Town of Cortland

59 S. Somonauk Rd.
P.O. Box 519
Cortland, IL 60112-0519

Town Hall:
Administration Office 815/756-9041
Town Clerk's Office 815/756-3030
Facsimile 815/756-4583

Operations & Maintenance:
Town Garage 815/756-6469

Police Department:
Non-Emergency 815/756-2558
Facsimile 815/787-2015

Water/Wastewater:
Office 815/756-9684
Emergencies 815/756-1910
Facsimile 815/756-1543

TO: Planning Commissioners

March 29, 2019

FROM: Anna B. Kurtzman, Zoning Administrator ABK

SUBJECT: PC 19-02: Zoning Code Amendment
Fire Sciences Training Facility

STAFF ADVISORY REPORT

APPLICANT: Anna Kurtzman, as the Town's Zoning Administrator

PROPOSAL:
The applicant is requesting to change Section 9-3-7G of the Zoning Code (amending the Permitted Use matrix) to include "Fire Sciences Training Facilities" as Special Uses within the Agricultural (AG), Light Industrial (I-1), Heavy Industrial (I-2) and Recreation and Open Space (P-1) zoning districts. (Application is attached as Attachment A.)

BACKGROUND:
The Town of Cortland has been approached by personnel associated with the Kishwaukee Education Consortium (KEC)'s Fire Sciences program regarding the possibility of locating a Fire Sciences Training Facility within the corporate limits. This type of facility would allow those in the fire sciences field opportunities to learn and practice skills needed to combat various types of fire. The Zoning Code does not address this type of use and therefore an amendment to the Code's use matrix would be needed prior to considering the specifics of any Fire Science Training Facility.

CONSIDERATIONS:
The Planning Commission should review, at a minimum, four aspects before considering a text amendment. First, what direction, if any, that the Comprehensive Plan may provide. Second, determine if the proposed amendment is in keeping with the Zoning Code's Purpose and Intent. Third, consider where, zoning-wise, such facilities could be located. And fourth, whether to allow such facilities by right (ie "permitted" or "P" on the Use Matrix) or through the designation of a special use ("S").

First, when considering a text amendment the Planning Commission should consider what guidance the Comprehensive Plan may provide. The Commission has recently used the Comprehensive Plan to provide direction when it comes to specific land uses, thus concentrating on the Future Land Use Map. However, the Comprehensive Plan is much more than the Future Land Use Map as there is also text to be considered. There are Goals and Policies starting on page 15, Elements starting on page 18, and Principles starting on page 28. Through these components there are aspects discussing community facilities and the economic development of the town. For example:

- There is a Goal Statement indicating that growth and development create opportunities for new employment, shopping, recreation and community interaction in Cortland;
- The last paragraph of the Community Facilities Element (page 22) acknowledges that as the community grows there will be an increased need for community and governmental services.

- The third to the last paragraph of the Economic Development Element (page 25) discusses the fact that there is a certain amount of spin-off development which occurs as diversified non-residential uses develop in a community – ie, the more diverse the uses the more related or complementary uses will also develop.

- Principal Eight (page 36) discusses the benefits of having a mixture of land uses and jobs leading to the creation of a more balanced community.

Fire Science Training Facilities provide educational opportunities for those who are in, or are studying to be firefighters. As such, they can be classified as a Community Facility. These training facilities bring people into the community to use the facilities and therefore will likely shop within the Town for gas, meals, etc. and therefore would have an impact upon the economic development within the Town.

The second aspect that the Planning Commission should consider is if the proposed text amendment is in keeping with the Zoning Code's Purpose and Intent (Section 9-1-2). This section provides 21 different purposes for the Code, including "A" (promoting the public health and safety of the people) and "B" (creating zones and regulating the uses therein).

Third, Fire Sciences Training Facilities by their nature involve fire and smoke. These conditions can create health and/or safety concerns for the general public (impacts on those with respiratory issues, elevate anxiety levels, etc.). As such, from a zoning stand point staff would suggest that any such facilities be located away from concentrations of people. Thus staff would suggest that these facilities not be considered within any residential or commercial area. Staff recommends that Fire Science Training Facilities be listed in the following zoning categories: Agricultural (AG), Light Industrial (L-1), Heavy Industrial (L-2), and Recreation and Open Space (P-1).

Fourth, the Commission should also consider whether Fire Sciences Training Facilities should be allowed by right (no further Commission/Town Board review) or considered through the application of a special use permit. In addition to considering the impacts that such a facility may have on the health and welfare of the community, impacts to other governmental services, such as to the water and wastewater systems, should also be examined. Given the potential impacts, Staff recommends that such facilities only be allowed after careful consideration by the Commission and the Town Board through the application of a special use permit.

STANDARDS UPON WHICH REVIEW SHOULD BE TAKEN:
Section 9-9-2 of the Zoning Code outlines the responsibilities of the Planning Commission, with Subsection B outlining how Amendments are to be handled, including providing a report to the Town Board that includes "Findings of Fact". The Commission has, in the past, established Findings of Fact that adhere to a "formula" established in Subsection 4. This formula has been developed over time through various legal proceedings and has been applied against requests for changes in land uses and/or the development of specific parcels of land. However, this is not a change in the use of a particular property and therefore the traditional Findings of Fact are not applied in this case. Instead, your Findings of Fact will be the list of facts that you collect during the course of the hearing – there is no minimum or maximum number of facts to obtain nor is there specific subject areas upon which you must provide a comment. To assist you, Staff has drafted some Findings of Fact for your consideration (see Attachment B).

STAFF RECOMMENDATION:
Staff is recommending that the Zoning Code be amended to allow the community to consider a Fire Sciences Training Facility as a Special Use within the Agricultural (AG), Light Industrial (I-1), Heavy Industrial (I-2) and Recreation and Open Space (P-1) districts as depicted below:

	AG	R-1	R-2	R-3	R-4	C-1	C-2	I-1	I-2	P-1
Fire Sciences Training Facility	S							S	S	S

PLANNING COMMISSION ACTIONS:

Open the Public Hearing and accept any and all testimony related to the proposal. Once all testimony has been presented the Commission may close the hearing. Upon closing the hearing the Commission may discuss the merits of the presented information, establish the Findings of Fact upon which decisions may be made, and render a recommendation to the Town Board.

/abk
Attachments
F:\My Documents\W-ZB\Planning Commission\2019\PC 19-02 Text Amendment\Planning Commission\Advisory Report to PC.docx

Attachment A

Town of Cortland

59 S. Somonauk Rd.
P.O. Box 519
Cortland, IL 60112-0519

Town Hall:
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TOWN OF CORTLAND
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1865
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PC Number: PC 19-02

Date Filed: 3/7/19

LAND DEVELOPMENT APPLICATION

THE UNDERSIGNED RESPECTFULLY PETITIONS THE TOWN OF CORTLAND TO REVIEW AND CONSIDER GRANTING THE FOLLOWING APPROVAL ON THE LAND HEREIN DESCRIBED.
(Check all that apply)

[ ] Annexation* [ ] Rezoning from _____ to _____

[✓] Text Amendment (see attached language)

[ ] Special Use Permit for a
- [ ] Planned Residential Development
- [ ] Planned Commercial Development
- [ ] Planned Industrial Development
- [ ] Planned Office Development
- [ ] Planned Mixed-Use Development
- [ ] Other _____

[ ] Concept Plan

[ ] Preliminary Subdivision Plat [ ] Preliminary Development Plan *(for Planned Developments)*

[ ] Final Engineering Plan [ ] Preliminary Engineering

[ ] Final Subdivision Plat [ ] Final Development Plan *(for Planned Developments)*

PART I. APPLICANT INFORMATION

APPLICANT *(Please Print or Type)*

Name: Town of Cortland

Address: 59 S. Somonauk Rd / P.O. Box 519
Cortland, IL 60112

E-mail: _____

Phone: (815) 756-9041 *Fax:* (815) 756-4583

LAND OWNER *(If different than Applicant)*

Name: NA

Address: _____

_____

E-mail: _____

Phone: (_____) _____-_____ *Fax:* (_____) _____-_____

PC Number: PC 19-02

CONTACT PERSON *(If different from Applicant)*

Name: Anna Kurtzman, Zoning Administrator

Address: 59 S. Somonauk Rd / P.O. Box 519
Cortland, IL 60112

E-mail: ICCI_Kurtzman@yahoo.com

Phone: (815) 981-8790 *Fax:* (815) 756-4583

IS THE APPLICANT THE OWNER OF THE SUBJECT PROPERTY? YES [ ] NO [ ] NA

*(If the Applicant is not the owner of the subject property, a letter from the Owner authorizing the Applicant to file the **Land Development Application** must be attached to this application.)*

IS THE APPLICANT AND/OR OWNER A TRUSTEE OR A BENEFICIARY OF A LAND TRUST? YES [ ] NO [ ] NA

(If the Applicant and/or Owner of the subject property is a Trustee of a land trust or beneficiary(ies) of a land trust, a disclosure statement identifying each beneficiary of such land trust by name and address and defining his/her interest therein shall be verified by the Trustee and shall be attached hereto.)

**** Attach an original copy of the annexation petition to this application***

PART II. PROPERTY INFORMATION

ADDRESS OF PROPERTY: NA

PARCEL INDEX NUMBER(S): NA

LEGAL DESCRIPTION: *A LEGAL DESCRIPTION MUST BE ATTACHED TO THIS APPLICATION* NA

AREA OF PARCEL (*ACRES*): NA

IF SUBDIVIDING, NUMBER OF LOTS BEING CREATED: NA

CURRENT ZONING: NA **PROPOSED ZONING:** NA

RECOMMENDED LAND USE: NA
(Based upon the recommendations of the Cortland Town Plan)

PROPOSED LAND USE: NA

NAME OF PROPOSED DEVELOPMENT: NA

The subject property is located in which FIRE PROTECTION DISTRICT? NA

The subject property is located in which SCHOOL DISTRICT? NA

I, Anna B Kurtzman, hereby apply for review and approval of this application and represent that the application and requirements thereof and supporting information have been completed in accordance with the Zoning Ordinance and/or Subdivision Ordinance of the Town of Cortland.

Signed before me
this 8th day of March 2019
Rita Nielsen

Signature of Applicant

3/7/19
Date

RITA DIXON NIELSEN
"OFFICIAL SEAL"
My Commission Expires
March 11, 2021

Filename: F:\My Documents\W-ZB\Forms\Land Development & Change\Land Development Ap 3-6-19.doc

Proposed Text Amendment

Amend Section 9-3-7F Other Uses

Add:

	AG	R-1	R-2	R-3	R-4	C-1	C-2	I-1	I-2	P-1
Fire Sciences Training Facility	S							S	S	S

Attachment B

Staff Suggested Findings of Fact
PC 19-02: Fire Sciences Training Facility Text Amendment

1. Fire Science Training Facilities meet economic development goals, elements and principals of the Town's Comprehensive Plan.

2. Well trained firefighting personnel helps to ensure that the community remains safe.

3. The Town's Zoning Code provides zones where certain uses may be allowed by right, allowed through the application of a special use, or not allowed.

4. Fire Science Training Facilities will involve fire and smoke which may adversely impact the physical, mental and/or emotional well-being of some people.

5. The impact that a Fire Science Training Facility may have on the Town's water supply should be examined at the time such a facility is contemplated.

6. Because of the potential adverse impact Fire Science Training Facilities could have on people and the impact on the Town's water supply these types of uses should not be located near concentrations of people. As such, the residential and commercial zones would not be appropriate for these facilities.

7. Because of the potential impacts that such a training facility may have it should not be allowed by right in any zoning district but may be acceptable in non-residential/commercial districts if the particular impacts examined and, if appropriate, mitigated. As such, Fire Sciences Training Facilities may be appropriate as Special Uses in non-residential/commercial districts.