

**PLAN COMMISSION  
Village of Deerfield  
Agenda  
February 9, 2023 at 7:30 PM  
Workshop Meeting\***

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**Public Comment on a Non-Agenda Item**

**WORKSHOP MEETING**

1. Prefiling Conference on the Request for a Text Amendment to the Deerfield Zoning Ordinance Regarding Commercial Vehicle Parking

**DOCUMENT APPROVAL**

1. January 26, 2023 Plan Commission Minutes

**Items from the Commission**

**Items from the Staff**

**Designation of Representative for the next Board of Trustees Meeting**

**Adjournment**

\*While it is the intent of the Plan Commission to hold the meeting in-person at Village Hall, the Plan Commission reserves the right to hold the meeting virtually on the Zoom platform should the need arise due to changing circumstances related to COVID-19. The agenda and meeting materials for this meeting will be posted no later than 48 hours prior to the meeting at <https://www.deerfield.il.us/AgendaCenter>. If the Village decides it is necessary to hold the hearing virtually, the Village will provide directions on its agenda on how to access the hearing via the Zoom platform and providing public comment and testimony.

## MEMORANDUM



VILLAGE OF DEERFIELD

TO: Plan Commission  
FROM: Jeff Ryckaert, Principal Planner and Dan Nakahara, Planner  
DATE: February 2, 2023  
RE: Prefiling Conference on the Request for a Text Amendment to the  
Deerfield Zoning Ordinance Regarding Commercial Vehicle Parking

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The purpose of a prefiling conference is to provide the applicant feedback, input, and direction on their proposal prior to the public hearing.

The accompanying memorandum provides background, rationale and analysis for proposed Text Amendments to Article 4 (Residential Districts) of the Deerfield Zoning Ordinance.

In summary:

- Change to the commercial vehicle definition in the Zoning Ordinance.
- Commercial vehicles over 10,001 lbs. remains prohibited.
- Under 10,000 lbs., prohibit any vehicle with dump body, tow truck, or semi-truck and specific vehicles: Ford F450 or larger, Chevrolet 4500 or larger.
- Permit 1 commercial vehicle on private property under 10,001 lbs, with or without signage on the vehicle. (For example, a van used for a commercial enterprise can be parked at the residence). Note: Another commercial vehicle is allowed on the property only if parked in the garage.

The standard for a Text Amendment to the Zoning Ordinance is that it must be in the public interest and is not solely for the interest of the applicant.

Assistant to the Village Manager, Justin Keenan will present at the meeting to present the petition and answer any questions.

**TO:** Andrew Lichterman, Assistant VM/Director of CD

**FROM:** Justin Keenan, Assistant to the Village Manager  
Ryan Oates, Public Works Analyst

**DATE:** January 16, 2023

**SUBJECT:** Commercial and Recreational Equipment Parking

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VILLAGE OF DEERFIELD

### **Background**

To confirm compliance with the Zoning Code, and due to complaints submitted by residents, staff completed a Village wide survey to track commercial and recreational vehicles. The Village's Zoning Code currently restricts and/or prohibits the parking or storing of a truck, tractor or other commercial vehicle on public or private property. Historically, commercial vehicles have always been looked at as any vehicle with a company/business logo (name, phone number, or advertisement) affixed to the vehicle; parked at a residence for an extended period of time and not rendering a service at the residence. However, the commercial vehicle definition has been successfully challenged on multiple occasions due to vague Zoning Code restrictions and due to the limited number of vehicles that fall under the State of Illinois definition of "commercial vehicle".

The Village of Deerfield Zoning Code Article 4 Residential Districts (G) District Standards states, *"Parking or storing on public or private property of a truck, tractor, or other commercial vehicle outside of a garage or accessory building for a period longer than to load or unload or to render a service shall be considered a business and not a residential use, and not be allowed"*.

According to the State of Illinois, a Commercial Motor Vehicle is defined as:

*"Commercial motor vehicle" means any self-propelled or towed vehicle used on public highways in interstate and intrastate commerce to transport passengers or property when the vehicle has a gross vehicle weight, a gross vehicle weight rating, a gross combination weight, or a gross combination weight rating of 10,001 or more pounds; or the vehicle is used or designed to transport more than 15 passengers, including the driver; or the vehicle is designed to carry 15 or fewer passengers and is operated by a contract carrier transporting employees in the course of their employment on a highway of this State; or the vehicle is used or designed to transport between 9 and 15 passengers, including the driver, for direct compensation..."*

When interpreting the Zoning Code, staff use the State of Illinois's definition of a commercial vehicle. The State definition does not include the majority of vehicles that would typically be called "commercial", including but not limited to; cargo vans, sprinter vans, pick up trucks and light duty dump trucks.

Recreational vehicles including camper trailers, pop-up trailers, fifth wheels, and toy haulers are all restricted in size usage and number. In Article 2.04-C it lists “standards, parking and storage restrictions, and size restrictions”. Based on the code, size restriction has the most violations as most recreational vehicles are over ten (10) feet in size. In addition, 2.04-C 2a states “Only one recreational vehicle or one boat conforming to the size restrictions stated below may be parked or stored in the open on a lot in a residential district. Recreational vehicles or boats exceeding the size restrictions below shall not be stored or parked in a residential district.”

### **Analysis**

Village staff identified 30 locations where commercial vehicles and recreational equipment are parked on residential property. Of the 30 locations, there are 7 boats, 10 camper trailers, 6 commercial vehicles, 5 RV's and 2 trailers. These locations were spotted by staff who used a GIS application to photograph and timestamp the restricted item. The items that were identified were visible from the street, as the boats or recreational/commercial vehicles were either parked in the driveway or in the side yard. It is believed that there are more commercial vehicles. However, it is difficult to determine during a workday survey the vehicles that are stored at the home, versus that of a contractor visiting the location. Currently, if a complaint has been received by a neighbor, the commercial vehicles included in the survey could not be regulated under the zoning code.

### **Recommendation**

The existing regulations regarding recreational vehicles and boats are adequate to effectively enforce the zoning code. Therefore, no changes are recommended with respect to this class of vehicles and equipment. However, changes are necessary for commercial vehicle regulations. Staff is recommending that the Village update the Zoning Code to lower the weight specifications and include certain vehicles and characteristics such as, among other things, a commercial/business logo.

Staff do not wish to dramatically increase regulations at the expense of residents. For example, homeowners with one commercial vehicle should not be included. For this reason, staff recommends allowing residents to have one commercial vehicle with a combined gross weight less than 10,000lbs parked on private property in a residential zoning district. This is in line with the recreational vehicle and boat restrictions which allow one item to be stored on private property. This new restriction would include light duty pick up trucks, small to medium size cargo or sprinter vans and vehicles with business advertising (logos). The following vehicles would be prohibited: Ford 450 or larger, Chevrolet 4500 or larger, Ram 4500 or larger, any truck with a dump body, tow trucks and semi-trucks.

**PLAN COMMISSION  
VILLAGE OF DEERFIELD  
Minutes**

The Plan Commission of the Village of Deerfield called to order a Workshop Meeting at 5:30 P.M. on January 26, 2023 at Deerfield Village Hall.

Present were:           Al Bromberg, Chair  
                              Lisa Crist  
                              Jennifer Goldstone  
                              Bill Keefe  
                              Sara Lubezny  
                              Blake Schulman  
                              Ken Stolman

Also present:           Jeff Ryckaert, Principal Planner  
                              Dan Nakahara, Planner

**Public Comment on a Non-Agenda Item**

There were no comments from the public on a non-agenda item.

**DOCUMENT APPROVAL**

1. 560 Waukegan Road, Shake Shack Restaurant Text Amendment and Special Use Recommendation

Commissioner Goldstone moved, seconded by Commissioner Lubezny to approve the document with minor changes. The motion passed with a unanimous voice vote.

2. 711 Deerfield Road, Rosebud Restaurant Expansion Recommendation

Commissioner Goldstone moved, seconded by Commissioner Stolman to approve the document. The motion passed with a unanimous voice vote.

3. January 12, 2023 Plan Commission Minutes

Commissioner Goldstone moved, seconded by Commissioner Lubezny to approve the document. The motion passed with a unanimous voice vote.

**Items from the Commission**

No item from the Commission

**Items from the Staff**

Mr. Ryckaert reported a pre-filing conference scheduled for the February 9, 2023 Plan Commission meeting to clarify commercial vehicle parking.

**Designation of Representative for the next Board of Trustees Meeting**

Chair Bromberg and Commissioner Goldstone will attend the February 6, 2023 Village Board meeting.

**Adjournment**

There being no further discussion, Commissioner Goldstone moved, seconded by Commissioner Keefe to adjourn the meeting. The motion passed with a unanimous voice vote.

Respectfully Submitted,  
Dan Nakahara