

**(CREDIT BASED ON NUMBER OF DWELLING UNITS)**

ORDINANCE 2021 - 73

**AN ORDINANCE AMENDING SECTION 62-291 ENTITLED "PARKING CREDITS AND REDUCTIONS" OF SUBDIVISION III ENTITLED "REQUIREMENTS" OF DIVISION 2 ENTITLED "PARKING SPACES" OF ARTICLE III ENTITLED "OFF-STREET PARKING AND LOADING" OF CHAPTER 62 ENTITLED "ZONING" OF THE CODE OF ORDINANCES, VILLAGE OF BROOKFIELD, ILLINOIS**

PASSED AND APPROVED BY  
THE PRESIDENT AND BOARD OF TRUSTEES  
THIS 11<sup>TH</sup> DAY OF OCTOBER 2021

Published in pamphlet form by authority  
of the corporate authorities of the  
Village of Brookfield, Illinois,  
the 11<sup>th</sup> day of October 2021

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**AN ORDINANCE AMENDING SECTION 62-291 ENTITLED "PARKING CREDITS AND REDUCTIONS" OF SUBDIVISION III ENTITLED "REQUIREMENTS" OF DIVISION 2 ENTITLED "PARKING SPACES" OF ARTICLE III ENTITLED "OFF-STREET PARKING AND LOADING" OF CHAPTER 62 ENTITLED "ZONING" OF THE CODE OF ORDINANCES, VILLAGE OF BROOKFIELD, ILLINOIS**

**WHEREAS**, pursuant to Division 13 of the Illinois Municipal Code (65 Illinois Compiled Statutes 5/11-13-1, *et seq.*), and the applicable provisions of Chapter 62 entitled "Zoning" of the Code of Ordinances of Brookfield, Illinois, the petitioner, the Village of Brookfield, Illinois (the "Village"), has filed an Application for a Text Amendment requesting an amendment to Section 62-291 entitled "Parking credits and reductions" of Subdivision III entitled "Requirements" of Division 2 entitled "Parking spaces" of Article III entitled "Off-street parking and loading" of Chapter 62 entitled "Zoning" of the Code of Ordinances of Brookfield, Illinois, relating to parking requirements in the Village of Brookfield, Illinois;

**WHEREAS**, after due public notice having been published in the *Riverside Brookfield Landmark* on August 11, 2021, fifteen (15) to thirty (30) days prior to the date of the hearing, notice having been mailed to all property owners within 250 feet of the property to be re-zoned by the amendment and otherwise made by the applicant in conformity with requirements of Chapter 62 entitled "Zoning" of the Code of Ordinances of Brookfield, Illinois, a public hearing was held on the Application for a Text Amendment on August 26, 2021, at 7:00 p.m. before the Planning and Zoning Commission, at which time the Planning and Zoning Commission reviewed all relevant staff reports, all required Application for a Text Amendment materials, took sworn testimony and accepted evidence pertaining to the Application for a Text Amendment

for consideration of the requested amendment, and all persons who desired to be heard on the matter were heard;

**WHEREAS**, the Planning and Zoning Commission having duly considered the question of approval of the requested amendment made findings of fact, found that the standards for the amendment have been met and issued a written determination and recommendation that Section 62-291 entitled "Parking credits and reductions" of Subdivision III entitled "Requirements" of Division 2 entitled "Parking spaces" of Article III entitled "Off-street parking and loading" of Chapter 62 entitled "Zoning" of the Code of Ordinances of Brookfield, Illinois, be amended to provide for updated parking requirements; and

**WHEREAS**, based on the evidence presented at the public hearing, the Planning and Zoning Commission made the following findings of fact:

1. The proposed text amendment protects and promotes the health, safety and general welfare of the community, protects and promotes the neighborhood character and sustainability because it allows for parking credits for long-term bicycle parking, but limits the maximum number of parking credits in residential districts to control motor vehicle parking congestion on residential streets;
2. The public good demands that the proposed text amendment be adopted because the proposed text amendment relieves and controls motor vehicle parking congestion on residential streets; and
3. The proposed text amendment proposed is in harmony with the general purpose and intent of Chapter 62 entitled "Zoning" of the Code of Ordinances of Brookfield, Illinois;

**WHEREAS**, the Planning and Zoning Commission determined that the following standards have been met and proved by the petitioner:

1. The proposed text amendment protects and promotes the health, safety and general welfare of the community, protects and promotes the neighborhood character and sustainability;
2. The public good demands that the proposed text amendment be adopted;

3. The proposed text amendment is in harmony with the general purpose and intent of Chapter 62 entitled "Zoning" of the Code of Ordinances of Brookfield, Illinois, because:

- A. It promotes and protects the public health, safety, morals, comfort, convenience and the general welfare of the people;
- B. It restricts and regulates the land use of residential uses;
- C. It protects the character and maintains the stability of residential areas within the Village, and it promotes the orderly and beneficial development in such areas;
- D. It regulates the intensity of use of zoning lots;
- E. It prohibits the use of land which is incompatible with the character of development or the permitted uses within the residential zoning districts;
- F. It limits congestion in the public streets and protects the public health, safety and general welfare by providing for the off-street parking of motor vehicles;
- G. It prevents the overcrowding of land and undue concentration of structures, so far as is possible and appropriate in the residential districts, by regulating the use of the land surrounding buildings in the residential districts; and
- H. It conserves the taxable value of land and buildings throughout the Village by reasonably regulating the parking of motor vehicles and encouraging long-term bicycle parking; and

**WHEREAS**, the standards for the granting of the text amendment have been met and proved by the petitioner, and it is in the best interests of the Village that the text amendment be approved;

**NOW, THEREFORE, BE IT ORDAINED** by the Village President and the Board of Trustees of the Village of Brookfield, Cook County, Illinois, as follows:

**Section 1:** The corporate authorities hereby incorporate the foregoing preamble clauses into this ordinance and make the findings as hereinabove set forth.

**Section 2:** Based on the evidence presented at the public hearing, the corporate authorities find that:

1. The proposed text amendment protects and promotes the health, safety and general welfare of the community, protects and promotes the neighborhood character and sustainability because it allows for parking credits for long-term bicycle parking, but limits the maximum number of parking credits in residential districts to control motor vehicle parking congestion on residential streets;
2. The public good demands that the proposed text amendment be adopted because the proposed text amendment relieves and controls motor vehicle parking congestion on residential streets; and
3. The proposed text amendment proposed is in harmony with the general purpose and intent of Chapter 62 entitled "Zoning" of the Code of Ordinances of Brookfield, Illinois.

**Section 3.** Based on the evidence presented at the public hearing, the corporate authorities find that the following standards have been met and proved by the petitioner:

1. The proposed text amendment protects and promotes the health, safety, and general welfare of the community, protects and promotes the neighborhood character and sustainability;
2. The public good demands that the proposed text amendment be adopted;
3. The proposed text amendment is in harmony with the general purpose and intent of Chapter 62 entitled "Zoning" of the Code of Ordinances of Brookfield, Illinois, because:
  - A. It promotes and protects the public health, safety, morals, comfort, convenience and the general welfare of the people;
  - B. It restricts and regulates the land use of residential uses;
  - C. It protects the character and maintains the stability of residential areas within the village, and it promotes the orderly and beneficial development in such areas;
  - D. It regulates the intensity of use of zoning lots;
  - E. It prohibits the use of land which is incompatible with the character of development or the permitted uses within the residential zoning districts;
  - F. It limits congestion in the public streets and protects the public health, safety and general welfare by providing for the off-street parking of motor vehicles;

G. It prevents the overcrowding of land and undue concentration of structures, so far as is possible and appropriate in the residential districts, by regulating the use of the land surrounding buildings in the residential districts; and

H. It conserves the taxable value of land and buildings throughout the village by reasonably regulating the parking of motor vehicles and encouraging long-term bicycle parking.

**Section 4:** The corporate authorities hereby approve the following amendment to Section 62-291 entitled "Parking credits and reductions" of Subdivision III entitled "Requirements" of Division 2 entitled "Parking Spaces" of Article III entitled "Off-Street Parking and Loading" of Chapter 62 entitled "Zoning" of the Code of Ordinances, Village of Brookfield, Illinois, as amended, is hereby further amended by adding thereto Section 62-291 entitled "Parking Credits and Reductions" to read as follows:

**Sec. 62-291. - Parking Credits and Reductions.**

(a) **Motorcycle and Scooter Parking.** In parking lots containing more than ten (10) parking spaces, the provision of motorcycle or scooter parking spaces may be credited toward satisfying the minimum off-street parking requirements of Sec. 62-290 at the rate of one motor vehicle parking space for each two (2) motorcycle or scooter parking spaces. The maximum credit allowed under this provision is two (2) spaces or ten percent (10%) of the total minimum motor vehicle parking requirement for the subject property whichever is greater. To receive credit, each motorcycle and scooter space must have a concrete surface and minimum dimensions of four feet (4') by eight feet (8'). This provision applies to existing and proposed parking lots.

(b) **Car-share and Bike-share Service.** The following parking credits apply to nonresidential uses that are required to provide ten (10) or more motor vehicle parking spaces and to residential or mixed-use projects that are required to provide twenty (20) or more motor vehicle parking spaces.

(1) The number of required motor vehicle parking spaces is reduced by four (4) spaces for each parking space that is leased by a village-approved car-share program for use by a car-share vehicle.

(2) The number of required motor vehicle parking spaces is reduced by two (2) spaces for uses that provide space for a village-approved bike-share program facility with a minimum of ten (10) bicycle parking docks.

(c) **Long-term Bicycle Parking.** Each six (6) long-term bicycle parking spaces is credited as one (1) motor vehicle space. In residential and station area districts,

the maximum credit allowed under this provision is fifteen (15) percent of the total number of dwelling units of the development. In calculating the credit for long-term bicycle parking that results in a fraction, any fraction less than one-half (1/2) shall be rounded down, and fractions greater than or equal to one-half (1/2) shall be rounded up.

Calculation Example: (Using a development with 100 dwelling units and the parking requirement of 1.25 parking spaces per dwelling unit)

100 dwelling units x 15% = 15 units

15 dwelling units x 1.25 parking requirement = 18.75, round up to 19 maximum credits allowed

To calculate parking required for development:

100 dwelling units x 1.25 parking requirement = 125 spaces

125 spaces - 19 credits = 106 spaces required after credits applied

(1) Long-term bicycle parking spaces provided to receive parking credit must be provided in the building or in a weather-protected area. Long-term bicycle parking spaces must be protected from access by unauthorized persons.

(2) Long-term bicycle parking spaces provided to receive parking credit must:

- a. Consist of bike racks or lockers anchored so that they cannot be easily removed;
- b. Allow both the bicycle frame and the wheels to be locked with the bicycle in an upright position using a standard U-lock;
- c. Be designed so as not to cause damage to the bicycle;
- d. Facilitate easy locking without interference from or to adjacent bicycles; and
- e. Have minimum dimensions of two feet (2') in width by six feet (6') in length, with a minimum overhead vertical clearance of seven feet (7'). Bicycle lockers are exempt from overhead clearance requirements.

(d) Public Parking. Nonresidential uses may receive credit for parking spaces within a nearby public parking lot or public parking garage, as follows:

- (1) The nearest pedestrian entrance to the public parking lot or garage must be located within one thousand feet (1,000') of the lot on which the subject use is located;

(2) The parking facility must be open to the general public from at least 8:00 a.m. to 8:00 p.m.;

(3) Minimum parking requirements may be reduced by one parking space for every four (4) parking spaces within the public parking lot or garage, not to exceed a total reduction of more than twenty-five (25) spaces.

(e) On-Street Parking. Nonresidential uses may count on-street parking spaces on public street rights-of-way abutting the subject property towards satisfying off-street motor vehicle parking requirements. One on-street parking space credit may be taken for each twenty (20) linear feet of abutting right-of-way where on-street parking is allowed. Only space on the same side of the street as the subject use may be counted, except that the opposite side of the street may be counted if the property on that side of the street does not have the potential for future development. In calculating credit for on-street parking, all fractional spaces are rounded down.

**Section 5:** If any provisions or portion of this ordinance or its application to any person, entity or property is held invalid, such invalidity shall not affect the application or validity of any other provisions or portions of this ordinance; and, to that end, all provisions and portions of this ordinance are declared to be severable.

**Section 6:** All exhibits attached to this ordinance are hereby incorporated herein and made a part of the substance hereof.

**Section 7:** This ordinance shall be in full force and effect from and after ten days (10) days following its passage, approval and publication in pamphlet form as provided by law.

**ADOPTED** this 11<sup>th</sup> day of October 2021 pursuant to a roll call vote as follows:

Ayes: Trustees Ketchmark, Cote, Hendricks, Conroy,  
LeClere, and Kaluzny

Nays: None

Absent None

ABSTENTION: \_\_\_\_\_

**APPROVED** by me this 11<sup>th</sup> day of October 2021.



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Michael J. Garvey, President of the  
Village of Brookfield, Cook County, Illinois

ATTESTED and filed in my office,  
and published in pamphlet form  
this 11<sup>th</sup> day of October 2021.



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Brigid Weber, Clerk of the  
Village of Brookfield, Cook County, Illinois

**Exhibit "A"**

**DETERMINATION AND RECOMMENDATION OF THE  
PLANNING AND ZONING COMMISSION**

**From:** Village of Brookfield Planning and Zoning Commission  
**To:** President and Board of Trustees of the Village of Brookfield, Illinois  
**Re:** **PZC 21-16 Text Amendment for Vehicle Parking Credits and Reductions**  
**Petitioner:** Village of Brookfield, Illinois

An Application for a Text Amendment requesting an amendment to Section 62-291 entitled "Parking credits and reductions" of Subdivision III entitled "Requirements" of Division 2 Entitled "Parking spaces" of Article III entitled "Off-street parking and loading" of Chapter 62 entitled "Zoning" of the Code of Ordinances of Brookfield, Illinois, relating to updated parking requirements in the Village of Brookfield, Illinois.

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Due public notice was published in the *Riverside Brookfield Landmark* on August 11, 2021, fifteen (15) to thirty (30) days prior to the date of the hearing, notice having been mailed to all property owners within 250 feet of the property to be re-zoned by the amendments and otherwise made by the petitioner in conformity with the requirements of Chapter 62 entitled "Zoning" of the Code of Ordinances of Brookfield, Illinois. A public hearing was held on the petitioner's Zoning Variance Application on Thursday, August 26, 2021, at 7:00 p.m. before the Village of Brookfield Planning and Zoning Commission, at which time the Planning and Zoning Commission reviewed all relevant staff reports, all required Application for a Text Amendment materials, took sworn testimony and accepted evidence pertaining to the Application for a Text Amendment for consideration of the requested amendment; and all persons who desired to be heard on the matter were heard.

The Planning and Zoning Commission, having duly considered the question of approval of the amendment to Section 62-291 entitled "Parking credits and reductions" of Subdivision III entitled "Requirements" of Division 2 entitled "Parking spaces" of Article III entitled "Off-street parking and loading" of Chapter 62 entitled "Zoning" of the Code of Ordinances of Brookfield, Illinois, relating to updated parking requirements, based on the evidence presented at the public hearing, the Planning and Zoning Commission makes the following findings of fact, which are summarized as follows:

1. The proposed text amendment protects and promotes the health, safety, and general welfare of the community, protects and promotes the neighborhood character and sustainability because it allows for parking credits for long-term bicycle parking, but limits the maximum number of parking credits in residential districts to control motor vehicle parking congestion on residential streets.
2. The public good demands that the proposed text amendment be adopted because the proposed text amendment relieves and controls motor vehicle parking congestion on residential streets.
3. The proposed text amendment proposed is in harmony with the general purpose and intent of Chapter 62 entitled "Zoning" of the Code of Ordinances of Brookfield, Illinois.

The following standards have been met and proved by the petitioner:

1. The proposed text amendment protects and promotes the health, safety, and general welfare of the community, protects and promotes the neighborhood character and sustainability.
2. The public good demands that the proposed text amendment be adopted.
3. The proposed text amendment is in harmony with the general purpose and intent of Chapter 62 entitled "Zoning" of the Code of Ordinances of Brookfield, Illinois, because:
  - A. It promotes and protects the public health, safety, morals, comfort, convenience and the general welfare of the people;
  - B. It restricts and regulates the land use of residential uses;
  - C. It protects the character and maintains the stability of residential areas within the Village, and it promotes the orderly and beneficial development in such areas;

- D. It regulates the intensity of use of zoning lots;
- E. It prohibits the use of land which is incompatible with the character of development or the permitted uses within the residential zoning districts;
- F. It limits congestion in the public streets and protects the public health, safety and general welfare by providing for the off-street parking of motor vehicles;
- G. It prevents the overcrowding of land and undue concentration of structures, so far as is possible and appropriate in the residential districts, by regulating the use of the land surrounding buildings in the residential districts; and
- H. It conserves the taxable value of land and buildings throughout the village by reasonably regulating the parking of motor vehicles and encouraging long-term bicycle parking.

The Village Planning and Zoning Commission, after making the foregoing findings of fact, recommended approval of the requested text amendment to Section 62-291 entitled "Parking credits and reductions" of Subdivision III entitled "Requirements" of Division 2 entitled "Parking spaces" of Article III entitled "Off-street parking and loading" of Chapter 62 entitled "Zoning" of the Code of Ordinances of Brookfield, Illinois, relating to updated parking requirements.