

VILLAGE OF BRADLEY

ORDINANCE NO. **O-07-23-02**

AN ORDINANCE AMENDING CHAPTER 60 (ZONING), ARTICLE IV (RESIDENCE DISTRICTS), SECTION 60-126 OF THE VILLAGE OF BRADLEY ZONING CODE

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 10th DAY OF July, 2023

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley, Kankakee County, Illinois this 10th day of July, 2023

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AN ORDINANCE AMENDING CHAPTER 60 (ZONING), ARTICLE IV (RESIDENCE DISTRICTS), SECTION 60-126 OF THE VILLAGE OF BRADLEY ZONING CODE

WHEREAS, the Corporate Authorities of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, pursuant to Article 11, Division 13 of the Illinois Municipal Code (65 ILCS 11-13-1, *et seq.*) the Corporate Authorities of the Village have authority to enact zoning ordinances that regulate land use within the Village; and

WHEREAS, the Corporate Authorities of the Village previously exercised this authority, enacting Chapter 60 (Zoning) of the Bradley Village Code (the “Bradley Zoning Ordinance”); and

WHEREAS, the Village previously proposed an amendment to the Bradley Zoning Ordinance that would reduce the permitted dwelling unit density in the R-6 (general residence) district to a maximum of 8 dwelling units per gross acre (the “Proposed Amendment”); and

WHEREAS, the Proposed Amendment was submitted to the Planning and Zoning Commission (the “Plan Commission”) for its review and consideration and for the purposes of holding a public hearing thereon; and

WHEREAS, the Plan Commission held a public hearing to consider the Proposed Amendment on July 5, 2023, with notice having been properly given for the same, and at that time made all findings of fact required by and pursuant to the Village Code; and

WHEREAS, the Plan Commission has recommended that the President and Board of Trustees amend the Bradley Zoning Ordinance as set forth in this Ordinance; and

WHEREAS, the Plan Commission has supported its recommendation by setting forth its findings of fact in accordance with the requirements of the Village Code (a copy of the Plan Commission’s findings of fact and recommendation of approval is attached hereto as Exhibit A and fully incorporated herein); and

WHEREAS, the President and Board of Trustees of the Village hereby approve and adopt the Plan Commission’s findings of fact; and

WHEREAS, the President and Board of Trustees of the Village have determined that amending the Bradley Zoning Ordinance as set forth in this Ordinance is in the best interests of the Village and its citizens.

NOW THEREFORE, BE IT ORDAINED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The Corporate Authorities hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. Chapter 60 (Zoning), Article IV (Residence Districts), Section 60-126, of the Bradley Zoning Ordinance is hereby amended in part to remove the stricken text and replace it with the underlined text:

Sec. 60-126. R-6 general residence district.

The R-6 general residence district is established to provide for a wider variety of dwelling accommodations with a higher density of dwelling units; to provide for multiple-family dwellings with open space for family living; and to provide for a transition between nonresidential areas and single-family areas of lower density.

* * *

(4) Minimum lot size.

* * *

- b. The dwelling unit density in the R-6 general residence district shall not be greater than 8~~12~~ dwelling units per gross acre. Existing residential buildings in the R-6 district may be altered to provide for not more than four dwelling units, provided that no existing residential building is altered in such a way as to conflict with or further conflict with the foregoing requirements.

* * *

SECTION 3. In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 4. That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 5. That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 6. 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 by the Board of Trustees on a roll call vote on the 10th day of July, 2023.

TRUSTEES:

RYAN LEBRAN	Aye - <u> / </u>	Nay - <u> </u>	Absent - <u> </u>
BRIAN BILLINGSLEY	Aye - <u> / </u>	Nay - <u> </u>	Absent - <u> </u>
DARREN WESTPHAL	Aye - <u> / </u>	Nay - <u> </u>	Absent - <u> </u>
BRIAN TIERI	Aye - <u> / </u>	Nay - <u> </u>	Absent - <u> </u>
GRANT D. VANDENHOUT	Aye - <u> / </u>	Nay - <u> </u>	Absent - <u> </u>
GENE JORDAN	Aye - <u> / </u>	Nay - <u> </u>	Absent - <u> </u>

VILLAGE PRESIDENT:

MICHAEL WATSON Aye - Nay - Absent -

TOTALS: Aye - 6 Nay - 2 Absent - 2

ATTEST:



 JULIE TAMBLING, VILLAGE CLERK (Deputy) Khamseo Nelson

APPROVED this 10th day of July, 2023.



 MICHAEL WATSON, VILLAGE PRESIDENT

ATTEST:



 JULIE TAMBLING, VILLAGE CLERK (Deputy) Khamseo Nelson

STATE OF ILLINOIS)
)
COUNTY OF KANKAKEE) §§

I, Julie Tambling, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number **O-07-23-02**, “AN ORDINANCE AMENDING CHAPTER 60 (ZONING), ARTICLE IV (RESIDENCE DISTRICTS), SECTION 60-126 OF THE VILLAGE OF BRADLEY ZONING CODE,” which was adopted by the Village Corporate Authorities at a meeting held on the 10th day of July, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 10th day of July, 2023.



JULIE TAMBLING, VILLAGE CLERK (Deputy)
Khamseo Nelson



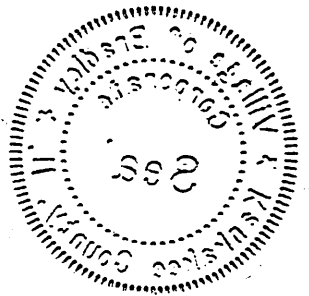
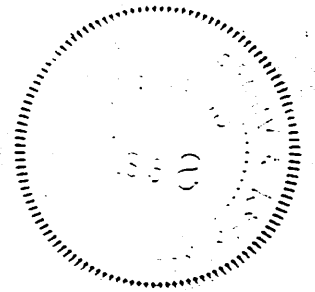


Exhibit A

FINDINGS OF FACT AND RECOMMENDATION OF APPROVAL OF A TEXT AMENDMENT TO REDUCE DWELLING UNIT DENSITY IN THE R-6 (GENERAL RESIDENCE DISTRICT) OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS.

On Tuesday, July 5, 2023, at 6:30 p.m., at the Bradley Village Hall, 147 S. Michigan Avenue, Bradley, Illinois 60915, the Village of Bradley Planning and Zoning Commission conducted a public hearing, with public notice having been duly given for the same. At that hearing, the Planning and Zoning Commission considered whether to recommend approval or denial of a text amendment that would reduce the permitted dwelling unit density in the R-6 (general residence) district to a maximum of 8 dwelling units per gross acre.

Having heard and considered all of the evidence presented at the hearing and being fully advised in the premises, the Planning and Zoning Commission hereby recommends that the Corporate Authorities of the Village approve and adopt the amendment as presented.

PASSED this 5th day of July, 2023, by roll call vote.

	Aye	Nay	Absent
Ryland Gagnon (Chairman)	<u> X </u>	<u> </u>	<u> </u>
Charlene Eads (Secretary)	<u> </u>	<u> </u>	<u> X </u>
James Guiss	<u> X </u>	<u> </u>	<u> </u>
Rick White	<u> X </u>	<u> </u>	<u> </u>
Bill Bodemer	<u> X </u>	<u> </u>	<u> </u>
Michael Williams	<u> X </u>	<u> </u>	<u> </u>
Robert Redmond	<u> </u>	<u> </u>	<u> X </u>