

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

I, Lynn Curiale, City Clerk of Wood Dale, Illinois DO HEREBY CERTIFY that as such City Clerk and keeper of the records, that the foregoing is a true and correct copy of Ordinance **#O-22-030 AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE CITY'S UNIFIED DEVELOPMENT ORDINANCE (UDO) FOR CODE CONSISTENCY CONCERNING FENCE, COMMUNITY RESIDENCE AND EXTERIOR MATERIAL REGULATIONS AND TO ADDRESS VARIOUS SCRIVENER'S ERRORS IN CHAPTER 17 OF THE CITY CODE**

Passed by The City Of Wood Dale, Du Page County, Illinois, IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the City of Wood Dale, this 17th day of November, 2022

Maura Montali - Deputy Clerk
Lynn Curiale, City Clerk



Ordinance #O-22-030

AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE CITY'S UNIFIED DEVELOPMENT ORDINANCE (UDO) FOR CODE CONSISTENCY CONCERNING FENCE, COMMUNITY RESIDENCE AND EXTERIOR MATERIAL REGULATIONS AND TO ADDRESS VARIOUS SCRIVENER'S ERRORS IN CHAPTER 17 OF THE CITY CODE

Passed: November 17, 2022
Published in Pamphlet Form: November 18, 2022

I, Lynn Curiale, as the City Clerk for the City of Wood Dale, hereby certify that the attached Ordinance is a true and correct copy of #O-22-030

AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE CITY'S UNIFIED DEVELOPMENT ORDINANCE (UDO) FOR CODE CONSISTENCY CONCERNING FENCE, COMMUNITY RESIDENCE AND EXTERIOR MATERIAL REGULATIONS AND TO ADDRESS VARIOUS SCRIVENER'S ERRORS IN CHAPTER 17 OF THE CITY CODE

Passed and approved by the City Council of the City of Wood Dale on November 17, 2022 and hereby published in pamphlet on November 18, 2022

Maura Montalvo - Deputy Clerk
Lynn Curiale, City Clerk

SEAL



ORDINANCE NO. O-22-030

AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE CITY'S UNIFIED DEVELOPMENT ORDINANCE (UDO) FOR CODE CONSISTENCY CONCERNING FENCE, COMMUNITY RESIDENCE AND EXTERIOR MATERIAL REGULATIONS AND TO ADDRESS VARIOUS SCRIVENER'S ERRORS IN CHAPTER 17 OF THE CITY CODE

WHEREAS, the City of Wood Dale (the "City") is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the City is authorized and empowered, under the Illinois Municipal Code and the Code of Ordinances of the City of Wood Dale ("City Code"), to regulate land use located within the municipal boundaries of the City; and

WHEREAS, in furtherance of this authorization, the City has adopted a the Unified Development Ordinance, codified in Chapter 17 of the City Code (the "UDO"), which sets forth provisions regarding land use and development in the City; and

WHEREAS, the City recently approved a comprehensive update and rewrite of the UDO in accord with the City's 2018 Comprehensive Plan, previously approved by the City Council; and

WHEREAS, in implementing the City's comprehensive update and rewrite of the UDO, the City has encountered certain regulations in need of clarification for the purpose of code consistency as well as certain scrivener's errors in need of correction, upon the recommendation of City Staff; and

WHEREAS, based on the recommendation of City Staff, said recommended clarification changes and corrections proceeded to a public hearing before the City's Community Development Commission, upon publication of a legal notice, in accordance with law, on October 17, 2022 under Case No. CDC-2022-0005; and

WHEREAS, at the conclusion of Case No. CDC-2022-0005, the CDC recommended approval of the proposed UDO clarification changes and corrections finding that the proposed UDO clarification changes and corrections were consistent with the City's 2018 Comprehensive Plan; the intent of the UDO; and in the best interests of the welfare of the citizens of the City; and

WHEREAS, the matter proceeded to consideration before the City's Planning, Zoning and Building Committee ("PZB Committee") on November 10, 2022 and the PZB Committee voted to recommend approval of the proposed UDO clarification changes and corrections with minor modifications, which proposed UDO clarification changes and corrections, with minor modifications, are attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the City Council of the City of Wood Dale has reviewed the matter and based on the submitted petition and the testimony presented, the City Council hereby finds that the proposed UDO clarification changes and corrections, with minor modifications, as presented in Exhibit A, are consistent with the Comprehensive Plan; are in keeping with the purpose and intent of the UDO; are in promotion of the health, comfort, safety, and general welfare of the City's community; and the City Council further adopts the findings of fact included within the Staff memo dated October 17, 2022 as additional findings of the City Council as they relate and apply to Exhibit A.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOOD DALE, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: That the proposed UDO clarification changes and corrections with minor modifications, as fully set forth in Exhibit A, are hereby adopted.

SECTION THREE: That all ordinances or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION FOUR: That the City Clerk of the City of Wood Dale is hereby directed to publish this Ordinance in pamphlet form, pursuant to the statutes of the State of Illinois.

SECTION FIVE: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION SIX: That if any provision or clause of this Ordinance or Exhibit A or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance or Exhibit A, which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance or Exhibit A are severable.

PASSED this 17th day of November, 2022

AYES: 6

NAYS: 0

ABSENT: Alderman Curiale

APPROVED this 17th day of November, 2022

SIGNED: Annunziato Pulice
Annunziato Pulice, Mayor

ATTEST: Maura Montalvo-Deputy Clerk
Lynn Curiale, City Clerk

Published in pamphlet form November 18, 2022

EXHIBIT A

Exhibit A

Sec.17.103 Rules and Definitions

COMMUNITY RESIDENCE: A ~~state licensed~~ single dwelling unit occupied on a relatively permanent basis in a communal living environment by unrelated persons with disabilities, ~~plus~~ which may include paid professional support staff provided by a sponsoring agency, either living with the residents on a continuous basis or present whenever residents with disabilities are present. Community residences that are licensed by the State of Illinois and unlicensed community residences are subject to the use regulations set forth in the Permitted Use Table.

Table 4-5: PERMITTED USE TABLE

LAND USE TABLE	R-1	R-2	R-3	R-4	R-G	C-1	C-2	C-2a	C-3	TCB	I-1	TCC	TIO
<u>Community Residence, State Licensed</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>									
<u>Community Residence, Unlicensed</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>									

Sec.17.3010 Fences

A. Fence Requirements:

11. No fences are allowed in Front Yards or Corner Side Yards except for Decorative Fences no greater than ~~four~~ three feet (3') in height.

B. Permitted Fences.

1. Categories: For the purpose of this Section, there shall be two (2) categories of permitted fences in Wood Dale: Decorative (Open) and Privacy (Solid). Said fences shall be constructed as directed by the standards of this Section, the Fence Placement Diagram (Figure 3-3) and the Fence Height Table (Table 3-2)

2. Requirements for All Fences:

- a. All fences shall be located at or behind a line extending from the front building line of the principal structure (see Figure 3-3: Fence Placement Diagram), unless otherwise specified in this Chapter.
- b. Decorative Fences up to ~~four~~ three feet (43') in height above the ground level shall be allowed in any yard of any zoning district.

Sec. 17.1004.D.6. Use durable primary materials such as stone, steel, masonry, and textured concrete on visible facades. Durable primary materials shall constitute at least 50% of elevations excluding openings for windows and doors and associated trim.

Scriveners' errors to be corrected:

1. Sec. 17.103 Rules and Definitions: remove the duplicate word "Private" from the "SCHOOL, PRIVATE/NON-PROFIT/~~PRIVATE~~" definition.
2. Sec. 17.206.C.1.a: Add "TCB" district as follows: "Any development or redevelopment in the TCO - Thorndale Corridor Overlay District, TCB – Town Center Business, or I-1, Industrial/Business Park District."
3. Sec.17.304.B.4.d: Revise to delete the letter "s" as follows: "May occurs for a period not to exceed four (4) days and not occur more than three (3) times in a calendar year"
4. Sec. 17.3010.A.14: Revise as follows: "Fencing regulations are specified ~~in this Article~~ for Outdoor Storage in (~~Section 17.302.M.3~~) and/or Trash Enclosures in (~~Sec. 17.302.M.2~~).
5. Sec.17.401 - Table 4-1: Table of Bulk, Area and Yard Regulations for C-3 should be "Minimum Lot Area of 13,000 sq feet and the Minimum Lot Depth should be 130, to match the regulations listed for this District in Sec. 17.403.B.
6. 4-5: PERMITTED USE TABLE for C-3 has Membership Organization as "R". It should be "P".
7. Sec.17.8015.B.1.a. Replace "Village" with "City".