

# CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

## DEVELOPMENT COMMITTEE

**Monday, August 8, 2022  
7:00 P.M. - Council Chambers**

### AGENDA

1. Call to Order, Roll Call, and Establishment of a Quorum
2. Approval of Minutes
  - A. May 9, 2022
3. Public Participation
4. Items for Consent.
  - A. **Zoning Text Amendments** – Staff is proposing a number of clarifications and corrections to the Zoning Ordinance. There are no new regulations contained in this set of text amendments. Plan Commission voted unanimously in favor of the amendments.
5. Items for Discussion
6. Unfinished Business
7. New Business
8. Reports from Staff
9. Adjournment

**Draft**

## **MINUTES**

### **DEVELOPMENT COMMITTEE**

**May 9, 2022 7:00 P.M.**

**1. Call to Order, Roll Call, and Establishment of a Quorum.**

Tom Dabareiner called the meeting to order at 7:00 p.m.

Roll call found Aldermen James Beifuss, Christine Dettmann, Matthew Garling, John Jakabcsin, and Jayme Sheahan present.

Also in attendance was Community Development Director, Tom Dabareiner.

**2. Approval of Minutes.**

**A. April 11, 2022.**

**Alderman Dettman moved and Alderman Jakabcsin seconded a motion to approve the minutes. Voting Aye: Aldermen Birch Ferguson, Dettmann, Jakabcsin, Sheahan and Stout.**

In light of the Committee's absent chair and vice chair, Mr. Dabareiner asked the members to nominate a temporary chair.

**Alderman Beifuss moved to nominate Alderman Matthew Garling and Alderman Sheahan seconded the motion. Voting Aye: Aldermen Beifuss, Dettmann, Garling, Jakabcsin, and Sheahan.**

**3. Public Participation.**

Some West Chicago residents voiced concerns about the proposed Pulte Development. Thirteen residents indicated they were opposed and four residents conveyed specific concerns. Collectively, the residents expressed such concerns as road danger, land use, flooding, ground water contamination, smaller lot sizes and increased density, increased traffic, decreased property values of surrounding homes, speeding traffic, environmental impact, stormwater capacity, location of proposed entrance, increased traffic accidents, character of open feel in this area, speed limit on Klein Road, proposed access points and reduced visibility.

Development Committee Minutes  
May 9, 2022

**4. Items for Consent. None.**

**5. Items for Discussion.**

- A. Outdoor Dining – Several text amendments are proposed to allow seasonal outdoor dining, with liquor service, within the public right of way (it is already allowed on private property). Licensing and insurance would be required, along with a number of other regulations.**

Alderman Beifuss stated that the requirements created by staff for outdoor dining on sidewalks is reasonable and makes sense. There are ongoing demands for this type of outdoor seating, and a lot of towns are continuing to do this. This will support the downtown businesses. He also agreed with the “L” liquor license requirement.

Alderman Jakabcsin moved, and Alderman Dettman seconded the motion to approve Item 5.A. Voting Aye: Aldermen Beifuss, Dettman, Garling, Jakabcsin, Sheahan.

- B. The Preserve at West Branch – The Plan Commission voted unanimously to recommend a proposed 226-unit single-family Pulte development known as the Preserve at West Branch, located north of the St. Andrews Golf Course property. This item was tabled last month because of a request from a nearby Homeowners’ Association.**

Alderman Jakabcsin thanked those who spoke for their comments. They made valid points. He is still concerned about the density with the 266 homes, which further leads to the concerns over traffic.

Alderman Beifuss thanked the public for their remarks. He said that hearing their comments regarding stormwater and traffic created concerns for him. He asked Mr. Dabareiner to clarify the proposed lot size of about 9,500 square feet, but stated he does not see this development as particularly dense. He then asked staff about County stormwater standards. Mr. Dabareiner stated they must enforce County law whereby no more water can leave a property at the same rate as it does today. Alderman Beifuss stated it was interesting to hear about the periodic flooding on Smith Road. It is possible another development could aggravate that, but steps will have to be taken to ameliorate stormwater per the County. He asked about the larger lots abutting the current development, and Mr. Dabareiner said this was intended when the property was annexed 15 years ago.

He said he heard interesting information regarding Klein Road. It makes sense to have two entrance points to a development. The Annexation Agreement indicated

the entrance would be on Klein, but there is a concern about that location with respect to sight line problems and safety. He wondered if it would be possible to change this. He stated there is currently a high demand for housing and home prices are high as a result. He reiterated his concerns about stormwater and safety. He asked staff if all of the notices went out, and Mr. Dabareiner replied they had.

Alderman Garling asked which changes were made to the development. Mr. Dabareiner replied that the park was enlarged, the lot sizes were changed and the number of units was decreased. They were not previously in compliance with the code, but they are now. When a development meets code, they must abide by approving it. Alderman Garling asked if the Plan Commission/Zoning Board of Appeals (PC/ZBA) approved the most recent plans at their last meeting. Mr. Matt Brolley, Pulte Project Manager, indicated they had, and Mr. Dabareiner added that the PC/ZBA voted unanimously to approve it.

Alderman Jakabcsin stated he received many questions as to why the placement of the entrance on Klein Road is so far on the southern edge. He said he was told it is because of the Annexation Agreement as dictated by the DuPage County Forest Preserve to protect the fen. Mr. Dabareiner agreed about the Annexation Agreement, but was unsure about the fen.

Alderman Garling thanked the public for speaking, and he expressed concerns regarding the placement the Klein Road entrance, the character of the area and size of homes. He asked staff if the entrance could be moved. Mr. Dabareiner stated the entrance is the most direct route out and it was adopted in the Annexation Agreement, which makes it law. That location was decided on 15 years ago in public meetings.

Mr. Matt Broley stated the location of the Klein entrance was part of a process with the Forest Preserve District long before Pulte became involved. They own the rest of that land and the seller only owns this access strip. He said that Pulte has submitted a traffic study that the City consultant has reviewed and approved. They also submitted their initial stormwater plan and they will meet all DuPage County requirements. Fifteen years ago, the City entered into an agreement with the seller. It is a binding contract that provides for R-3 Zoning and lot sizes smaller than 10,000 square feet. They are following exactly what the Annexation Agreement says, and they are here tonight for approval.

Alderman Beifuss asked staff who will own all of the roads when the development is complete. Mr. Dabareiner replied a small segment is in the City and the rest is in the Township. Alderman Beifuss asked who would own the access point to Klein Road, and Mr. Dabareiner said the City would. Alderman Beifuss stated the access point on Klein Road appears to have some connection to the Forest Preserve interests, but it is not directly attributable to safety concerns. He still has concerns. It is not flat topography, and the residents around there know it is a blind hill. That is a reasonable

concern. Mr. Dabareiner pointed out that the City hired a traffic consultant to review the KLOA studies. They concluded that the study was conducted properly and arrived at the same numbers. They were in agreement with the results. Alderman Beifuss asked if the safety of the Klein Road intersection and its sight line was considered. Mr. Dabareiner said it was part of the study. Alderman Garling asked when it was performed, and Mr. Dabareiner replied last year. Alderman Garling asked about its accuracy if it was done during the Pandemic. Mr. Dabareiner responded that the counts were adjusted to account for pre-pandemic levels. Alderman Jakabcsin asked if Pulte is looking into installing radar signs. Mr. Dabareiner said this is part of their proposal. Alderman Sheahan asked if it would include hidden driveway or entrance, but staff did not have those details.

Alderman Garling asked about the wording from the Agenda Summary, and if it means the stormwater requirements have not been met in the current plan. Mr. Dabareiner indicated the preliminary plans have been approved, but the final plans are the ones that will receive full stormwater approval. That is the plan that counts. As it stands, there are no wetlands or other concerns.

**Alderman Garling called for a vote to approve Item 5. B. for Discussion. Voting Aye: Aldermen Dettman and Sheahan. Voting Nay: Aldermen Beifuss, Jakabcsin and Garling.**

**6. Unfinished Business.** None.

**7. New Business.** None.

**8. Reports from Staff.** None.

**9. Adjournment.**

**Alderman Beifuss moved, and Alderman Sheahan seconded the motion to adjourn the Development Committee meeting at 8:18 p.m. Voting Aye: Aldermen Beifuss, Dettman, Garling, Jakabcsin, Sheahan.**

Respectfully submitted,

Jane Burke

## CITY OF WEST CHICAGO

### DEVELOPMENT COMMITTEE AGENDA ITEM SUMMARY

**ITEM TITLE:**

Zoning Text Amendments  
Corrections and Clarifications

Ordinance 22-O-0025

**AGENDA ITEM NUMBER:** 4.A.

**FILE NUMBER:** \_\_\_\_\_

**COMMITTEE AGENDA DATE:** Aug. 8, 2022

**COUNCIL AGENDA DATE:** \_\_\_\_\_

**STAFF REVIEW:** Tom Dabareiner, AICP

**SIGNATURE** \_\_\_\_\_



**APPROVED BY CITY ADMINISTRATOR:** Michael Guttman

**SIGNATURE** \_\_\_\_\_

**ITEM SUMMARY:**

Staff has prepared a series of Zoning Text Amendments that clarify requirements, codify past practices, and remove inconsistencies within certain regulations for fences and driveways. Staff is not proposing to add new regulations but instead to explain in clear terms how certain codes within these sections are enforced.

A public hearing for the proposed Zoning Text Amendments was held on August 2, 2022. The Plan Commission voted 6-0 to recommend approval of the proposed Zoning Text Amendments.

**ACTION PROPOSED:**

Review and approval of the proposed Zoning Text Amendments.

**COMMITTEE RECOMMENDATION:****Attachments:**

Proposed Zoning Text Amendments  
Draft Ordinance 22-O-0025



**Proposed Text Amendments to Appendix A (Zoning Code)  
of the Code of Ordinances of the City of West Chicago**

Development Committee  
August 8, 2022

Underline = New Text; ~~Strikethrough~~ = Deleted Text

**ARTICLE VII  
SUPPLEMENTARY USE AND BULK REGULATIONS**

**1. Amendment to Section 7.1(B) (Fences – Fence Construction Standards) of Appendix A (Zoning Code) 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.*

**2. Amendment to Section 7.1(C) (Fences – District Regulations) of Appendix A (Zoning Code) 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.~~

ARTICLE XIII  
OFF-STREET PARKING AND LOADING

3. Amendment to Section 13.1-13 (A) (Parking – Location of Parking – Residential Districts) of Appendix A (Zoning Code) as follows:

(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.*

## 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.

~~(4)~~ (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. 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 \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Alderman Beifuss \_\_\_\_\_

Alderman Chassee \_\_\_\_\_

Alderman Sheehan \_\_\_\_\_

Alderman Brown \_\_\_\_\_

Alderman Hallett \_\_\_\_\_

Alderman Dettman \_\_\_\_\_

Alderman Birch-Ferguson \_\_\_\_\_

Alderman Dimas \_\_\_\_\_

Alderman Swiatek \_\_\_\_\_

Alderman Garling \_\_\_\_\_

Alderman Stout \_\_\_\_\_

Alderman Short \_\_\_\_\_

Alderman Jakabcsin \_\_\_\_\_

Alderman Morano \_\_\_\_\_

APPROVED as to form: \_\_\_\_\_  
City Attorney

APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor Ruben Pineda

ATTEST:

\_\_\_\_\_  
Deputy City Clerk Valeria Perez

PUBLISHED: \_\_\_\_\_

## 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:

<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Laimins			Kasprak
Hale			
Billingsley			
Slattery			
Henkin			
Banasiak			