Town of Cortland

Agenda Request

(SUBMIT FORM TO THE TOWN CLERK NO LATER THAN ONE WEEK BEFORE THE SCHEDULED MEETING)

ALL REQUESTS ARE SUBJECT TO THE APPROVAL OF THE MAYOR

☐ **RESOLUTION** ☒ **ORDINANCE** ☐ **INFORMATION** ☐ **OTHER**

DATE PREPARED: **JUNE 18, 2020** **FOR MEETING ON:** **JUNE 22, 2020**

DESCRIPTION/TITLE: **ORDINANCE AMENDING THE ZONING REGULATIONS REGARDING TRUCK PARKING IN RESIDENTIAL AREAS**

REQUIRED ACTION: **MOTION TO APPROVE "AN ORDINANCE MODIFYING TITLE 9 "ZONING REGULATIONS," CHAPTER 5 "OFF STREET PARKING AND LOADING," SECTION 4 "LOCATION OF PARKING SPACES," A. "RESIDENTIAL DISTRICTS:," SUBPARAGRAPH 3. "TRUCKS," IN THE TOWN OF CORTLAND**

STAFF/COMMITTEE RECOMMENDATION: **THE PLANNING COMMISSION AND TOWN STAFF ARE RECOMMENDING THAT THIS ORDIANANCE BE PASSED.**

STATEMENT OF CONCERN/SUMMARY: **ON OCTOBER 28, 2019, THE TOWN ADOPTED ORDINANCE 2019-21, WHICH REVISED PROVISIONS TO SECTION 6-2-4 OF THE MUNICIPAL CODE (PARKING RESTRICTIONS IN THE MOTOR VEHICLE AND TRAFFIC TITLE). THESE NEW PROVISIONS REQUIRE ALL FORMS OF VEHICLES TO BE ON APPROVED HARD SURFACES WITH A CROSS REFERENCE TO THE ZONING CODE. SECTION 6-2-4 INCLUDES DEFINITIONS FOR VARIOUS TYPES OF VEHICLES, WHICH DIFFERS FROM THE DEFNITIONS OF TRUCK FOUND IN THE ZONING CODE. FOR ENFORCEMENT PURPOSES THE DEFINITIONS SHOULD BE CONSISTENT, HENCE THE PROPOSAL WHICH WAS PRESENTED TO THE PLANNING COMMISSION.**

DURING THE COURSE OF THE THEIR MEETING THE PLANNING COMMISSION DISCUSSED THE FACT THAT THERE ARE AT LEAST TWO DIFFERENT FAMILIES WITHIN THE TOWN WHICH HAVE MORE THAN 10 PEOPLE WITHIN THE FAMILY AND THUS DRIVE VEHICLES WHICH HOLD MORE THAN 10 PASSENGERS. THE COMMISSION WAS CONCERNED THAT THE LANGUAGE WHICH WAS PRESENTED TO THEM WOULD PLACE THESE FAMILIES IN AN IMMEDIATE NON-CONFORMING STATUS AND AS A RESULT RECOMMENDS A SLIGHT MODIFICATION TO THE PROPOSED CODE. INSTEAD OF SUBSECTION B READING "SECOND DIVISION TRUCKS SHALL NOT BE PARKED OR STORED ON A LOT IN A RESIDENTIAL DISTRICT EXCEPT FOR NORMAL LOADING, UNLOADING OR SERVICE CALLS," THE COMMISSION IS RECOMMENDING: "SECOND DIVISION TRUCKS SHALL NOT BE PARKED OR STORED ON A LOT IN A RESIDENTIAL DISTRICT EXCEPT FOR NORMAL LOADING, UNLOADING OR SERVICE CALLS, OR IN CIRCUMSTANCES WHERE SUCH VEHICLES ARE CHARACTERISTICALLY USED FOR FAMILY TRANSPORTATION PURPOSES."

Prepared by: Anna Kurtzman Approved by: Date:

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FINDING OF FACT AND RECOMMENDATION
TO THE TOWN OF CORTLAND BOARD OF TRUSTEES
PC 2020-02

To: Cortland Board of Trustees

From: Cortland Planning Commission

Date: June 18, 2020

RE: Consideration of a request to amend the Zoning Regulations regarding Truck Parking in Residentially Zoned Areas

The Cortland Planning Commission conducted a Public Hearing on June 7, 2020, at 7:16 p.m. in the Town of Cortland Town Hall at 59 S. Somonauk Road, Cortland, Illinois. The purpose of the Public Hearing involved consideration of the request by the Town of Cortland as applicant to amend Section 9-5-43A of the Zoning Code (parking of trucks in residentially zoned areas) so they will match the language recently amended in Section 6-2-4 of the Municipal Code.

Public notice was given through publication in the Daily Chronicle.

The Planning Commission reviewed and considered the material and information presented at the public hearing and had an extensive discussion regarding vehicles that are for family-use, but are over the proposed 10 passenger limit. As a result, a motion was made to approve the text amendment as amended, which passed through a unanimous roll call vote.

Respectfully Submitted,

S. Bradley Lawson

Brad Lawson, Chairman
CORTLAND PLANNING COMMISSION

TOWN OF CORTLAND
DEKALB COUNTY, ILLINOIS

TOWN OF CORTLAND
ORDINANCE NO. 2020-__

AN ORDINANCE MODIFYING TITLE 9 "ZONING REGULATIONS," CHAPTER 5 "OFF STREET PARKING AND LOADING," SECTION 4 "LOCATION OF PARKING SPACES," A. "RESIDENTIAL DISTRICTS:," SUBPARAGRAPH 3. "TRUCKS," IN THE TOWN OF CORTLAND, DEKALB COUNTY, ILLINOIS

ADOPTED BY THE
MAYOR AND BOARD OF TRUSTEES
OF THE TOWN OF CORTLAND

This ___ day of _____, 2020

Effective date: _____, 2020

Published in pamphlet form by the authority of the President and Board of Trustees of the Town of Cortland, DeKalb County, Illinois, this ____ day of _____, 2020.

ORDINANCE 2020-__

AN ORDINANCE MODIFYING TITLE 9 "ZONING REGULATIONS," CHAPTER 5 "OFF STREET PARKING AND LOADING," SECTION 4 "LOCATION OF PARKING SPACES," A. "RESIDENTIAL DISTRICTS:," SUBPARAGRAPH 3. "TRUCKS," IN THE TOWN OF CORTLAND, DEKALB COUNTY, ILLINOIS

WHEREAS, the Town of Cortland has reviewed the currently existing Section 9-5-4A3. Trucks: and believes that the present Zoning Regulations in the Town of Cortland should be modified to be consistent with Section 6-2-4: Parking Restrictions; and

WHEREAS, it is the intent of the Town of Cortland to eliminate the requirement for truck parking permits and restructuring the parking and storage of trucks within residentially zoned districts; and

WHEREAS, a public hearing was held by the Cortland Planning Commission on the 4th day of June, 2020, for which public notice was given as provided by law, and said Planning Commission has recommended to the Board of Trustees the following zoning text amendments;

NOW THEREFORE BE IT ORDAINED by the Board of Trustees of the Town of Cortland, Illinois, as follows:

Section 1. That subparagraph 3: Trucks: of Section 9-5-4A. shall be deleted in its entirety and replaced with the following:

3. Trucks:

   a. For the purpose of this title there are established two (2) categories of trucks in the town:

      (1) "First Division" shall mean those motor vehicles which are designed for the carrying of not more than 10 persons.
      (2) "Second Division" shall mean those vehicles which are designed for carrying more than 10 persons, those designed or used for living quarters and those vehicles which are designed for pulling or carrying property, freight or cargo, those motor vehicles of the First Division remodeled for use and used as motor vehicles of the Second Division, and those motor vehicles of the First division used and registered as school buses.

   b. Second Division trucks shall not be parked or stored on a lot in the residential district, except for normal loading, unloading or service calls, or in circumstances where such vehicles are characteristically used for family transportation purposes.

This Ordinance shall, by authority of the Board of Trustees of the Town of Cortland, Illinois, be published in pamphlet form. From and after ten days after said publication, this

Ordinance shall be in full force and effect.

PASSED BY THE BOARD OF TRUSTEES of the Town of Cortland, Illinois, at a regular meeting thereof held on the ___ day of _____, 2020, and approved by me as Mayor on the same day.

AYE:
NAY:
ABSENT:

_____
Russell C. Stokes, Mayor

ATTEST:

_____
Cheryl Aldis, Town Clerk