

Village of Hanover Park

Municipal Building
2121 West Lake Street
Hanover Park, Illinois
60133-4398

Rodney S. Craig
Village President

Eira L. Corral
Village Clerk

630-372-4200
Fax 630-372-4215

Ronald A. Moser
Village Manager

VILLAGE OF HANOVER PARK

**DEVELOPMENT COMMISSION
WORKSHOP AGENDA**

Municipal Building: 2121 W. Lake Street, Room 214
Hanover Park, IL 60133

Thursday, January 12, 2012
6:00 p.m.



1. CALL TO ORDER – ROLL CALL

2. ACCEPTANCE OF AGENDA

3. DISCUSSION TOPIC:

- a. “D” Plates
- b. Development Update – Village Planner Katie Bowman

4. ADJOURNMENT



**Village of Hanover Park
Community Development Department**

INTEROFFICE MEMORANDUM

TO: Chairman Bakes and members of the Development Commission

FROM: Patrick Grill, Community Development Director
Katie Bowman, Village Planner

SUBJECT: Discussion of the regulation of class “D” vehicles (‘D Plates’)

ACTION

REQUESTED: Approval Disapproval Information

MEETING DATE: January 12, 2012

REQUEST SUMMARY:

The following workshop topic is scheduled for Development Commission discussion at 6:00 p.m. on January 12, 2012 in Room 214 of the Municipal Building, 2121 Lake Street:

Regulation of the parking of class “D” vehicle license plates, as outlined in:

- Zoning Code Section 110-6.2.4.a – *Parking of commercial vehicles in residential districts*

Staff requests that the Development Commission discuss the existing regulations and make a recommendation to the Village Board related to whether such regulations should change and if so, how they should change.

BACKGROUND/DISCUSSION

At their workshop of December 15, 2011, the Village Board discussed the regulation of parking of class “D” vehicles in residential districts. Due to the concerns of some board members and residents, they requested that the matter be researched and discussed by the Development Commission.

Trucks and other vehicles weighing 8,001 to 12,000 pounds are within class “D” and are required to obtain license plates with the “D” designation (‘D Plates’). Currently, the Zoning Code prohibits the parking of vehicles in excess of 8,000 pounds (‘D Plates’ and larger) in residential districts, stating in Section 110-6.2.4.a that:

“Parking of commercial vehicles in residential districts. No commercial vehicle having a gross weight in pounds, including vehicle and maximum load, in excess of 8,001 pounds and bearing a class designation other than “A” or “B” under the provisions of section 5/15-111 of

the Illinois Vehicle Code (625 ILCS 5/15-111), as amended, shall be parked or stored on any residential premises except when making a delivery or rendering a service at such premises. The storage of a commercial vehicle or contractors' equipment at a place of residence shall not constitute the making of a delivery or the rendering of a service and shall be prohibited.”

Due to this prohibition, the Village Police issue tickets to cars with ‘D Plates’ parked in residential districts overnight. Such tickets are \$15 per occurrence. As described further in Exhibit 2, there are approximately 60-80 ‘D Plate’ tickets issued each year, with the same addresses often receiving several tickets.

The Village Board discussed various options of regulation, ranging from the issuance of special use permits/exceptions to the removal of the parking prohibition. Concerns relating to the desire to improve the Village’s image, while also being reasonable and friendly to the blue-collar population base were voiced. The regulations in surrounding Villages were reviewed by Staff. It has been found that surrounding communities generally permit the parking of ‘D Plates’ under certain circumstances. The size is generally limited to less than 9 feet in height, the number of vehicles limited to 1, and materials in the rear of the vehicle are to be contained within permanent covering (as in Bartlett and Streamwood). Plowing equipment is generally permitted in the winter months (November – March). See Exhibit 1 for more information.

RECOMMENDATION

Staff recommends that the Development Commission discuss regulations related to the parking of ‘D Plate’ vehicles, considering such aspects as the necessity, enforcement, content, and consistency of such regulations. Following discussion by the Commission and Board, proposed new regulations (if necessary) would be brought before the Development Commission for a public hearing.

ATTACHMENTS

- Exhibit 1 – Commercial Vehicle Parking Restrictions Survey
- Exhibit 2 – 2011 Commercial Vehicle Parking Violations Summary and Map

**HANOVER PARK POLICE DEPARTMENT
Inter-Office Memo**

To: Chief David Webb
From: Code Enforcement Unit Supervisor Patrick Hamill
Subject: Commercial Vehicle Parking Restrictions Survey
Date: November 10, 2011

I conducted a survey of some surrounding communities to learn if their ordinances regarding the parking of commercial vehicles in residential areas differed from our ordinance. As you are aware, Hanover Park's Ordinance 110.6.2.4.a. prohibits residents from parking any commercial vehicle with a plate higher than a "B" Truck classification on a residential drive. Generally speaking, a truck bearing a "B" Truck plate is rated 8,000 lbs. and less (gross weight in pounds including vehicle and maximum load) per the Illinois Vehicle Code. The next higher rated plate is a "D" Truck plate rated 8,001 pounds to 12,000 pounds.

Hanover Park Chapter 110, Section 6.2.4. General parking provisions.

- a. Parking of commercial vehicles in residential districts. No commercial vehicle having a gross weight in pounds, including vehicle and maximum load, in excess of 8,001 pounds and bearing a class designation other than "A" or "B" under the provisions of section 5/15-111 of the Illinois Vehicle Code (625 ILCS 5/15-111), as amended, shall be parked or stored on any residential premises except when making a delivery or rendering a service at such premises. The storage of a commercial vehicle or contractor's equipment at a place of residence shall not constitute the making of a delivery or the rendering of a service and shall be prohibited.

Carol Stream, Chapter 16, Section 13-2(F)3

(3) Parking of commercial vehicles in the residential district. No commercial vehicles bearing a class designation other than A or B under the provisions of ILCS Ch. 625, Act 5, §§ 3-801 et seq. shall be parked or stored on any residential premises classified as a residential district, except when making a delivery or rendering a service at such premises.

(4) No construction equipment or vehicles shall be parked or stored in a residential district, unless specifically permitted under § [16-13-2\(F\)\(3\)](#), or unless such equipment or vehicle is being used in the construction, alteration, excavation or repair of property within a residential district. In the event that such equipment or vehicle is not

being used in the construction, alteration, repair or excavation of property in a residential district, such equipment or vehicle shall not be parked or stored overnight unless it is parked or stored at least 500 feet from an occupied residence. Maintenance equipment may be stored in a garage in multi-family areas. Equipment used solely for snow plowing may be stored on the premises where such equipment will be used during the period from November 1 through March 31 each season.

Streamwood's Ordinance classifies commercial vehicles into types (I, II, and III) and below is their applicable ordinance with definitions, cut and pasted from their website:

TYPE I VEHICLE: A motor vehicle that is not greater than seven feet six inches (7'6") in height, not greater than twenty two feet (22') in length, with a weight of not over eight thousand (8,000) pounds and that is not a prohibited "commercial vehicle" or a "recreational vehicle" as defined herein.

TYPE II VEHICLE:

A. A motor vehicle that would, without roof attachments, qualify as a type I vehicle, but which does not exceed eight feet (8') in height with roof attachments, or

B. A motor vehicle that would, without a snowplow blade attachment, qualify as a type I vehicle, or

C. A motor vehicle with both of the circumstances described in subsections A and B of this definition, or

D. Limousines that do not exceed the type III vehicle size thresholds.

TYPE III VEHICLE: A motor vehicle that is:

A. Either greater than seven feet six inches (7'6") in height or greater than twenty two feet (22') in length, or more than eight thousand (8,000) pounds and that is not a type II vehicle, or a "recreational vehicle" as defined herein, or

B. Either less than seven feet six inches (7'6") in height or less than twenty two feet (22') in length, or less than eight thousand (8,000) pounds and allows for property to be stored and/or transported in a manner that is not safe or completely enclosed.

11-4-5-7: COMMERCIAL VEHICLES AND TRAILERS:

A. Findings And Purpose:

1. The village board finds that the presence in residential neighborhoods of excessively large motor vehicles and certain motor vehicles that, by virtue of their design, type, or characteristics, are not customary and incidental to the use or occupancy of residential property, has a detrimental and blighting impact upon the residential quality and

character of such neighborhoods and that more than one such vehicle upon a lot compounds the blighting impact. The village board finds that these vehicles intrude upon the aesthetics and visual peace and quiet of a residential neighborhood, that they can impair the free flow of traffic on residential streets and by their size are detrimental to residential traffic safety, that they often create excessive noise for such surroundings, that their presence tends to encourage and effectuate the expansion of uses that are inconsistent with or inappropriate to residential areas, and that their presence therefore is likely to have a negative impact upon residential property values. For similar reasons, the village board finds that the parking and storage of large trailers also has a detrimental and blighting impact upon residential areas.

2. The purpose of this section, therefore, is to prohibit or restrict (with some exceptions), in residential districts, the parking or storage of vehicles and trailers that, by virtue of their excessive size, or by virtue of their design, type, or characteristics, are incompatible with such districts, and to thereby reduce the blighting and negative impacts of such vehicles and trailers in those districts.

B. Vehicle Parking And Storage Limitations And Requirements:

1. Certain Vehicles Prohibited And Permitted:

- a. Type III vehicles shall not be parked or stored on a residentially zoned lot or in the public right of way or street immediately abutting any residentially zoned lot, except as provided under subsection B5 of this section, and subject to any other applicable provisions of this section and of this code.
- b. Type I and II vehicles shall be permitted to be parked or stored on a residentially zoned lot or in the public right of way or street immediately abutting any residentially zoned lot, subject to the provisions of this section and any other applicable provisions of this code. However, a vehicle that is a type II vehicle by reason of the attachment of a snowplow blade may be parked or stored with blade attached only between November 1 and April 30.

2. Measurement: For purposes of the measurement of vehicle dimensions under this section, the "height" of a vehicle shall be the vertical distance between the lowest part of the tires of the measured vehicle to the top of the highest part of the vehicle, and the "length" of a vehicle shall be the horizontal distance between the front edge of the vehicle to the rear edge of the vehicle. For purposes of these measurements, accessories, attachments, and materials fixed upon such vehicle shall be considered part of the vehicle (with the exception of aerial antennas and movable equipment stored in racks).

3. Limitations On Numbers Of Vehicles In Residential Districts (R-0, R-1, R-2, R-3, R-4, And R-5):

a. Number Of Vehicles: The number of vehicles that may be parked or stored in residential districts shall be limited to the following:

(1) Type I vehicles are not numerically restricted. Type II vehicles that are parked or stored within a building, are not numerically restricted. No more than one type II vehicle shall be permitted to be parked in the open on an approved surface. However, all vehicles must be lawfully parked as defined elsewhere in this code;

Exception: type II vehicles that exceed eight feet (8') in height, but do not exceed nine feet (9') in height, which are lawfully parked behind the front of the principal structure.

(2) Type III vehicles are not permitted, except as provided under subsection B5 of this section.

b. Counting Of Vehicles: Vehicles temporarily parked at a residence for visitation or business service reasons, "recreational vehicles" (as defined in section [11-2-2](#) of this title), and motorcycles that are housed in a garage, shall not be counted for purposes of these numerical limitations. Nothing in this section shall be interpreted as permitting the storage of vehicles if such storage is not otherwise permitted by this code.

4. Ownership: No type II vehicle shall be parked or stored at a premises unless that vehicle is owned or leased or regularly used by a person physically residing at that premises.

5. Exceptions: The parking and storage limitations and requirements of this subsection B are subject to the following exceptions and limitations:

a. Vehicles otherwise restricted by this section may be temporarily parked on or in front of a residentially zoned lot while being loaded or unloaded or while rendering a service at that location.

b. Vehicles otherwise restricted by this section may be parked on a residentially zoned lot when the lawful principal use of the lot under this zoning code is other than residential and the vehicle is directly related to that lawful use.

c. Vehicles designed or used for the purpose of accommodating the needs of disabled occupants of the site and exceeding the height limitations of this section shall not be prohibited under this section, provided that the vehicle displays a handicapped license plate or handicapped parking sticker issued by the state.

d. "Recreational vehicles", as defined in section [11-2-2](#) of this title, shall not be subject to the regulations of this section unless otherwise provided herein.

Bartlett's ordinance regarding parking commercial vehicles in residential drives is as follows:

Commercial vehicles, including those that contain equipment racks to carry commercial equipment and those that have signage and lettering on any side, front or rear of the vehicle, may be parked or stored on a residential zoning lot if located within a fully enclosed garage; or if visible from adjacent rights-of-way or properties, shall meet all of the following requirements:

1. The commercial vehicle must display an "A", "B" or "D" license plate; provided, however, a commercial vehicle with a "D" license plate shall not exceed a height of eight (8) feet six (6) inches tall measured from the existing grade to the top of the vehicle roof;
2. The commercial vehicle must be parked on a paved surface at least ten (10) feet from the side or rear property line in the zoning lot;
3. The equipment and materials stored in the bed of a pick-up or flatbed truck must be covered by a commercially manufactured bed cap, cover (e.g. Tonneau cover) or tarp; and
4. The commercial vehicle must be owned or legally controlled by one of the owners or occupants of the principal use.

Schaumburg's ordinance regarding parking commercial vehicles in residential drives is as follows:

G) Parking Restrictions In Residential Districts:

(1) **Parking Of Commercial Vehicles Prohibited In Residential Districts:** It shall be unlawful for any person to park a commercial vehicle, including contractors' equipment, having a gross weight when fully loaded in excess of eight thousand (8,000) pounds and/or bearing a classification other than "B" under the provisions of the Illinois Vehicle Code, in any zoning area classified as a residential district at any time, except where making a delivery or rendering a service at such premises or as listed below. The parking of a commercial vehicle or contractors' equipment by the operator of said vehicle or equipment at their place of residence shall not constitute the making of a delivery or the rendering of a service and shall be prohibited.

(a) Box trucks shall be prohibited to be parked or stored in a residential district regardless of size or license plate classification, except when making a delivery or rendering a service in the residential district.

(b) Commercial vehicles having a gross weight when fully loaded in excess of eight thousand (8,000) pounds and bearing

a classification of "D" under the provisions of the Illinois Vehicle Code may be permitted to be parked in a zoning area classified as a residential district with the following restrictions:

1. Storage of commercial/contractors' equipment and materials within the vehicle shall be completely concealed from view, and without the use of a tarp or other temporary means, except that ladders may remain on top of the vehicle parked in a residential district. The maximum height of the vehicle shall be no taller than nine feet (9'), including ladders on top of the vehicle. One (1) commercial vehicle shall be permitted to be parked per residential property.

2. Any commercial vehicle located on residentially zoned property on the effective date hereof which does not conform to the provisions of this chapter shall be removed from the property or stored inside a structure on the property no later than January 1, 2008.

(c) It shall be unlawful for any person to park a public passenger vehicle in any zoning area classified as a residential district between the hours of 6:00 p.m. and 6:00 a.m. except when dropping off or picking up a passenger.

More Info Regarding Carol Stream's Regulations

From: Webb, David
Sent: Wednesday, December 21, 2011 2:54 PM
To: Grill, Patrick
Subject: Fwd: Commercial Vehicle Parking in Carol Stream
Pat
Fyi. Some info from pat hamill

From: "Hamill, Patrick" <phamill@hpil.org>
Date: December 21, 2011 1:23:49 PM CST
To: "Webb, David" <dwebb@hpil.org>
Subject: Commercial Vehicle Parking in Carol Stream

As requested, following is a summary of information I obtained regarding Parking Commercial Vehicles in Residential Areas of Carol Stream:

- The attachment to this email has the ordinance number and wording of Carol Stream's ordinance, which closely mirrors our ordinance.

- I spoke with three Carol Stream Village employees regarding their ordinance:
 - Deputy Village Clerk Sherry Craig who told me there is a mechanism for residents to request a variance from this ordinance by paying \$640.00 for a hearing to request a variance to park a "D" plated vehicle at their residence. The resident can request the variance before the Plan Commission/Zoning Board. The Board may then make a recommendation to the full Village Board to approve, or disapprove, the variance. Deputy Clerk Craig told me during the last eight (8) years only two residents have applied for such a variance, and both requests were denied.
 - "Helene" from the Finance Department told me she could not remember anyone getting this type of a variance in the 17 years she has worked for Carol Stream.
 - Keith Anderson of the Carol Stream Community Development Department told me he could only remember one or two residents applying for a variance from this ordinance in the 12 years he has worked for Carol Stream. He wasn't sure if the variances were granted.

H.P. Village Trustee Jenny Konstanzer told me she spoke with a male Carol Stream Village employee, whose name she could not recall, who told her that there were seven residents of Carol Stream who received permission to park "D" plated vehicles at their residences, and that "either two or three" other residents were denied. She did not have a time frame for when this occurred.

Pat

Commercial License Plate Violation Parking Citations - 2011

<i>Date</i>	<i>P Ticket #</i>	<i>Location of Violation</i>
1/5/11	4154057	BRIARWOOD&&ASTOR
1/19/11	4153347	NEWPORT
1/26/11	4151546	1900 ELM COURT
1/26/11	4153337	1875 VICTOR
1/27/11	4153216	1920 ELM COURT
1/30/11	4151547	6910 PINETREE
2/18/11	4154688	1461 WALNUT
2/21/11	4151554	1461 WALNUT
2/27/11	4155260	1700 ONTARIOVILLE RD
3/02/11	4155375	3885 SHOAL
3/04/11	4154520	1681 ST ANN
3/6/11	4155452	1325 HIALEAH
3/7/11	4155223	2298 BREEZEWOOD
3/27/11	4155236	1920 ELM COURT
4/2/11	4141360	AMARILLO&&FRESNO
4/11/11	4156613	6841 ORCHARD
4/13/11	4156749	2300 GLENDALE TERR
4/21/11	4155865	977 GLENSIDE
4/26/11	4155995	1580 MAPLEWOOD
6/11/11	4157896	6988 PLUMTREE
6/15/11	4157166	2314 WILDWOOD LN
6/15/11	4157168	2371 LEEWARD LN
6/19/11	4157169	1920 ISLE ROYAL LN
6/19/11	4157170	1862 GROSSE POINTE CIR
6/19/11	4157171	2168 WILDWOOD LN
6/23/11	4157172	1862 GROSSE POINTE
6/23/11	4157173	2168 WILDWOOD LANE
7/10/11	4159011	2021 OSAGE
7/12/11	4159021	8228 DARTMOUTH
7/17/11	4154711	7800 STRATHMORE LN
7/21/11	4159287	1135 HIALEAH
8/6/11	4160313	7577 KINGSBURY
8/6/11	4160315	1417 FREMONT
8/15/11	4158479	AMARILLO&&WILSHIRE
8/19/11	4160322	920 PRINCETON
8/20/11	4160334	2021 OSAGE
8/28/11	4157178	<i>No address listed</i>
9/16/11	4160808	2134 BALDWIN CT
9/17/11	4161458	7115 CENTER
9/20/11	4160812	1862 GROSSE POINTE CIR

9/21/11	4162124	2371 LEEWARD
9/25/11	4162138	2371 LEEWARD LN
9/26/11	4162139	2371 LEEWARD LN
10/4/11	4162287	2134 BALDWIN CT
10/4/11	4162288	2088 BALDWIN
10/5/11	4162292	2134 BALDWIN
10/5/11	4162293	2088 BALDWIN
10/5/11	4162294	1862 GROSSE POINTE CIR
10/10/11	4161798	SHELBORNE
10/18/11	4163107	BALDWIN
10/19/11	4163109	BALDWIN
10/19/11	4163111	4202 WOODLAKE DR
10/31/11	4165419	1743 ZEPPELIN
11/1/11	4163118	1865 WINDMILL
11/1/11	4163119	2239 CAMDEN LANE
11/1/11	4163120	1925 WINDMILL DR
11/1/11	4165621	4202 WOODLAKE DR
11/13/11	4163076	831 HASTINGS LN

