Appendix A, Section 5.4-3 of the Code of Ordinances of the City of West Chicago entitled "Public hearing notice" is hereby amended by adding the following subsection:

"(C) A public hearing notice sign shall be posted on the premises in a manner and number prescribed by the zoning administrator."

Section 4. That Appendix A, Section 5.5-3 of the Code of Ordinances of the City of West Chicago entitled "Public hearing notice" is hereby amended by deleting the following subsections (A) in its entirety and replacing it with the following language and by adding the following subsection (C):

"(A) By certified mail return receipt requested of all persons residing within two hundred fifty (250) feet of the property; a certified mailing sent to all persons at the addresses appearing on a roll prepared by the County Clerk of DuPage County, listing to whom the tax bills are sent concerning the parcel(s) of property which are within two hundred fifty (250) feet of the subject property will satisfy this requirement."

"(C) A public hearing notice sign shall be posted on the premises in a manner and number prescribed by the zoning administrator."

Section 5. That Appendix A, Section 6.25 of the Code of Ordinances of the City of West Chicago entitled "Refuse containers" is hereby amended by deleting the provisions of said section in their entirety and replacing them with the following language:

"All refuse generated by uses located within any zoning district, excluding all single family residential dwellings and multi-family residential dwellings with fewer than four (4) total dwelling units, shall be stored in approved refuse containers that are visually screened on all sides with a solid screen fence. All multi-family residential dwellings utilizing a refuse container greater than one (1) cubic yard in volume shall visually screen the container on all sides by a solid screen fence."

Section 6. That Appendix A, Section 7.11 of the Code of Ordinances of the City of West Chicago entitled "Refuse containers for multifamily units" is hereby deleted in its entirety.

Section 7. That Appendix A, Section 7.2 (C) (8) of the Code of Ordinances of the City of West Chicago entitled "Signage" is hereby deleted in its entirety.

Section 8. That Appendix A, Section 10.2-3 of the Code of Ordinances of the City of West Chicago entitled "Permitted uses" is hereby amended by deleting item (J) in its entirety and replacing it with the following language:

"(J) Government facilities."

Section 9. That Appendix A, Section 10.2-4 of the Code of Ordinances of the City of West Chicago entitled "Special uses" is hereby amended by adding the following language:

"(M) Planned unit developments."

Section 10. That Appendix A, Section 12.6-2 of the Code of Ordinances of the City of West Chicago entitled "Illumination" is hereby amended by adding the following language:

- "(F) Signs shall not exceed a maximum illumination of five thousand (5000) candelas per square meter during daylight hours and a maximum illumination of five hundred (500) candelas per square meter between dusk to dawn, as measured from the sign's face, at maximum brightness.
- (G) Changeable copy signs for institutional uses in residential districts shall not be illuminated between the hours of 10:00 p.m. and 7:00 a.m."

Section 11. That Appendix A, Section 12.7-1 of the Code of Ordinances of the City of West Chicago entitled "Changeable copy signs" is hereby amended by deleting subsection (B) and (D) in their entirety and replacing them with the following language:

"(B) Allowable area:

- (1) For signs for institutional uses in residential districts, the changeable copy portion of the sign shall not exceed the area (in square feet) determined by the following formula: (total freestanding sign area + 6 square feet) x 0.5 = maximum area of the changeable copy portion of the sign.
- (2) For all other signs, the changeable copy portion of the sign shall not exceed thirty (30) percent of the sign area of the freestanding sign of which it is a part."

"(D) Shall comply with the following regulations when containing changeable copy that may be changed by electronic means:

- (2) The frequency of message change shall be restricted to no more than once every ten (10) seconds, except that the frequency of message change for signs for institutional uses in residential districts shall be restricted to no more than once every (60) seconds."

Section 12. That Appendix A, Section 13.1-9 of the Code of Ordinances of the City of West Chicago entitled "Paving of existing unpaved parking facilities" is hereby deleted in its entirety.

Section 13. That Appendix A, Section 13.1-10 of the Code of Ordinances of the City of West Chicago entitled "Lighting" is hereby amended by deleting subsection (D) in its entirety and replacing it with the following language:

"(D) All luminaries erected twenty-one (21) to thirty (30) feet above ground level:

- (1) Shall be flat bottom optically controlled sharp cut-offs, as approved by the city engineer; and
- (2) Shall not be installed with diffusing refractors."

Section 14. That Appendix A, Section 13.1-13 (A) of the Code of Ordinances of the City of West Chicago entitled “Residential districts” is hereby amended by deleting subsection (5) in its entirety and replacing it with the following language:

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

Section 15. 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 16. 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 ____ day of _____ 2012.

Alderman L. Chassee	_____	Alderman J. Beifuss	_____
Alderman H.R. Monroe	_____	Alderman J. Smith	_____
Alderman R. Radkiewicz	_____	Alderman R. Pineda	_____
Alderman S. Dimas	_____	Alderman J. Smith, Jr.	_____
Alderman K. Meissner	_____	Alderman N. Connelly	_____
Alderman R. Stout	_____	Alderman N. Dzierzanowski	_____
Alderman M. Fuesting	_____	Alderman A. Murphy	_____
Mayor Kwasman	_____		

APPROVED as to form: _____
City Attorney

APPROVED this ____ day of _____ 2012.

Vice Mayor, Ruben Pineda

ATTEST:

City Clerk, Nancy M. Smith

PUBLISHED: _____

EXHIBIT “A”
RECOMMENDATION # 12-RC-00002
ORDINANCE 12-O-0008

TO: The Honorable Mayor and City Council

SUBJECT: PC 12-05
Text Amendments

DATE: April 3, 2012

DECISION: The motion to approve the request was unanimously approved by a (7-0) vote.

After review of the proposed text amendments as presented, the Plan Commission/Zoning Board of Appeals finds that they do not pose a threat to the health, safety and welfare of the community. It is the Commission’s opinion that the proposed text amendments will help improve the enforcement, readability and applicability of the City's zoning regulations by continually striving to update and improve on the Zoning Code.

Respectfully submitted,

Erik Van-der-Mey
Vice Chairman

VOTE:

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
E. Van-der-May			
J. Warbiany			
J. Boyer			
R. Mireault			
J. Posadzy			
F. Lannes			
B. Laimins			