

ORDINANCE NO. O-2022-03

AN ORDINANCE AMENDING THE TEXT OF THE WHEATON ZONING ORDINANCE ARTICLE 5.11B.1 TO ALLOW A PLANNED UNIT DEVELOPMENT REQUEST WHEN TWO OR MORE PRINCIPAL STRUCTURES ON A SINGLE ZONING LOT LOCATED IN THE O-R ZONING DISTRICT IS DEVELOPED

WHEREAS, the City of Wheaton, Illinois ("City"), has determined it to be appropriate to amend the City Zoning Ordinance Article 5.11B.1 to allow a planned unit development request when two or more principal structures on a single zoning lot located in the O-R Zoning District is developed; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board, acting as a hearing body, on August 24, 2021, September 14, 2021, September 28, 2021, October 12, 2021, October 26, 2021, and November 9, 2021 to consider said amendment to the text of the City Zoning Ordinance; and

WHEREAS, on December 6, 2021, the Wheaton City Council considered the recommendation of the Wheaton Planning and Zoning Board together with all evidence and public comment pertaining to the proposed text amendment; and they determined that planned unit development requests for two or more principal structures on a single zoning lot were previously allowed in the O-R Zoning District before the adoption of City Ordinance F-2044 on November 20, 2017 and that they should be allowed again by amending the text of Article 5.11B.1 of the Wheaton Zoning Ordinance to allow a planned unit development request when two buildings on a single zoning lot in the O-R Zoning District is developed.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, Du Page County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The Wheaton Zoning Ordinance text is amended by deleting Article 5.11B.1 in its entirety and replacing it with the following:

"1. When two or more principal structures on a single zoning lot located in the I-1, O-R, C-1, C-2, C-3, C-4, and C-5 Commercial Zoning District is developed."

Section 2: This ordinance shall be cumulative of all provisions of the ordinances of the City of Wheaton, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 3: If any phrase, clause, sentence, paragraph or section of this ordinance is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance.

Section 4: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Mayor

ATTEST:



City Clerk

Roll Call Vote

Ayes: Councilwoman Fitch
Councilwoman Robbins
Councilman Weller
Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess

Nays: None

Absent: None

Motion Carried Unanimously

Passed: January 18, 2022
Published: January 19, 2022