

An Ordinance Authorizing an Amendment to the Text of the Zoning Code (Chapter 159 of the Village Code of Ordinances) – Sight Triangles

WHEREAS, from time to time the Village of Romeoville has occasion to consider and adopt amendments to the text of its Zoning Code, codified as Chapter 159 of the Village Code of Ordinances; and,

WHEREAS, certain provisions of the text of Chapter 159 have been determined to be in need of technical revision for purposes of clarification; and

WHEREAS, a public hearing on the above-contemplated amendment to the text of the Village Zoning Code has been conducted before the Planning & Zoning Commission (report attached as Exhibit A), and the same has otherwise been reviewed and consider in accordance with the applicable provisions of the Village of Romeoville Code of Ordinances and the laws of the State of Illinois.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES FOR THE VILLAGE OF ROMEOVILLE, WILL COUNTY, ILLINOIS:

Section 1: That the above recitals and referenced reports are hereby incorporated and made a part of this ordinance.

Section 2: That the hereinafter enumerated sections of the text of the Village of Romeoville Zoning Code (Chapter 159) of the Village Code of Ordinances are hereby amended to read as more fully hereinafter set forth, and shall be codified therein as and for the sections so enumerated:

Section 159.03: The definition of "site triangle" is hereby deleted and removed from Section 159.03 of the Zoning Ordinance, and any and all references to "site" triangle" shall hereby be revised and corrected to refer to "sight triangle" as defined in Section 159.03.

Section 159.14(G): No landscaping or other obstructions shall be located within the sight triangle, the sides of which are formed by the right of way lines of two intersection streets, or of a street and a driveway. The length of the sides of said triangle upon the right of way lines of two intersecting streets shall be thirty (30) feet, the length of the sides of said triangle upon a street right of way line and an the nearest edge of an intersecting driveway or access drive shall be thirty (30) feet in any non-residential zoning district established under this Code, and the length of the sides of said triangle upon a street right of way line and the nearest edge of an intersecting driveway shall be ten (10) feet in any residential zoning district established under this Code.

Section 159.35(D): Impact on Visibility: No fence, wall, retaining wall or hedge shall obstruct visibility at the intersection of two or more streets, roadways, driveways or access drives. There shall be no significant obstruction to visibility between three (3) feet and ten (10) feet in height located within the following triangles:

(1) Ten (10) feet, measured along the right of way line of an intersecting street and the nearest edge of an intersecting driveway, where the intersection is between a street, not classified as an arterial, and a driveway within a residential zoning district.

(2) Thirty (30) feet, measured along the right of way line of an intersecting street and the nearest edge of an intersecting driveway, where the intersection is between a street, classified as an arterial (for the purpose of this section, arterials shall include Joliet, Independence, Weber, Romeo, Taylor, Airport, South Creek, and Renwick), and a driveway or access within a residential zoning district.

An Ordinance Authorizing an Amendment to the Text of the Zoning Code (Chapter 159 of the Village Code of Ordinances) - Sight Triangles (ORD 08-0715)

(3) Thirty (30) feet, measured along the right of way lines of two intersecting streets.

(4) Thirty (30) feet, measured along the right of way line of an intersecting street and the nearest edge of an intersecting driveway or access drive, where the intersection is between a street and a driveway or access within a non-residential zoning district.

(5) In cases involving one or more private roads, the triangle shall be measured along the appropriate edge of such private road as if it had been publicly dedicated.

Section 159.072(E)(4)(e): No goods or merchandise shall be placed in any manner that violates the sight triangle requirements established in Section 159.14(G).

Section 3: That the various provisions of this Ordinance are to be considered severable and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

Section 4: All prior Ordinances and Resolutions, or parts thereof in conflict or inconsistent with this Ordinance are hereby expressly repealed only to the extent of such conflict or inconsistency.

Section 5: All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance shall be, and the same are hereby repealed.

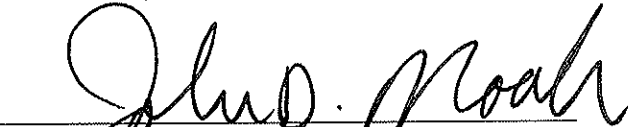
Section 6: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 19th day of November, 2008, with 5 members voting aye, with 0 members voting nay, and with 1 members absent or passing, and said vote being:

Trustee Linda S. Palmiter	AYE	Trustee Dr. Edward McCartan	AYE
Trustee Jose Chavez	AYE	Trustee Brian Clancy	AYE
Trustee Andy Goitia	ABSENT	Trustee Dave Richards	AYE


Raymond Holloway, Village Clerk

APPROVED this 19TH day of November, 2008.


John Noak, Village President

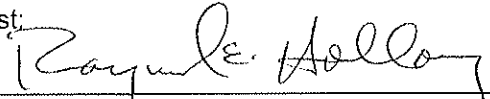
Attest:

Village Clerk

Exhibit A
Report of the Planning and Zoning Commission

Report of the Planning & Zoning Commission

Romeoville, Illinois

ORD 08-0715

An Ordinance Authorizing an Amendment to the Text of the Zoning Code (Chapter 159 of the Village Code of Ordinances) - Sight Triangles

**TO: Village President, Village Clerk & Board of Trustees
Village of Romeoville, Will County, Illinois**

The Village of Romeoville staff has proposed an amendment to the Zoning Ordinance as it applies to sight triangles.

The attached Project Compliance Report explains the application and contains the recommendation of the Development Review Committee.

On September 23, 2008, the Planning & Zoning Commission held a public meeting to discuss and consider the request. The application was evaluated according to the requirements and regulations outlined by the Comprehensive Plan - Chapter 157, Development / Subdivision Regulations - Chapter 158, and Zoning Code - Chapter 159.

Testimony and presentations were heard from staff and the Commission. The following issues and opinions were discussed.

- Assistant Director of Community Development, Natalie Engel, read the Project Compliance Report. She reported that in order to maintain visibility at intersections, the Zoning Code restricts what can be constructed or planted on corners. It requires that the area between 3 feet and 10 feet above grade be kept clear in the area defined as the "sight triangle" No structures, berms or shrubs taller than three feet and no trees with branches lower than ten feet are allowed in the area.
- The Zoning Code definition is as follows:
Sight Triangle: The triangular area established on private property at the intersection of two (2) streets or a street and a driveway in which nothing shall be erected, planted, or allowed to grow as to limit or obstruct the sight distance of motorists and pedestrians. The area between three (3) feet and ten (10) feet above grade is to be free and clear of obstructions.
- The sight triangle regulations apply to situations where streets intersect with one another or with driveways.
- No one from the public wished to speak on this matter.

From the testimony and presentation made by the Petitioner / Applicant, Witnesses, General Public, and Staff recommendation on the request, the Commission hereby finds the following:

1. The proposal clarifies ambiguous sections of the Code.
2. The proposed amendments will make enforcement of the Code more straightforward.

Report of the Planning and Zoning Commission - Romeoville, Illinois
Sight Triangles (08-0715)

THEREFORE, the Planning & Zoning Commission of the Village of Romeoville hereby recommends to the Village President and Board of Trustees the approval of ORD 08-0715.

Motion by: Commissioner Caron
Seconded by: Commissioner Perry

Roll call of the membership present the 23rd day of September, 2008 with the following vote:

6 members voting AYE	0 members voting NAY
0 members ABSTAINING	2 members ABSENT and not voting.

Donald Rickard	AYE	Steve Pyle	Absent
Denise Armbruster	AYE	Nicholas Perry	AYE
Richard Burt	Absent	Paul Scieska	AYE
Bernice Holloway	AYE	William Caron	AYE

MOTION CARRIED.

Respectfully submitted on November 4, 2008.

CHAIRMAN, Planning & Zoning Commission

Attested by:

SECRETARY, Planning & Zoning Commission

Village of Domeville

Request for Village Board Action

Date: November 4, 2008

Description/Title: An Ordinance Authorizing an Amendment to the Text of the Zoning Code (Chapter 159 of the Village Code of Ordinances) - Sight Triangles

Workshop X Regular X

Summary:

In order to maintain visibility at intersections, the Zoning Code restricts what can be constructed or planted on corners. It requires that the area between 3 feet and 10 feet above grade be kept clear in the area defined as the 'sight triangle'. No structures, berms or shrubs taller than three feet and no trees with branches lower than ten feet are allowed in the area.

The Zoning Code definition is as follows:

Sight Triangle: The triangular area established on private property at the intersection of two (2) streets or a street and a driveway in which nothing shall be erected, planted, or allowed to grow so as to limit or obstruct the sight distance of motorists and pedestrians. The area between three (3) feet and ten (10) feet above grade is to be free and clear of obstructions.

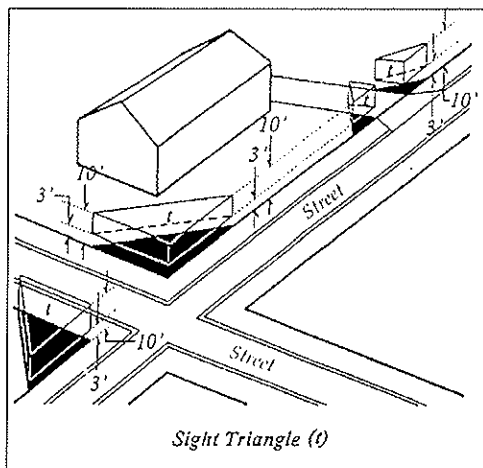


Illustration A

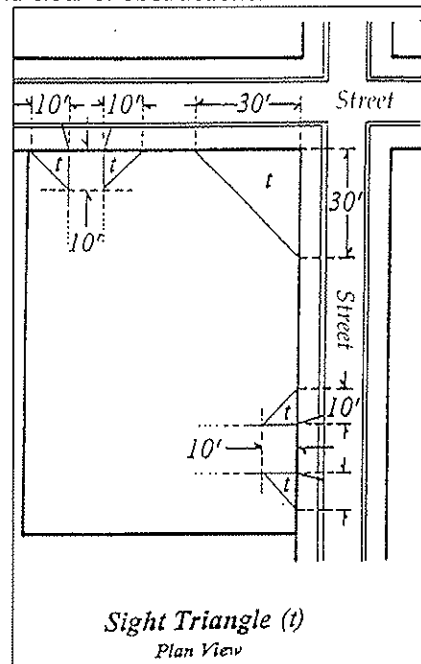


Illustration B

The sight triangle regulations apply to situations where streets intersect with one another or with driveways.

- Where two streets intersect, the sides of the triangle are thirty feet.
- Where street intersects with a driveway, the length of the sight triangle is based on the roadway classification (see Illustration C)
 - The current code requires that a ten-foot sight triangle be required along minor residential streets. A 30-foot sight triangle is required when a driveway intersects with any other type of street (such as an arterial or collector).
 - The proposed code requirements differ slightly.
 - The Code requires a 30-foot sight triangle where driveways intersect with arterial roadways (Joliet, Independence, Weber, Romeo, Taylor, Airport, South Creek, and Renwick).
 - The Code requires a 10-foot sight triangle where driveways intersect with non-arterial roadways in residential applications.
 - The Code requires a 30-foot sight triangle where driveways intersect with streets in non-residential applications.

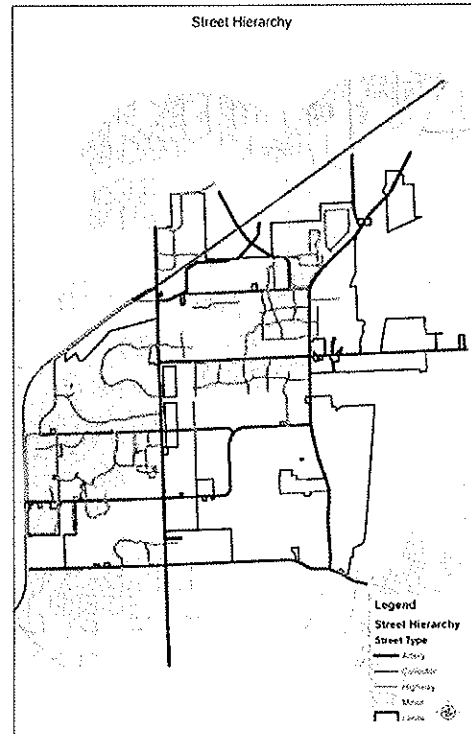


Illustration C

In addition to the change described above the proposed ordinance also clarifies the requirements.

- Spelling errors were corrected.
- Duplicate definitions were eliminated.
- A clause was added to allow the same type of standards to be applied to private roadways.

Recommendation / Comments by Other Boards or Commissions:

The Development Review Committee recommends approval.
 The Planning and Zoning Commission recommends approval.

Action Requested by Village Board:

Approval, disapproval, or approval with modifications.

Presenter: Steve Rockwell

Dept. Manager: *[Signature]*

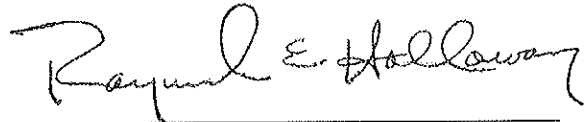
Proofed by: *[Signature]*

Village Manager: *[Signature]*

ORD08-0715
Date: 11/19/08

An Ordinance Authorizing an Amendment to the Text of the Zoning Code (Chapter 159
of the Village Code of Ordinances)-Sight Triangles

Published in Book and Pamphlet Form
This 21st day of November, 2008
By the Corporate Authority of the
Village Of Romeoville

A handwritten signature in cursive script that reads "Raymond E. Holloway". The signature is written in black ink and is positioned above a horizontal line.

Raymond E. Holloway
Village Clerk