

VILLAGE OF BRADLEY

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ORDINANCE NO. **O-12-21-8**

AN ORDINANCE AMENDING CHAPTER 60 (ZONING), ARTICLE V (BUSINESS DISTRICTS), SECTION 60-154 (B-3 VILLAGE CENTER SHOPPING DISTRICT) OF THE VILLAGE OF BRADLEY ZONING CODE

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ADOPTED BY THE  
BOARD OF TRUSTEES OF THE  
VILLAGE OF BRADLEY

THIS 13 DAY OF Decembes, 2021

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Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley, Kankakee County, Illinois this 13 day of Dec., 2021

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**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 clarify the status of physical culture and health services, gymnasiums, and reducing salons in the B-3 (Village Center Shopping) district, specifically that such uses are permitted uses in said district pursuant to Section 60-154(1)(a) of the Bradley Zoning Ordinance (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 December 7, 2021, 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 Recommendation of Approval and Findings of Fact 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 60-154 (B-3 Village Center Shopping District) is hereby amended, in part, as follows:

**Sec. 60-154. - B-3 village center shopping district.**

Intent. The B-3 village center shopping district is intended to accommodate the needs of a much larger consumer population than is served by the zoned business or commercial districts. A wider range of uses and building sizes are permitted for both daily and occasional shopping. These facilities shall be in the form of a shopping center. This zoning district is in compliance with the village center concept as presented in the official comprehensive plan, adopted September 9, 1975, and subsequently amended.

\* \* \*

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

\* \* \*

g. [Reserved].

\* \* \*

**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 13 day of Dec., 2021.

**TRUSTEES:**

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

**VILLAGE PRESIDENT:**

MICHAEL WATSON      Aye -           Nay -           Absent -     

**TOTALS:**      Aye - 5      Nay - 0      Absent - 1

**ATTEST:**

  
\_\_\_\_\_  
JULIE TAMBLING, VILLAGE CLERK

**APPROVED** this 13<sup>th</sup> day of December, 2021.

  
\_\_\_\_\_  
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 042218, "AN ORDINANCE AMENDING CHAPTER 60 (ZONING), ARTICLE V (BUSINESS DISTRICTS), SECTION 60-154 (B-3 VILLAGE CENTER SHOPPING DISTRICT) OF THE VILLAGE OF BRADLEY ZONING CODE," which was adopted by the Village Corporate Authorities at a meeting held on the 13 day of Dec, 2021.

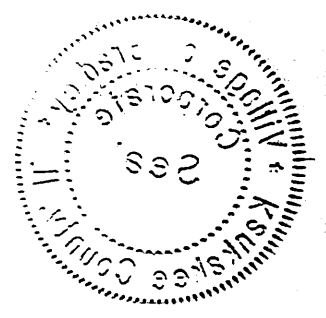
IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 13 day of Dec, 2021.

Julie Tambling  
\_\_\_\_\_  
JULIE TAMBLING, VILLAGE CLERK



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# **Exhibit A**

**FINDINGS OF FACT AND RECOMMENDATION OF APPROVAL FOR A PROPOSED  
TEXT AMENDMENT TO THE BRADLEY ZONING ORDINANCE REGARDING  
CLARIFYING THE STATUS OF PHYSICAL CULTURE AND HEALTH SERVICES,  
GYMNASIUMS, AND REDUCING SALONS AS PERMITTED USES IN THE B-3  
(VILLAGE CENTER SHOPPING) DISTRICT.**

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On Tuesday, December 7, 2021, 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 clarify the status of physical culture and health services, gymnasiums, and reducing salons as permitted uses in the B-3 (Village Center Shopping) (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 7<sup>th</sup> day of December, 2021, by roll call vote.

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





# Agenda Cover Memorandum

Meeting Date: December 13th, 2021

Fiscal Year: 2021

Agenda Item: Amending chapter 60 of the Bradley zoning code, Sec. 60-154 B-3 Village Center Shopping District

Internal Review
Initials
Date

Item Type:  Ordinance  Resolution  Other

Action Requested:  Approval  First Reading  For Discussion  Informational

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

Brief Summary:

The Community Development Dept. is requesting an amendment to Sec. 60-178 of the B-3 District. **The removal of the special use requirement and clarify that status of physical culture and health services, gymnasiums, and reducing salons is a permitted use as stated in the B-2 district, therefore allowing them to be a permitted use in a B-3 district.**The PNZ commission has approved and recommended this go before the VOB board for consideration by a 7-0 vote.

Approval of Ordinance

Supporting Documents: Ord #

Financial (if applicable)

Is this a budgeted item?  Yes  No  Requires Budget Amendment