

ORDINANCE NO. 4452

**AN ORDINANCE AUTHORIZING VARIOUS TEXT AMENDMENTS TO THE
ZONING ORDINANCE OF THE VILLAGE OF VILLA PARK RELATED TO
CERTAIN SECTIONS OF ARTICLE 6 “USES”, ARTICLE 7 “PARKING”
AND ARTICLE 14 “MEASUREMENTS AND DEFINITIONS”**

WHEREAS, the Village of Villa Park (“Petitioner”) petitioned the Planning and Zoning Commission of the Village of Villa Park (“PZC”) to consider various text amendments to certain sections of Article 6 entitled “Uses”, Article 7 entitled “Parking”, and Article 14 entitled “Measurements and Definitions” of the Village’s Zoning Ordinance contained in Appendix C of the Village Code, in order to revise the Village’s regulations to allow for additional flexibility for expansion of driveways and installation of garages if said improvements are compliant with the bulk regulations of the applicable zoning district (“Proposed Text Amendment”); and

WHEREAS, the PZC, subject to due notice as published in the Daily Herald on October 28, 2024, conducted a public hearing on November 14, 2024, regarding the Proposed Text Amendment; and

WHEREAS, after holding the public hearing on November 14, 2024, and after taking and considering all public testimony, the PZC recommended that the Village Board approve the Proposed Text Amendment; and

WHEREAS, the corporate authorities find it advisable, necessary and in the best interest of the Village to approve the Proposed Text Amendment and amend its Zoning Code to amend certain sections contained in Articles 6 entitled “Uses”, 7 entitled “Parking” and 14 entitled “Measurements and Definitions”, as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Villa Park, DuPage County, Illinois, as follows:

Section 1: The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2: That Subsection 6.10.1, entitled “Generally Applicable Regulations,” of Section 6.10 entitled “Accessory Uses and Structures” of Article 6 entitled “Uses”, of the Village’s Zoning Ordinance contained in Appendix C of the Villa Park Municipal Code is hereby amended to read as follows:

6.10.1. - Generally Applicable Regulations

- A. Accessory uses and structures are allowed only in connection with lawfully established principal uses.
- B. Allowed uses and structures are limited to those expressly regulated in this section as well as those that, in the determination of the community development director, satisfy all of the following criteria:
 - 1. They are customarily found in conjunction with the subject principal use or principal building.
 - 2. Accessory structures attached to the principal building shall comply with all yard and other requirements applicable to the principal building.
 - 3. They are subordinate in building area, intensity of use or purpose of the principal use of the property served.
 - 4. They serve a necessary function for or contribute to the comfort, safety or convenience of occupants of the principal use.
- C. The following accessory uses are prohibited:
 - 1. Outdoor parking of trucks, buses, trailers or boats, except as provided in [section 7.7](#).
 - 2. Outdoor storage, except as specifically permitted by the district regulations.
- D. Accessory structures may be established in conjunction with or after the principal building or use. They may not be established before the principal building or use is in place except where authorized by the Director of Community & Economic Development or their designee.
- E. Accessory uses and structures must be located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.
- F. Accessory structures and uses may not be located within any public utility easement, whether platted or implied without written permission from the Director of Public Works.
- G. Accessory Structures and Uses are subject to the lot and building regulations of the zoning district in which they are located.

Section 3: That Subsection 6.10.4, entitled “Residential Garages and Carports,” of Section 6.10 entitled “Accessory Uses and Structures” of Article 6 entitled “Uses”, of the Village’s Zoning Ordinance contained in Appendix C of the Villa Park Municipal Code is hereby amended to read as follows:

6.10.4. – Residential Garages and Carports

A. RS Districts.

The residential garage and carport regulations of this subsection apply in RS districts. The regulations are primarily intended to address the parking and storage of vehicles owned and operated by the residents of the premises along with limited storage of garden equipment and household items incidental to the principal use.

1. The exterior dimensions of any garage in an RS district may not exceed seventy-five (75) percent of the foundation area of the principal building regardless of the size of the principal building.
2. Detached garage must be set back at least ten (10) feet from lot lines abutting a front yard of an adjacent lot. Otherwise, the minimum side and rear setback for a detached garage is five (5) feet.
3. Setbacks are measured from the garage foundation.
4. Garages may not be located within any public utility easement, whether platted or implied.
5. All garages must be constructed with eaves, gutters and downspouts that are directed away from adjacent properties.
6. No attached garage shall be converted to livable space without conformance to [section 7.2](#), Minimum Parking Ratios.

B. Duplexes.

The exterior dimensions of any garage in an RD-7.5 and RM-9 district may not exceed eighty-five (85) percent of the foundation area of the principal building.

Section 4: That Article 6 entitled “Uses”, of the Village’s Zoning Ordinance contained in Appendix C of the Villa Park Municipal Code is hereby amended by adding a new Section 6.13, to read as follows:

ARTICLE 6. – USES

6.13. – Accessory Dwelling Units

A. Accessory Dwelling Unit. Accessory dwelling units are permitted in all residential zoning districts within a principal or accessory structure subject to approval of site plan review and building permit issuance and provided that the following standards are met.

1. Location. An accessory dwelling unit located in a principal structure may be located anywhere within a principal structure. An accessory dwelling unit located in an accessory structure is allowed in the rear yard or exterior side yard only.
2. Number. The number of accessory dwelling units on a lot shall be no greater than the number of principal dwelling units on a lot.
3. Size. The maximum size of an accessory dwelling unit shall be 900 square feet.
4. Design. An accessory dwelling unit shall be designed to be clearly secondary to the principal dwelling unit on the site. For accessory dwelling units located in an accessory structure, the exterior materials of the dwelling unit must be compatible with the primary dwelling unit, including siding and trim materials, window design, roof shape, roof pitch, and roof material.
5. Parking. Each accessory dwelling unit shall have a minimum of one (1) dedicated parking space.

Section 5: That Table 7-1 in Section 7.2 entitled “Minimum Parking Ratios” of Article 7 entitled “Parking” of the Village’s Zoning Ordinance contained in Appendix C of the Villa Park Municipal Code is hereby amended to amend the use category entitled “Residential” to read as follows:

ARTICLE 7. – PARKING

Sec. 7.2. - MINIMUM PARKING RATIOS

Off-street motor vehicle parking spaces must be provided in accordance with the minimum ratios established in Table 7-1. See Sec. 7.4 for an explanation of exemptions and allowed reductions of minimum motor vehicle parking requirements. See Sec. 7.5 For additional information about bicycle parking requirements.

Table 7-1: Minimum Parking Ratios

RESIDENTIAL			
Household Living			
Detached or attached dwelling unit	Dwelling unit	2.0	
Multi-unit building	Dwelling unit	1.0	Or 1.0 per bedroom whichever is greater
Live-above unit (mixed-use building)			
Group Living	Bed	0.5	

Section 6: That Section 7.8 of Article 7 entitled “Parking” of the Village’s Zoning Ordinance contained in Appendix C of the Villa Park Municipal Code is hereby amended to read as follows:

Sec. 7.8. - DRIVEWAYS AND PARKING PADS IN RS AND RD DISTRICTS

7.8.1. - Applicability

- A. Except as otherwise expressly stated, the regulations of this section apply to residential uses in all RS and RD districts per dwelling unit.
- B. Parked vehicles for single-unit, two-unit, and townhouse dwellings are permitted to park on private driveways and parking pads provided that the parked vehicles do not encroach into the right-of-way.

7.8.2. - Number

- A. No more than one driveway is allowed per street frontage.
- B. Driveways shall be located at least sixty (60) feet from a signalized intersection, and thirty (30) feet from all other intersections.
- C. Lots with a street frontage of at least one hundred (100) linear feet of frontage may incorporate one additional approach along that frontage. On properties for which more than one (1) approach is permitted, the distance between the approaches shall be a minimum of 50 feet measured at the inside edge.
- D. Lots occupied by duplex or attached dwelling units may have up to one driveway per dwelling unit.

7.8.3. - Location

- A. Driveways and parking pads are allowed in easements, unless otherwise restricted.

7.8.4. - Dimensions

- A. Driveways must be at least nine (9) feet in width measured at the property line.
- B. Driveways shall be a maximum of twenty-four (24) feet measured at the property line.
- C. Parking pads shall not exceed nine (9) feet in width by twenty (20) feet in depth.

7.8.5. - Visibility at Driveways

- A. See Sec. 9.3.2.

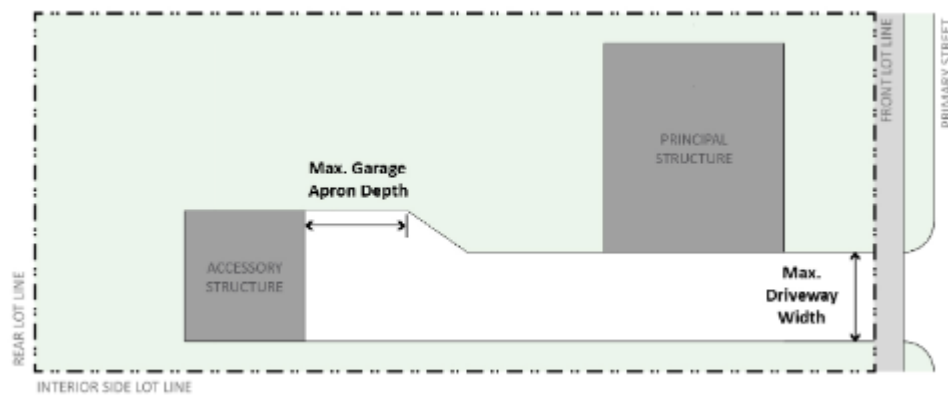
7.8.6. - Driveway Turnarounds

Driveway turnarounds are prohibited in street yards except when the lot has frontage on a major street (as designated by the village) and the lot cannot accommodate a turnaround area outside of the street yard because of the applicable regulations of this section and the configuration of the subject property. Street yard driveway turnarounds may not exceed fourteen (14) feet in length or the width of the existing driveway, excluding flares.

7.8.7. - Driveway and Parking Pad Design

- A. A driveway apron the width of the garage, carport, or parking pad serviced by the driveway is permitted to extend up to twenty (20) feet in depth from the garage doors or rear edge of the carport or parking pad before tapering back to the required driveway width, see Figure 7-1 Garage Apron Width.

Figure 7-1



- B. Adequate provisions must be made for the disposal of stormwater so that water will not flow into adjacent property. To keep water runoff on site and prevent runoff towards adjacent properties, new or replacement driveways must meet existing grades along the property line and then slope one-eighth-inch to one-fourth-inch per foot away from the property line and toward the center of the driveway. Any curbs along driveway must be constructed so as to not dam water on adjacent properties.
- C. Maximum lot coverage shall comply with Table 2-3: Lot and Building Regulations (R districts).
- D. Residential driveways and parking areas must comply with the surfacing requirements of [7.9.4.](#)
- E. All new off-street parking facilities, including driveways, must meet the requirements of this section.

- F. Attached garages may not be converted into a living area unless the required off-street parking spaces are being provided for elsewhere on the lot.
- G. Driveways may not be designed or constructed in any manner that will interfere with planned or existing parkway or right-of-way improvements or in a way that will create traffic hazards.

Section 7: That Subsection 7.9.2 entitled “Parking Stall Sizes and Parking Lot Geometrics”, of “Section 7.9 entitled “Parking Area Design”, of Article 7 entitled “Parking” of the Village’s Zoning Ordinance contained in Appendix C of the Villa Park Municipal Code is hereby amended to read as follows:

7.9.2. - Parking Stall Sizes and Parking Lot Geometrics

Off-street parking areas are subject to the dimensional requirements of Table 7-4 (see also Figure 7-2). The Director of Community & Economic Development or their designee is authorized to establish dimensions for parking configurations not shown.

Section 8: That Figure 7-1 set forth in Subsection 7.9.2 entitled “Parking Stall Sizes and Parking Lot Geometrics”, of “Section 7.9 entitled “Parking Area Design”, of Article 7 entitled “Parking” of the Village’s Zoning Ordinance contained in Appendix C of the Villa Park Municipal Code is hereby renumbered as Figure 7-2.

Section 9: That Table 14-1 set forth in paragraph C. entitled “Permitted Obstructions and Encroachments”, of Subsection 14.1.9 entitled “Setbacks”, of “Section 14.1 entitled “Measurements”, of Article 14 entitled “Measurements and Definitions” of the Village’s Zoning Ordinance contained in Appendix C of the Villa Park Municipal Code is hereby amended to amend the row in said Table regarding “Garages, detached” to read as follows:

14.1.9. – Setbacks

C. Permitted Obstructions and Encroachments

Table 14-1: Permitted Setback Obstructions/Encroachments

	Street (Front or Side)	Interior Side	Rear	Additional Notes
Garages, detached	No	Yes	Yes	Five-foot setback required. See also Sec. 6.10.4 .

Section 10: That Subsection 14.2.5 entitled “Words and Terms Beginning with A”, of “Section 14.2 entitled “Definitions”, of Article 14 entitled “Measurements and Definitions” of the Village’s Zoning Ordinance contained in Appendix C of the Villa Park Municipal Code is hereby amended to read as follows:

14.2.5. - Words and Terms Beginning with "A"

- B. Accessory dwelling unit: A residential dwelling unit, but not a mobile home, located on the same lot as a single-unit dwelling, either within the same building as the single-dwelling unit or in a detached accessory building. Secondary dwelling units shall be developed in accordance with the standards set forth in Sec. 6.13.
- C. **Accessory structure or use:** A use or structure that meets the criteria established in [6.10.1](#).
- D. **Adjacent:** Lying near or in the immediate vicinity.
- E. **Agent:** A person duly authorized to act on behalf of the owner of the subject property.
- F. **Alley:** A public or private street that affords only a secondary means of access to abutting property.
- G. **Amateur Radio Facility:** Any tower or antenna used for non-commercial radio communications (transmission and reception) maintained by an FCC-licensed amateur radio operator.
- H. **Amusement ride:** Any mechanized device, or combination of devices, including electrical equipment that is an integral part of the device or devices, that carries passengers along, around, or over a fixed or restricted course for the primary purpose of giving its passengers amusement, pleasure, thrills, or excitement.
- I. **Annual (plant):** A plant that completes its life cycle in one year or less.
- J. **Apiary:** An enclosure used to house bees.

- K. **Applicant:** The owner of the subject property or an agent authorized by the subject property owner to submit an application on the owner's behalf.

Section 11: That paragraph A of Subsection 14.2.11 entitled “Words and Terms Beginning with G of “Section 14.2 entitled “Definitions”, of Article 14 entitled “Measurements and Definitions” of the Village’s Zoning Ordinance contained in Appendix C of the Villa Park Municipal Code is hereby amended to bold the caption of paragraph A so that it appears as “**Garage, private residential:**”.

Section 12: If any provision or part of this Ordinance is declared invalid and of no further force and effect, the other provisions hereof shall remain in full force and effect and all ordinances in conflict herewith are hereby repealed to the extent of any such conflict.

Section 13: This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

Passed this _____ day of _____, 2024.

AYES: _____
NAYS: _____
ABSENT: _____
ABSTAIN _____

Approved this _____ day of _____, 2024.

Nick Cuzzone, Village President

Attest:

Hosanna Korynecky, Village Clerk

Published in pamphlet form:

_____, 2024