

VILLAGE OF LIBERTYVILLE

ORDINANCE NO. 16-O-57

AN ORDINANCE AMENDING SECTION 10-1.2
OF THE LIBERTYVILLE ZONING CODE
RELATING TO PARKING REQUIREMENTS

Adopted by the
President and Board of Trustees
of
the Village of Libertyville
Lake County, Illinois
this 28 day of June, 2016

Published in pamphlet form by direction
and authority of the Village of Libertyville
Lake County, Illinois
this 29 day of June, 2016

VILLAGE OF LIBERTYVILLE

ORDINANCE NO. 16-O- 57

AN ORDINANCE AMENDING SECTION 10-1.2
OF THE LIBERTYVILLE ZONING CODE
RELATING TO PARKING REQUIREMENTS

WHEREAS, the President and Board of Trustees of the Village of Libertyville have considered amending the Libertyville Zoning Code relating to the parking requirements in the C-1, Downtown Core Commercial District; and

WHEREAS, on April 18, 2016, the Development Review Committee reviewed and recommended approval of the requested zoning relief; and

WHEREAS, the Plan Commission of the Village of Libertyville, pursuant to notice duly published on May 7, 2016, in the *Daily Herald*, held a public hearing on May 23, 2016, at 7:05 p.m., at the Village Hall, 118 West Cook Avenue, Libertyville, Illinois for the purpose of hearing and considering testimony regarding the requested zoning relief; and

WHEREAS, on May 23, 2016, the Plan Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the President and Board of Trustees of the Village of Libertyville that the proposed text amendment be approved, all as is more specifically set forth in that certain Report of the Plan Commission on Case No. PC 16-15, dated as of June 8, 2016; and

WHEREAS, the President and Board of Trustees of the Village of Libertyville have considered the findings and recommendations of the Plan Commission and are fully advised in the premises.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LIBERTYVILLE, COUNTY OF LAKE, STATE OF

ILLINOIS, AS FOLLOWS:

SECTION ONE: Recitals. The foregoing recitals are hereby incorporated herein as if fully set forth.

SECTION TWO: Determination as to Findings. The Village Board finds the following:

- a. *The consistency of the proposed amendment with the purposes of this Code.* The proposed Zoning Code text amendment is consistent with the purposes of the Code.
- b. *The existing uses and zoning classifications of properties in the vicinity of the subject property.* The proposed text amendment to the Zoning Code is appropriate for those existing zoning classifications currently in place.
- c. *The trend of development in the vicinity of the subject property, including changes, if any, in such trend since the subject property was placed in its present zoning classification.* The various trends in development throughout the C-1, Downtown Core Commercial District shall be appropriately addressed by the proposed Zoning Code text amendment.
- d. *The extent to which the value of the subject property is diminished by its present zoning classification.* No such diminishment is expected from the proposed Zoning Code text amendment.
- e. *The extent to which such diminution in value is offset by an increase in the public health, safety and welfare.* No such diminution is expected from the proposed Zoning Code text amendment.
- f. *The extent, if any, to which the use and enjoyment of adjacent properties would be adversely affected by the proposed amendment.* The use and enjoyment of properties within the Village's C-1 District shall not be adversely affected by the proposed Zoning Code text amendment.
- g. *The extent, if any, to which the value of adjacent properties would be adversely affected by the proposed amendment.* The value of properties within the Village's C-1 District shall not be adversely affected by the proposed Zoning Code text amendment.
- h. *The extent, if any, to which the future orderly development of adjacent properties would be adversely affected by the proposed amendment.* The future of orderly development of properties within the Village's C-1 District shall not be adversely affected by the proposed Zoning Code text amendment.
- i. *The suitability of the subject property for uses permitted or specially permitted under its zoning classification.* The suitability of properties for uses permitted or specially permitted under their zoning classification shall not be adversely affected by the proposed Zoning Code text amendment.

- j. *The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment.* The availability of adequate ingress to and egress from properties and the extent to which traffic conditions within the vicinity of properties within the Village's C-1 District shall not be adversely affected by the proposed Zoning Code text amendment.
- k. *The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or specially permitted under its present and proposed zoning classification.* The availability of adequate utilities and essential public services to properties within the Village's C-1 District shall not be adversely affected by the proposed Zoning Code text amendment.
- l. *The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.* The length of time, if any, that properties within the Village's C-1 District have been vacant, shall not be adversely affected by the proposed Zoning Code text amendment, in the context of the pace of future development of such properties.
- m. *The community need for the proposed amendment and for the uses and development it would allow.* The Village has identified a community need for the proposed Zoning Code text amendment.

SECTION THREE: Amendment of Article 10. Article 10-1.2, entitled "Required Spaces" of the Libertyville Zoning Code shall be, and it hereby is, amended pursuant to Section 16-14 of the Libertyville Zoning Code, as follows:

10-1.2 Required Spaces.

- d. Exception for the C-1 Downtown Core Commercial District. Notwithstanding any other provision of this Part A, and except as limited herein, the first one hundred (100) square feet of floor area within any new building and the first one hundred (100) square feet of any new floor area added to any separately owned portion of any existing building in the C-1 Downtown Core Commercial District, shall be exempt from the requirements for parking spaces and stacking spaces, unless otherwise specifically required by the Board of Trustees as a condition to the issuance of a special use permit. Only one such exemption will be allowed, within any calendar year, with respect to any new building under a single ownership or with respect to new floor area added to any separately owned portion of any existing building.

SECTION FOUR: Effective Date. This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

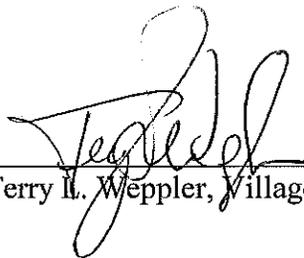
PASSED this 28 day of June, 2016.

AYES: Johnson, Moras, Justice, Adams, Garrity

NAYS: None

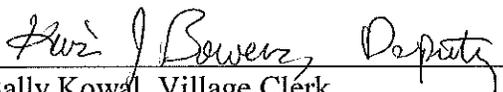
ABSENT: : Gaines

APPROVED this 29 day of June, 2016.



Terry L. Weppeler, Village President

ATTEST:



Sally Kowal, Village Clerk