

Wheaton Planning and Zoning Board

I. Call To Order and Roll Call Vote

Chair Aranas called the Tuesday, January 10, 2023 Wheaton Planning and Zoning Board meeting to order at 7:00 p.m. in-person and via zoom. Upon roll call, the following were:

Roll Call Vote

Present: Nicole Aranas
Chris Dabovich
Chris Derrick
Bob Gudmundson
Cecilia Horejs
Dan Wanzung

Absent: Mark Plunkett

City Staff Present: Tracy Jones, Staff Planner

II. Approval of Minutes - December 13, 2022

The minutes were approved as presented.

III. Public Comment

There was none.

IV. Old Business

ZA #22-28/ Text Amendment - Definition of Family and Group Care Homes/ Articles II, VII, VIII, IX, X, XI, XII, XIII, XIV, & XIX

Chair Aranas reconvened the public hearing on January 10, 2023 that was initially called to order on December 13, 2022 to consider various amendments, initiated by the City Attorney, to the text of the Wheaton Zoning Ordinance for Group Care Homes.

Staff Planner Jones stated that since the original notice for this amendment request was published, City Staff republished the notice to include the additional amendment proposed to Article V. She added that the Board reviewed a similar text amendment request for Group Care Homes this time last year.

Staff Planner Jones stated that the City of Wheaton is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and as a home rule corporation, the City has the authority to adopt ordinances and to promulgate rules and regulations related to the effective and orderly development of property located within the City. She added that Title VII of the Civil Rights Act of 1968, as amended by the Federal Fair Housing Amendments Act of 1988 ("FHAA"), prohibits enforcement of zoning regulations which would have the effect of discriminating against equal housing opportunities for the handicapped. The FHAA requires communities to make reasonable accommodations to provide people with disabilities an equal right to housing and prohibits communities from imposing additional barriers to community residences for people with disabilities.

Staff Planner Jones stated that the proposed text amendments, initiated by the City Attorney, updates the Wheaton Zoning Ordinance, Articles II, V, VII, VIII, IX, X, XI, XII, XIII, XIV and XIX to improve upon the definition of "Family" for compliance with the FHAA, repeals the definition of "Group Care Homes", adds a variation accommodation to Article V

to exceed the number of unrelated individuals specified in Article II's definition of "Family" as proposed, and removes "Group Care Homes" as a permitted use and as a special use in the R-1, R-2, R-3, R-4, R-5, R-6, and R-7 Residential Districts, in the I-1 Institutional District, and in the C-4 CBD Perimeter Commercial District.

There was no one in attendance either in-person or via zoom to provide public comment.

Mr. Wanzung moved and then Mr. Gudmundson seconded the motion to close the public hearing. On a voice vote, all voted aye.

Mr. Dabovich moved and then Mr. Gudmundson seconded the motion to approve ZA #22-28 requesting various amendments, initiated by the City Attorney, to the text of the Wheaton Zoning Ordinance for Group Care Homes as presented.

	<u>Roll Call Vote</u>
Ayes:	Nicole Aranas Chris Dabovich Chris Derrick Bob Gudmundson Cecilia Horejs Dan Wanzung

Nays:	None
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Absent:	Mark Plunkett
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Motion Passed Unanimously

V. Miscellaneous

There was none.

VI. Adjournment

Mr. Dabovich moved and then Mr. Derrick seconded the motion to adjourn the meeting at 7:12 p.m. On a voice vote, all voted aye.

Respectfully submitted,
Tracy L. Jones, AICP
Staff Planner