

ORDINANCE 18-2021

**AN ORDINANCE AMENDING THE VLLAGE'S UNIFIED DEVELOPMENT
ORDINANCE REGARDING LOT COVERAGE REQUIREMENTS**

WHEREAS, on January 7, 2014, the Village Board of the Village of Gilberts adopted the Gilberts Unified Development Ordinance ("**UDO**"), which sets forth the zoning and development standards and procedures for the Village; and

WHEREAS, the UDO currently defines "lot coverage" as the area or portion of a lot occupied by buildings; and

WHEREAS, the Village Board desires to amend the UDO to clarify that accessory structures and hard surfaces such as driveways are included under the definition of lot coverage; and

WHEREAS, the Village Board has proposed an amendment to the UDO that would amend the definition of lot coverage to include accessory structures and hard surfaces ("**Amendment**"); and

WHEREAS, the Plan Commission conducted a public hearing, pursuant to notice published in accordance with Illinois state law, on the Amendment at its meeting held on July 14, 2021, at which time the Plan Commission recommended approval of the Amendment; and

WHEREAS, the Village Board of Trustees has considered the Plan Commission's recommendation, and has determined that it is in the best interests of the Village to approve the Amendment as set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GILBERTS, KANE COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS The recitals set forth above are incorporated into Section 1 as set forth herein.

SECTION 2. AMENDMENT TO SECTION 13-13 OF THE UDO. Chapter 13, Section 13-13, entitled "Definitions," is hereby amended as follows (deletions in ~~strikethrough~~, additions in **bold** and underline):

"13-13. – Definitions.

When used in this code, the following terms have the meanings ascribed to them:

* * *

Lot coverage means the proportion of the gross area of a lot occupied by any hard surfaces including, but not limited to, buildings, principal structures, accessory structures, decks, sidewalks, walkways, paved parking lots, paved

driveways, compacted gravel areas, and permeable pavers and pavements, that area or portion of a lot occupied by buildings..”

SECTION 3. SEVERABILITY. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this Ordinance is found to be invalid in any one or more of its several applications, all valid applications shall remain in effect.

SECTION 4. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however that nothing in this Ordinance shall affect any rights, actions, or causes of action which shall have accrued to the Village of Gilberts prior to the effective date of this Ordinance.

SECTION 5. EFFECTIVE DATE. This Ordinance shall only be effective upon the passage, approval, and publication in the manner required by law.

ADOPTED THIS 20 DAY OF July, 2021, pursuant to roll call vote as follows:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jeanne Allen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Dan Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Brandon Coats	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Lou Hacker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee Justin Redfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trustee David LeClerc	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Guy Zambetti	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPROVED THIS 20 DAY OF July, 2021

Guy Zambetti
Village President, Guy Zambetti

Courtney Baker
Village Clerk, Courtney Baker

Published: 7-21-21

