

ORDINANCE NO. 16-24

AN ORDINANCE AMENDING TITLE 9, ZONING, CHAPTER 9, INDUSTRIAL DISTRICTS, ARTICLE B, I-2 HEAVY INDUSTRIAL DISTRICT, AND ARTICLE C, PERFORMANCE STANDARDS, BY CHANGING SECTION 9-9B-3, USES PERMITTED, SECTION 9-9B-4, SPECIAL USES PERMITTED, SECTION 9-9B-7, PROHIBITED USES, SECTION 9-9B-8, SITE AND STRUCTURE REQUIREMENTS, SECTION 9-9B-9, SPECIAL PROVISIONS, AND SECTION 9-9C-4, STANDARDS, OF MUNICIPAL CODE FOR THE VILLAGE OF MANTENO

TIMOTHY O. NUGENT

Village President

TIMOTHY J. BOYCE
TODD CROCKETT
DIANE DOLE
JOEL GESKY
SAMUEL J. MARTIN
WENDELL PHILLIPS

Trustees

ALISA BLANCHETTE

Village Clerk

Prepared by
LOUIS F. CAINKAR, LTD.
Village Attorney

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WHEREAS, the Village of Manteno is a non-home rule municipality duly created and existing under the laws of the State of Illinois;

WHEREAS, the Corporate Authorities of the Village of Manteno have proposed to amend certain regulations and standards with respect to its industrial zoning districts;

WHEREAS, on November 8, 2013, pursuant to notice, a public hearing was held before the Plan Commission of the Village of Manteno on the above-referenced changes. The Plan Commission did consider all testimony and exhibits and, thereafter, recommended that the changes be adopted through Plan Commission Recommendation No. 16-10; and,

WHEREAS, the corporate authorities of the Village of Manteno, having considered Plan Commission Recommendation No. 16-10, the effect of the proposed changes, and the concerns expressed at the public hearing, if any, and deem it necessary, useful and desirable to enact the changes so proposed.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Manteno, Kankakee County, Illinois, as follows:

Section 1

The recitals set forth in the above prefatory clauses are hereby adopted as the findings of the corporate authorities of the Village of Manteno and are expressly incorporated herein as a part of this Ordinance.

Section 2

That Title 9, Zoning, Chapter 9, Industrial Districts, Article B, I-2 Heavy Industrial District, of the Municipal Code for the Village of Manteno, be amended by changing Section 9-9B-3, Uses Permitted, to read as follows:

"9-9B-3: **USES PERMITTED:** No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied, or used, except as otherwise provided in this title, for other than one or more of the following specified uses:

...

Industrial and manufacturing type uses:

...

Pottery and ceramics manufacturing.

Public, quasi-public and private utility facilities or stations, including structures or facilities to store, distribute, and/or generate electricity, gas, telecommunications, and related equipment, or to pump or chemically treat water.

Printing and publishing establishments.

...

Miscellaneous Uses:

...

Schools – vocational or trade

Solar Farms.

...”

Section 3

That Title 9, Zoning, Chapter 9, Industrial Districts, Article B, I-2 Heavy Industrial District, of the Municipal Code for the Village of Manteno, be amended by deleting “Public and private utility facilities” from Section 9-9B-4, Special Uses Permitted.

Section 4

That Title 9, Zoning, Chapter 9, Industrial Districts, Article B, I-2 Heavy Industrial District, of the Municipal Code for the Village of Manteno, be amended by changing Section 9-9B-7, Prohibited Uses, to read as follows:

9-9B-7: **PROHIBITED USES:** All uses not expressly authorized in sections 9-9B-3 through 9-9B-6 of this article, inclusive, and except as otherwise allowed pursuant to applicable federal or state statutes, rules, regulations and/or permitting requirements and limits with respect to public, quasi-public and private utility uses, any use that creates any external odor, smoke, dust, noise or glare or that involves the use of any radioactive or highly toxic materials, as determined by the Director of Building and Zoning.

Section 5

That Title 9, Zoning, Chapter 9, Industrial Districts, Article B, I-2 Heavy Industrial District, of the Municipal Code for the Village of Manteno, be amended by changing Section 9-9B-8, Site and Structure Requirements, to read as follows:

“9-9B-8: **SITE AND STRUCTURE REQUIREMENTS:**

...

- (E) **Maximum Height:** No structure or portion thereof shall exceed a height of fifty (50') feet. This limitation shall not apply to public, quasi-public and private utility facilities or stations, including structures or facilities to store, distribute, and/or generate electricity, gas, telecommunications, and related equipment, or to pump or chemically treat water.

...”

Section 6

That Title 9, Zoning, Chapter 9, Industrial Districts, Article B, I-2 Heavy Industrial District, of the Municipal Code for the Village of Manteno, be amended by changing Section 9-9B-9, Special Provisions, to read as follows:

“9-9B-9: **SPECIAL PROVISIONS:**

...

- (J) **Enclosure of Use:** All industrial or commercial operations shall take place within completely enclosed buildings, unless otherwise specified. This limitation shall not apply to public, quasi-public and private utility facilities or stations, including structures or facilities to store, distribute, and/or generate electricity, gas, telecommunications, and related equipment, or to pump or chemically treat water.

...”

Section 7

That Title 9, Zoning, Chapter 9, Industrial Districts, Article C, Performance Standards, of the Municipal Code for the Village of Manteno, be amended by changing Section 9-9C-4: Standards, to read as follows:

“9-9C-4: **STANDARDS:**

...

(C) Noise: Noise shall be measured at the respective receptor beyond the property line of the tract on which the operation is located. Noise shall be muffled so as not to become objectionable due to intermittence, beat frequency, shrillness, or intensity. At the property line, the sound pressure level of noise radiated continuously from a facility shall not exceed the value given in tables 1 and 2 of this subsection (C) of any octave band frequency. The sound pressure level shall be measured with a sound level meter and an octave band analyzer that conform to specifications published by the American Standards Association. Octave band analyzers shall be calibrated in the preferred frequencies (American Standards Association S1.6-1967). Preferred frequencies for acoustical measurements shall be used.

...”

Section 8

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

Section 9

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

Section 10


This ordinance shall be immediately in full force and effect after passage, approval and publication. This ordinance is authorized to be published in pamphlet form.

PASSED by the President and Board of Trustees of the Village of Manteno, Illinois and deposited in the office of the Village Clerk this 21st day of November, 2016.

DEPOSITED with the Village Clerk
this 21st day of November, 2016.


ALISA BLANCHETTE, Village Clerk

APPROVED by me this 21st
day of November, 2016.


TIMOTHY O. NUGENT, Village President

I DO HEREBY CERTIFY that this Ordinance was, after its passage and approval, published in pamphlet form by authority of the Village of Manteno, in accordance with law, this 21st day of November, 2016.


ALISA BLANCHETTE, Village Clerk

PLAN COMMISSION RECOMMENDATION NO. 16 - 10

A RECOMMENDATION TO APPROVE AMENDMENTS TO CHAPTER 9, INDUSTRIAL DISTRICTS, ARTICLE B, I-2 HEAVY INDUSTRIAL DISTRICT, OF THE MUNICIPAL CODE FOR THE VILLAGE OF MANTENO, AS APPLICABLE TO SOLAR FARMS AND PUBLIC, QUASI-PUBLIC AND PRIVATE UTILITY FACILITIES

WHEREAS, the Corporate Authorities of the Village of Manteno have proposed to change certain regulations with respect to solar farms and public, quasi-public and private utility facilities in the I-2 Heaving Industrial District;

WHEREAS, on November 8, 2016, pursuant to notice, a public hearing was held before the Plan Commission of the Village of Manteno on the changes referenced above; and,

WHEREAS, at the hearing, the Plan Commission did consider any and all testimony, comments and exhibits presented.

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the Village of Manteno, Kankakee County, Illinois, as follows:

Section 1

The recitals set forth in the above prefatory clauses are hereby adopted as the findings of the Plan Commission of the Village of Manteno and are expressly incorporated herein as a part of this Recommendation.

Section 2

That Title 9, Zoning, Chapter 9, Industrial Districts, Article B, I-2 Heavy Industrial District, of the Municipal Code for the Village of Manteno, be recommended to be amended by changing Section 9-9B-3, Uses Permitted, to read as follows:

"9-9B-3: **USES PERMITTED:** No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied, or used, except as otherwise provided in this title, for other than one or more of the following specified uses:

...

Industrial and manufacturing type uses:

...

Pottery and ceramics manufacturing.

Public, quasi-public and private utility facilities or stations, including structures or facilities to store, distribute, and/or generate electricity, gas, telecommunications, and related equipment, or to pump or chemically treat water.

Printing and publishing establishments.

...

Miscellaneous Uses:

...

Schools - vocational or trade

Solar Farms.

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Section 3

That Title 9, Zoning, Chapter 9, Industrial Districts, Article B, I-2 Heavy Industrial District, of the Municipal Code for the Village of Manteno, be recommended to be amended by deleting "Public and private utility facilities" from Section 9-9B-4, Special Uses Permitted.

Section 4

That Title 9, Zoning, Chapter 9, Industrial Districts, Article B, I-2 Heavy Industrial District, of the Municipal Code for the Village of Manteno, be recommended to be amended by changing Section 9-9B-7, Prohibited Uses, to read as follows:

9-9B-7: **PROHIBITED USES:** All uses not expressly authorized in sections 9-9B-3 through 9-9B-6 of this article, inclusive, and except as otherwise allowed pursuant to applicable federal or state statutes, rules, regulations and/or permitting requirements and limits with respect to public, quasi-public and private utility uses, any use that creates any external odor, smoke, dust, noise or glare or that involves the use of any radioactive or highly toxic materials, as determined by the Director of Building and Zoning.

Section 5

That Title 9, Zoning, Chapter 9, Industrial Districts, Article B, I-2 Heavy Industrial District, of the Municipal Code for the Village of Manteno, be recommended to be amended by changing Section 9-9B-8, Site and Structure Requirements, to read as follows:

"9-9B-8: SITE AND STRUCTURE REQUIREMENTS:

...

- (E) Maximum Height: No structure or portion thereof shall exceed a height of fifty (50') feet. This limitation shall not apply to public, quasi-public and private utility facilities or stations, including structures or facilities to store, distribute, and/or generate electricity, gas, telecommunications, and related equipment, or to pump or chemically treat water.

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Section 6

That Title 9, Zoning, Chapter 9, Industrial Districts, Article B, I-2 Heavy Industrial District, of the Municipal Code for the Village of Manteno, be recommended to be amended by changing Section 9-9B-9, Special Provisions, to read as follows:

"9-9B-9: SPECIAL PROVISIONS:

...

- (J) Enclosure of Use: All industrial or commercial operations shall take place within completely enclosed buildings, unless otherwise specified. This limitation shall not apply to public, quasi-public and private utility facilities or stations, including structures or facilities to store, distribute, and/or generate electricity, gas, telecommunications, and related equipment, or to pump or chemically treat water.

..."

PASSED by the Plan Commission of the Village of Manteno at a Regular Meeting thereof held on the 8th day of November, 2016 and approved by me as Chairman on the same day.



Francis Smith
Plan Commission Chairman

ATTEST:

