

VILLAGE OF BRADLEY

ORDINANCE NO. 0-10-22-01

AN ORDINANCE AMENDING CHAPTER 60 (ZONING), ARTICLE V (BUSINESS DISTRICTS), SECTION 60-153 (B-2 COMMERCIAL ZONING) OF THE VILLAGE OF BRADLEY ZONING CODE

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 10 DAY OF October, 2022

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley, Kankakee County, Illinois this 10 day of Oct, 2022

ORDINANCE NO. 0102201

AN ORDINANCE AMENDING CHAPTER 60 (ZONING), ARTICLE V (BUSINESS DISTRICTS), SECTION 60-153 (B-2 COMMERCIAL ZONING) 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 allow secondhand stores in the B2 (Commercial) district as a special use (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 October 4, 2022, 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 V (Business Districts), Section 60-153 (Commercial District) is hereby amended in part to read as follows:

Sec. 60-153. B-2 commercial district.

Intent. The B-2 commercial district is intended to accommodate those retail and service commercial activities which are considered roadside commercial uses and which may be incompatible with the predominantly retail uses permitted in other business districts and whose service area is not confined to any one neighborhood.

* * *

(2) *Special uses.* The following uses may be allowed by special use permit in accordance with the provisions of article VIII of this chapter:

* * *

ad. Secondhand store

* * *

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.

[Intentionally Blank]

PASSED by the Board of Trustees on a roll call vote on the 10 day of Oct, 2022.

TRUSTEES:

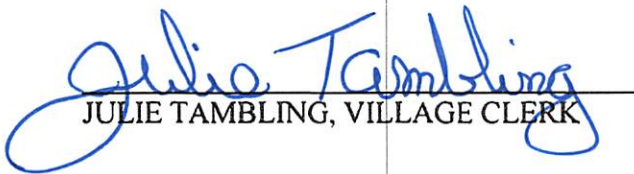
RYAN LEBRAN	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN BILLINGSLEY	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
DARREN WESTPHAL	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
BRIAN TIERI	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
GRANT D. VANDENHOUT	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
GENE JORDAN	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>

VILLAGE PRESIDENT:

MICHAEL WATSON Aye - Nay - Absent -

TOTALS: Aye - 6 Nay - 0 Absent - 0

ATTEST:



JULIE TAMBLING, VILLAGE CLERK

APPROVED this 10 day of October, 2022.



MICHAEL WATSON, VILLAGE PRESIDENT

ATTEST:



JULIE TAMBLING, VILLAGE CLERK

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 0-10-22-01 "AN ORDINANCE AMENDING CHAPTER 60 (ZONING), ARTICLE V (BUSINESS DISTRICTS), SECTION 60-153 (B-2 COMMERCIAL ZONING) OF THE VILLAGE OF BRADLEY ZONING CODE," which was adopted by the Village Corporate Authorities at a meeting held on the 10 day of Oct, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 10 day of Oct, 2022.

Julie Tambling

JULIE TAMBLING, VILLAGE CLERK



ADMINISTRATION OF

...

...

...

...

...

...

...

...

...

Handwritten signature

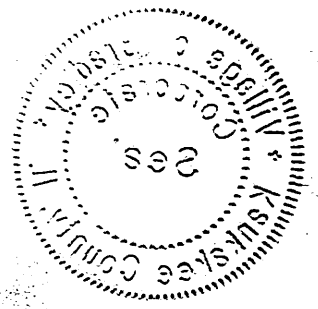


Exhibit A

(PZC Findings of Fact and Recommendation of Approval)

**FINDINGS OF FACT AND RECOMMENDATION OF APPROVAL FOR A PROPOSED
TEXT AMENDMENT TO THE BRADLEY ZONING ORDINANCE REGARDING
PERMITTING SECONDHAND STORES, INCLUDING THRIFT STORES,
CONSIGNMENT STORES, AND PAWN SHOPS, AS A SPECIAL USE IN THE B2
(COMMERCIAL) DISTRICT.**

On October 4, 2022, 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 proposed text amendment that would amend certain provisions of the Bradley Zoning Ordinance to permit secondhand stores, including thrift stores, consignment stores, and pawn shops, as a special use in the B2 (Commercial) district (the "Amendment"). 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.

PASSED this 4th day of October, 2022, by roll call vote.

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

\



Agenda Cover Memorandum

Meeting Date: October 10th, 2022

Fiscal Year: 2022-23

Agenda Item: Community Development Department
Ordinance amending BVC Chapter 60, Zoning code to create a special use permit for a second hand store in a B-2 Commercial district.

Item Type: Ordinance Resolution Other

Action Requested: Approval First Reading For Discussion Informational

Staff Contact:
Name: Bruce Page - Director Community Development Department
Phone: 815-936-5100 ext. 1111
Email: bepage@bradleyil.org

Internal Review
Initials
Date

Summary: Staff is requesting the Village board approve an amendment to the BVC Chap.60 (Zoning) code to allow for the creation of a special use permit in the B-2 Commercial District.

Is this a budgeted item? Yes No Requires Budget Amendment

Line Item: _____ Title: _____

Amount Budgeted: _____