
**THE CITY OF BLUE ISLAND
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2021-19**

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK
COUNTY, ILLINOIS AMENDING THE ZONING CODE OF
BLUE ISLAND, ILLINOIS IN REGARD TO IMPERVIOUS
SURFACE COVERAGE**

**FRED BILOTTO, Mayor
RAEANN CANTELO-ZYLMAN, City Clerk**

**DEXTER JOHNSON
LUIZ MONTOYA
NANCY RITA
BILL FAHRENWALD
GABRIEL McGEE
CANDACE CARR
JOSH ROLL**

Aldermen

**Published in pamphlet form by authority of the Mayor and City Clerk of the City of Blue Island on 6/22/21
City of Blue Island – 13051 Greenwood Avenue, Blue Island, IL 60406**

ORDINANCE NUMBER 2021-19

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS
AMENDING THE ZONING CODE OF BLUE ISLAND, ILLINOIS IN REGARD
TO IMPERVIOUS SURFACE COVERAGE**

WHEREAS, the City of Blue Island, Cook County, Illinois (the “City”) is a duly organized and existing City created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefits of the residents of the City; and

WHEREAS, the Mayor and the City Aldermen have heretofore exercised the power conferred on them pursuant to Chapter 11-13-1, *et seq.*, of the Illinois Municipal Code by adopting the Blue Island Zoning Code for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people (1991 Code, § 162.01; Ord. 2151, passed 6-28-1971), as amended from time to time; and

WHEREAS, the City filed an application to amend the Blue Island Zoning Code (the “Zoning Ordinance”) to regulate the impervious surface coverage on property within the City (the “Proposed Text Amendments”); and

WHEREAS, the Zoning Board of Appeals conducted a public hearing, as required by law, on June 3, 2021, in regards to the Proposed Text Amendments to the Zoning Ordinance pertaining to impervious surface coverage; and

WHEREAS, a public notice, in the form required by law, was posted containing said public hearing date; and

WHEREAS, the Zoning Board of Appeals filed its findings of fact and its recommendation that the Proposed Amendments be granted, attached hereto as Exhibit A, and the Mayor and City Aldermen have duly considered these findings of fact and recommendations; and

WHEREAS, the Mayor and City Aldermen have determined that it is in the best interest of the health, safety and welfare of the residents of the City, to grant the Proposed Text Amendments subject to the conditions identified herein.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Aldermen of the City of Blue Island, Cook County, Illinois as follows:

Section 1. That the above recitals are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. The Mayor and City Aldermen adopt by reference the Findings of Fact of the Zoning Board of Appeals, attached hereto as Exhibit A, as the findings of fact of the Mayor and City Aldermen. All exhibits and documents submitted at the aforesaid public hearing are also incorporated by reference.

Section 3. That Section 166.003 (“*Definitions*”) of Chapter 166 (“*Zoning Code*”) of Title XV (“*Land Usage*”) of the Code of Blue Island, Illinois is hereby amended by adding the underlined language to Section 166.003 in alphabetical order to read as follows:

§166.003 DEFINITIONS.

IMPERVIOUS COVERAGE. A proportion of a building lot occupied by surfaces that do not allow for stormwater filtration, such as a principal structure (a house), an ancillary structure (a detached garage), a shed, a chicken coop, a paved walkway, a paved driveway, a paved parking pad or lot, and a swimming pool (either above ground or in ground pool), expressed as a percentage of total lot area. Basically, an impermeable surface does not allow for the absorption of water into the ground.

LOT COVERAGE. A portion of a building lot that is occupied by buildings or structures, including ancillary structures, expressed as a percentage of total lot area.

OPEN SPACE. A portion of a building lot that is devoted to landscaping, lawn, and other similar permeable uses such as a rain garden or a natural retention swale. An open space shall not include a street, a driveway, a parking pad or lot, a sidewalk, a walkway, a plaza, a terrace, a patio, a swimming pool (either above ground or in ground pool), or other similar impervious or semi-impervious building surfaces.

Section 4. That the table referenced in Section 166.023(I) (“*Schedule of Use Controls-Schedule of Bulk and Coverage Controls*”) of Chapter 166 (“*Zoning Code*”) of Title XV (“*Land Usage*”) of the Code of Blue Island, Illinois is hereby amended by adding the underlined language to read as follows:

§ 166.023 SCHEDULE OF USE CONTROLS.

SCHEDULE OF BULK CONTROLS

	District	R-1	C-1	C-2	I-1	I-2	L-C
Minimum Lot Dimensions	Lot Area (Sq. Ft.)	4312.5	3125	6250	10000	40000	80000
	Lot Area Per Dwelling Unit (Sq. Ft.)	4312.5	---	---	---	---	80000
	Lot Width (Feet)	37.5	25	50	80	200	200
	Lot Depth (Feet)	115	125	125	125	125	200
Maximum	Height (Feet)	35	No Limit	No Limit	No Limit	No Limit	35
Minimum Lot Dimensions	Front Yard (Feet) ¹	25 [1]	---	---	25 ^e	25 ^e	50
	Side Yard (Percentage of Width) ²	10	---	---	n/a	n/a	n/a
	Side Yard (Each Side Yard, Feet) ^b	n/a	n/a	n/a	--- ^d	--- ^d	--- ^d
	Rear Yard (Feet)	35	--- ^a	--- ^a	--- ^d	--- ^d	--- ^d
Maximum	Lot Coverage (Percentage)	40	90 ^c	70 ^c	60	60	10
<u>Maximum</u> ^f	<u>Impervious Coverage (Percentage)</u> ^f	<u>60</u>	<u>n/a</u>	<u>90</u>	<u>85</u>	<u>85</u>	<u>n/a</u>

[1] Or average of setback distances of the block, but not less than 15 feet.

^a Deleted by Ord. 2396, passed 4/11/78

^b Amended by Ord. 2396, passed 4/11/78

^c Amended by Ord. 2397, passed 4/11/78

- ^d Deleted by Ord. 2397, passed 4/11/78
- ^e Amended by Ord. 2404, passed 10/9/79
- ^f Amended by Ord. 2019, passed 06/22/21

¹ Section 5.13(3) Front Yards for Corner Lots: A front yard of the required depth shall be provided on one of the two frontages and a second front yard shall be provided on the other frontage, provided that in any R-Zone the second front yard need be only fifty (50%) percent of the required depth for front yards in that zone.

² Section 5.13(4) Minimum Side Yard Width: Where a side yard to a principal building is provided, although not required by this ordinance, it shall not be less than six (6) feet in width unless it abuts a street or alley

Section 5. That Section 4.06.5.2 (“*Table of Building Form Regulations*”) as referenced by Section 166.007 (“*Uptown Transit Oriented Development (U-TOD) District Adopted by Reference*”) of Chapter 166 (“*Zoning Code*”) of Title XV (“*Land Usage*”) of the Code of Blue Island, Illinois is hereby amended by adding the underlined language to read as follows:

4.06.5.2 Table of Building Form Regulations

	MIXED USE	MULTI-FAMILY	ROW HOUSE	SINGLE-FAMILY	COMMERCIAL
<u>SETBACK</u>					
FRONT	0' to 5' MAX	0' to 15' MAX	10' to 15' MAX	15' to 25'	N/A
SIDE	0'	0'	0'	10'	N/A
REAR (LOTS ABUTS ALLEY)	10'	10'	18'	35'	N/A
REAR (Lot Commercial Use)	10'	10'	18'	35'	N/A
REAR (Lot Abuts Residential)	30'	30'	18'	35'	N/A
<u>HEIGHT (MAXIMUM)</u>					
LOTS ALONG WESTERN & OLD WESTERN	3 Stories	3 Stories	3 Stories	N/A	3 Stories
ALL OTHER LOTS IN THE DISTRICT	6 Stories	6 Stories	3 Stories	2 Stories	6 Stories
<u>USE</u>					
STREET LEVEL USE	Retail/Office	Residential	Residential	Residential	Retail/Office
UPPER LEVEL USE	Office/Res.	Residential	Residential	Residential	Office
MINIMUM LOT SIZE	N/A	N/A	N/A	25' x 125'	N/A
OFF-STREET PARKING	None	1/DU	1/DU	1/DU	None
OFF-STREET LOADING	1	N/A	N/A	N/A	1
LOT COVERAGE	90%	90%	60%	40%	90%
<u>Maximum Impervious Coverage</u>	90%	90%	90%	60%	90%

Section 6. That Section 166.092 (“*Variations*”) of Chapter 166 (“*Zoning Code*”) of Title XV (“*Land Usage*”) of the Code of Blue Island, Illinois is hereby amended by deleting the following stricken language and adding the underlined language as follows:

§166.092 VARIATIONS.

(D) Authorized variations.

(1) Variations from the regulations of this chapter shall be granted by the City Council only in accordance with the standards established in this section and only in the following instances:

(a) To permit any yard or setback less than a yard or a setback required by the applicable regulations; or an impervious coverage of 10 percent or less of the allowed impervious lot area;

Section 7. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 8. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 9. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally Left Blank)

Exhibit A

ZBA Findings of Fact



**City of Blue Island
Building & Zoning Department**
13051 Greenwood Avenue
Blue Island, IL 60406
Office (708) 597-8606
Fax (708) 396-2686
building@cityofblueisland.org

FINDINGS OF FACT

**CITY OF BLUE ISLAND ZONING BOARD OF APPEALS (ZBA)
PUBLIC HEARING OF JUNE 3, 2021**

City of Blue Island (Applicant), 13051 Greenwood Avenue, Blue Island, IL 60406

On June 3, 2021, the Zoning Board of Appeals voted (3-0) to adopt the Findings of Fact recommending City Council approval of a zoning text amendment of the Blue Island Zoning Ordinance of 1971, as amended, for an “impervious coverage” requirement within the City of Blue Island.

Section 8.9(6) [Section 166.094(F)(1)]: The Zoning Board of Appeals shall make written Findings of Fact and shall submit same together with its recommendations to the City Council within 30 days of the public hearing. Where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, the Zoning Board of Appeals shall make findings based upon the evidence presented to it in each specific case with respect to the following matters:

- a) Existing uses of property within the general area of the property in question;

The Zoning Board of Appeals finds that the proposed “impervious coverage” amendment is compatible with the existing uses within these districts. This amendment will increase property values, and reduce the amount of stormwater that is produced because there will be less pavements being built that are not permeable or sustainable in fashion.

- b) The zoning classification of the property within the general area of the property in question;

The Zoning Board of Appeals finds that the proposed “impervious coverage” amendment will affect the properties in the R-1, C-1, C-2, UTOD, I-1, I-2, and SU Districts in a positive and productive manner, which will also benefit the municipality in the long run. By reducing stormwater being produced, localized flooding and the “heat island” affect will be lessened in magnitude and quantity, gradually over time.

The Zoning Board of Appeals finds that the proposed “impervious coverage” amendment is compatible and will enhance the zoning building lots within these districts.

- c) The suitability of the property in question to the uses permitted under the existing zoning classification;

The Zoning Board of Appeals finds that the proposed “impervious coverage” amendment is suitable for the uses permitted under the existing zoning classification.

Text Amendment

This amendment will rely on individual homeowners to construct more permeable pavements that will absorb more stormwater and reduce localized flooding. Localized flooding can be a real issue for many neighbors who reside in low-lying properties because they will capture the stormwater that is either “sheeted-off” or deflected onto lower lying property.

- d) The trend of development, if any, in the general area of the property in question;

The Zoning Board of Appeals finds that the proposed “impervious coverage” amendment is consistent with the development trends in Blue Island, including in the Uptown Transit Oriented Development (UTOD) District.

Under the sustainability clause, more stormwater will be recharged back into the existing water table in a timely and natural manner. This amendment will rely more on green infrastructure technology to contain, treat, and recharge stormwater naturally back into the ground instead of relying on gray infrastructure technology.

- e) Projected use of the property, as indicated in the comprehensive plan.

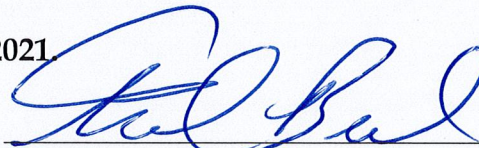
The Zoning Board of Appeals finds that the proposed amendment is consistent with the map illustrating Future Land Uses and the goals and objectives of the Blue Island Comprehensive Plan.

The Zoning Board of Appeals reaffirms this “impervious coverage” amendment will improve the municipality in the long run with a reduction on localized flooding and a reduction on the “heat island” effect. This will be a win-win for everybody.

ADOPTED this 22nd day of June, 2021, pursuant to roll call as follows:

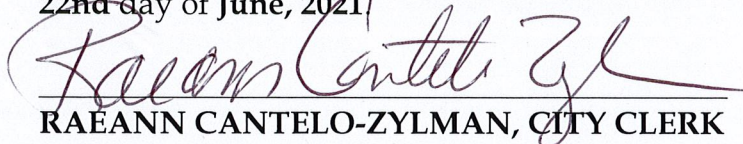
	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman JOHNSON	X				
Alderman MONTOYA	X				
Alderman RITA			X		
Alderman FAHRENWALD	X				
Alderman MCGEE	X				
Alderman CARR			X		
Alderman ROLL	X				
Mayor BILOTTO					
	5		2		

APPROVED by the Mayor on June 22, 2021.



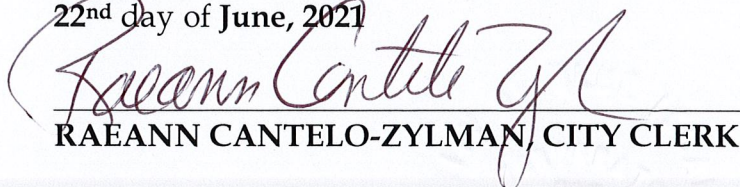
FRED BILOTTO
MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS

ATTESTED and Filed in my office this
22nd day of June, 2021



RAEANN CANTELO-ZYLMAN, CITY CLERK

PUBLISHED in pamphlet form this
22nd day of June, 2021



RAEANN CANTELO-ZYLMAN, CITY CLERK

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATE

I, **RAEANN CANTELO-ZYLMAN**, certify that I am the duly elected and acting Municipal Clerk of the City of Blue Island of Cook County, Illinois.

I further certify that on **June 22, 2021** the Corporate Authorities of such municipality passed and approved Ordinance No. **2021 - 019** Entitled: **AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS AMENDING THE ZONING CODE OF BLUE ISLAND, ILLINOIS IN REGARD TO IMPERVIOUS SURFACE COVERAGE.**

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2021 - 019** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **June 22, 2021** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this **22nd** day of **June, 2021**.

CORPORATE SEAL



RAEANN CANTELO-ZYLMAN, CITY CLERK