

ORDINANCE 6853

**AN ORDINANCE APPROVING TEXT AMENDMENTS
TO THE LOMBARD ZONING ORDINANCE
TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS**

(PC 13-11; Text Amendments to the Zoning Ordinance - Fences in the B5 District)

WHEREAS, the Village of Lombard maintains a Zoning Ordinance which is found in Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

WHEREAS, Section 155.102 (E)(13) of the Zoning Ordinance directs the Director of Community Development to initiate a review of the provisions established within the Zoning Ordinance; and

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Zoning Ordinance and make necessary changes; and

WHEREAS, as the Director has identified and recommends text amendments to the Zoning Ordinance as set forth herein; and

WHEREAS, a public hearing to consider text amendments to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on July 15, 2013 pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Title 15, Chapter 155, Section 205, of the Code of Lombard, Illinois is hereby amended to read in part, as follows:

155.205 FENCES, WALLS, AND HEDGES

A. Fences and Walls

2. Fences or Walls in Business and Office Districts

a. Fence or Wall Materials

The use of barbed wire shall be permitted only around approved outside storage areas and only at a height greater than six feet (6') and less than eight feet (8') above the ground. No electrified fences shall be permitted. Materials for fences or walls in the clear line of sight area shall meet the requirement of Section 155.205(A) (2) (e) of this Chapter.

b. Permitted Location

Fences or walls may be erected, placed, or maintained along a lot line or within a required yard in business or office district, except as otherwise restricted by Section 155.205(A)(2)(e) of this Chapter. Fences or walls may be erected in public utility easements and drainage easements, except that fences or walls erected in said easements shall not impede drainage flow.

c. Permitted Height

1. No fence or wall shall be erected, placed, or maintained to a height exceeding eight feet (8') in any business or office district.
2. Fences or walls in the required front or corner side yard shall not exceed four feet (4') in height.
3. Wherever the rear yard of a lot abuts the front yard of an adjacent lot, the maximum height for any fence or wall shall be four feet (4').

d. Fence Installation

When fences are located in the required front yard or corner side yard, the finished or decorative side of the fence shall face the adjacent property(ies) or street. Additionally, all fences at commercial businesses for the purpose of surrounding seating areas shall be in compliance with the Illinois Accessibility Code and the applicable Federal Americans with Disabilities Act (ADA) Standards.

e. Fences or Walls in the Clear Line of Sight Area

No fences or walls more than two feet (2') in height shall be located within the clear line of sign area, as defined in Section 155.802 of this Ordinance, unless it meets all of the following criteria:

1. Fences or walls are of open construction, such as chain link without slats, wrought iron, cyclone, picket, or split rail fences.
2. Fences or walls are not of solid construction, such as board on board, solid wood, brick, concrete, or chain link with slats.
3. Deciduous trees around or adjacent to the fence are free of foliage and branches from ground level to eight feet (8') above ground level. All other plant materials which are around, adjacent to, or through the fence are no greater than two feet (2') in height.
4. Supporting members are no greater than six inches (6") in width.

f. Fences or Walls within the B5 District

In addition to the provisions listed in Section 155.205 (A)(2) above, all fences and walls located within the B5 District shall meet the following additional provisions:

1. Fence or Wall Materials

All fences in the B5 District shall be constructed of the following materials:

- a. Open Fences: Aluminum, wrought iron, cast iron or welded steel; pillars may be constructed of masonry materials
- b. Solid Fences: Brick, masonry or pre-cast materials with a decorative side facing the exterior of the property in which it is located.
- c. Chain link fencing shall only be permitted for construction fencing purposes, as required by Section 150 of the Village Code.

- d. Solid fencing made of wood or PVC shall only be permitted as required by Section 155.707 (transitional yard requirements) or 155.710 (refuse screening) of the Zoning Ordinance.
- e. Landscape hedgerows shall be permitted within the B5 District
- f. Barbed wire or razor wire is expressly prohibited.

2. Permitted Location

Fences or walls may be erected, placed, or maintained along a lot line or within the property. Walls or fencing of parking spaces within parking lots shall only be permissible if said spaces were granted a conditional use, as set forth within Section 155.418 (C)(14) or (15) of the Zoning Ordinance.

3. Permitted Height

No fence or wall shall be erected, placed, or maintained to a height exceeding six feet (6') in the B5 District.

SECTION 3: That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this ____ day of _____, 2013.

First reading waived by action of the Board of Trustees this 15th day of August, 2013.

Passed on second reading this 15th day of August, 2013.

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Breen, Fitzpatrick, and Ware

Nays: None

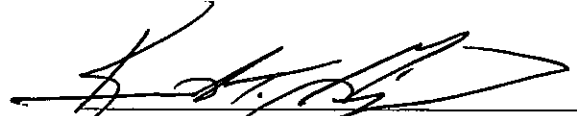
Absent: None

Approved this 15th day of August, 2013.

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Re: PC 13-11

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Keith T. Giagnorio, Village President

ATTEST:



Sharon Kuderna, Village Clerk

Published by me in pamphlet form this 16th day of August, 2013.



Sharon Kuderna, Village Clerk