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Return to:

Andrea Lambert
City Clerk
116 E. Market Street
Troy, Illinois 62294

2020R22952
STATE OF ILLINOIS
MADISON COUNTY
07/09/2020 09:50 AM
AMY M. MEYER, RECORDER
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Ordinance No. 2020 - 15

AN ORDINANCE Amending certain sections of the Code of Ordinances
pertaining to the establishment of a new residential zoning class
(i.e. R-1E Single-family Residential)

ADOPTED BY THE CITY COUNCIL
OF THE CITY OF TROY, ILLINOIS

THIS 15TH DAY OF JUNE 2020

Whereas, the City of Troy, Madison County, Illinois presently has in force the
Troy Zoning Ordinance, which is contained in the Troy Municipal Code as Chapter 154,
Ordinance No. 2004-21 adopted August 2, 2004 and as amended from time to time; and

CR

Whereas, the Planning Commission has performed a review of the city's Zoning Ordinance and believes that changes are necessary to encourage the development of low-density single-family residential lots that are 2 acres and larger; and

Whereas, the Planning Commission has complied with the provisions of *Section 154.143 Amendments* of the Zoning Ordinance and *Section 153.210 Amendments* of the Subdivision Code regarding amendments of regulations by holding a public hearing on June 11, 2020 to consider amending the Zoning Ordinance and certain other sections of the Code of Ordinances applicable to establishing a new residential zoning class; and

Whereas, as a result of said hearing, the Planning Commission has made a recommendation (Recommendation 2020-02PC) to the City Council that they enact said amendments to the Zoning Ordinance and Municipal Code of Ordinances; and

Whereas, the City Council has duly considered the matter and the recommendation of the Planning Commission and has determined and concluded that it is in the best interest of the City, and in compliance with the powers conferred upon the City, to amend the existing Troy Zoning Ordinance and Municipal Code of Ordinances.

Now, Therefore, Be It Ordained by the Mayor and the City Council of the City of Troy, Illinois as follows:

SECTION 1: The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in these Sections of this Ordinance verbatim, as findings of the City Council of the City of Troy, Illinois

SECTION 2: That certain sections of the Code of Ordinances are amended by adding the amendments as described in Exhibit A.

SECTION 3: All ordinances or resolutions, or parts of ordinances or resolutions in conflict herewith, to the extent of such conflict, are hereby changed and amended to comply with this Ordinance; and to the extent the same cannot be so amended, are hereby repealed to the extent of such inconsistency.

SECTION 4: That if any section or provision of this Ordinance is declared invalid for any reason, such invalidity shall not affect or impair any of the remaining sections or provisions of this Ordinance which can be given effect without the invalid section or provision, and to this end, the sections and provisions of this Ordinance are declared to be severable.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law and shall be published in pamphlet form by the authority of the City Council.

Passed by the City Council of the City of Troy, Madison County, Illinois and approved by the Mayor this 15th day of June, 2020.

Aldermen:

Dawson yes

Italiano yes

Manley yes

Total:

Hellrung yes

Knoll yes

Turner yes

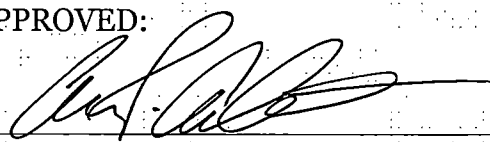
7 Aye

Henderson absent

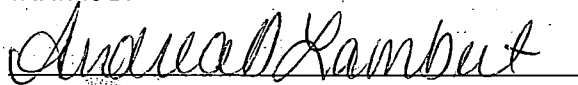
Levo yes

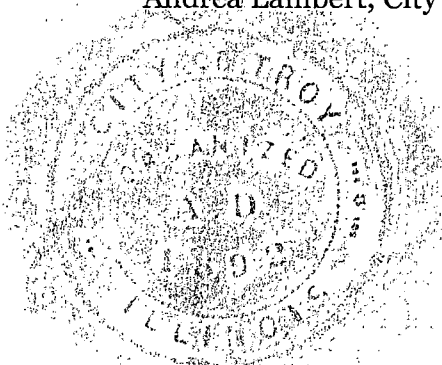
0 Nay

APPROVED:


Allen P. Adomite, Mayor

ATTEST:


Andrea Lambert, City Clerk



Building & Zoning Dept.

TROY ZONING CODE

GENERAL ZONING REGULATIONS

§ 154.020 ESTABLISHMENT OF DISTRICTS AND ZONING DISTRICT REGULATIONS.

(A) In order to implement this chapter, and to achieve the objectives in §§ 154.001 through 154.004, the entire municipality is hereby divided into the following zoning districts:

<i>District</i>	<i>Designation</i>
Agricultural Reserve	A-R
Single-Family Residential	R-1
Single-Family Residential	R-1A
Single-Family Residential	R-1E
Two-Family Residential	R-2
Multi-Family Residential	R-3
Manufactured Home	M-H

(C) *Single-Family Residential - R-1 Zoning District.* The R-1 district is intended to provide low-density residential development, including those uses that reinforce residential neighborhoods, and to allow certain public facilities.

- (1) *Area and bulk regulations:* Refer to § 154.032.
- (2) *Land uses in an R-1 zoning district:* single family dwellings and related accessory uses are permitted. For a general listing of permitted and special uses, refer to § 154.033.
- (3) *Off street parking requirements:* refer to § 154.081.

(D) *Single-Family Residential - R-1A Zoning District.* The R-1A low density zoning district is established to stabilize and conserve existing neighborhoods that predominately consist of single family dwellings. This district is also intended to promote the development of comparable new areas in order to accommodate all persons desiring this type of residential development. This district is also intended to be used as a buffer between single family dwellings and different uses/districts such as commercial/industrial uses or multi-family uses. It shall be at the discretion of the Planning Commission and the City Council as to where these R-1A districts will be permitted.

- (1) *Area and bulk regulations:* refer to § 154.032.
- (2) *Land uses in an R-1A zoning district:* single family dwellings and related accessory uses are permitted. For a general listing of permitted and special uses, refer to § 154.033.
- (3) *Off street parking requirements:* refer to § 154.081.

(E) **Single-Family Residential - R-1E Zoning District.** The R-1E low density zoning district is intended to allow for development of single-family dwellings and related facilities on lots two acres and larger. This district will preserve the community character of the area with well-buffered, well-landscaped neighborhoods, while allowing for other residentially-related uses such as churches, parks and recreational areas, conservation areas, and schools which are compatible with the character of the district. The intention of this zoning district is to allow a more economically feasible development of larger lot subdivisions by reducing the need for stormwater management infrastructure as well as reducing the requirements for roads and sidewalks within the development due to the decrease in population density of these areas. The keeping of chickens is permitted; refer to § 90.06 of the Code of Ordinances.

- (1) **Area and bulk regulations:** refer to § 154.032.
- (2) **Land uses in an R-1E zoning district:** single-family dwellings and related accessory uses are permitted. For a general listing of permitted and special uses, refer to § 154.033.
- (3) **Off street parking requirements:** refer to § 154.081.

§ 154.031 ACCESSORY USES.

(A) An **ACCESSORY USE** means any structure or use that is:

- (1) Subordinate in size or purpose to the principal use or structure that it serves;
- (2) Necessary or contributing to the comfort and convenience of the occupants of the principal use or structure served;
- (3) Located on the same lot as the principal structure or use served.

(B) **General standards.**

(1) In all residential and C-1 zoning districts, accessory structures shall be limited to 900 square feet and one-story (15 feet) for permanent structures and 600 square feet and one-story (15 feet) for temporary or portable structures.

Exception: On ~~R-1~~ single-family residential lots two acres and larger, accessory structures may have a maximum square footage ~~not to exceed~~ of 80% of the ground floor area of the principal structure **not to exceed** 2,500 square feet, may be no more than one-story, and have a maximum height of 24 feet.

(2) In all residential and C-1 zoning districts, the maximum number of detached accessory structures shall be limited to two per lot with a combined square footage of 900 square feet. However, the combined square footage of the accessory structures shall not exceed the total square footage of the principal structure or use served.

(3) **The design, construction, building material(s) and color of the accessory structure shall be similar to or compatible with the design and construction of the primary structure.**

- (4) Accessory structures shall not be permitted on any lot unless a principal building exists.
- (5) If an accessory use is attached to the principal structure, it shall be considered part of that principal structure.
- (6) Roof overhangs on accessory structures not attached to the principal structure shall not encroach more than two feet into the required setback distance.

Exception: On ~~R-1~~ single-family residential lots two acres and larger, encroachments into the required setback distance shall not be permitted.

- (7) Accessory structures shall be located in back yards only and set back five feet from any lot line.

Exception: On ~~R-1~~ single-family residential lots two acres and larger, accessory structures shall be set back at least ~~ten~~ 20 feet from any lot line.

- (8) On ~~R-1~~ single-family residential lots two acres and larger, metal siding, roofing and trim can be used on all accessory structures that exceed 900 square feet. This metal siding, roofing and trim shall be made from 29-gauge steel, having a yield strength of 80,000 pounds per square inch, coated on both sides with at least a G60 galvanized coating, and having at least a 20-year warranty on the finish.

- (9) All permitted uses, height and area requirements shall also be enforced in accordance with §§ 154.032 and 154.033 of this chapter.

(C) *Specifically prohibited accessory uses.* The following accessory uses are strictly prohibited unless expressly permitted in particular zoning district(s):

- (1) Use of an accessory structure as a dwelling.
- (2) Use of accessory structures being used as the principal building for any office or business. (Also see § 154.056).
- (3) Use of an accessory structure in any part of a home occupation.
- (4) Use of any trailer type structure that when originally manufactured was used for the transportation of goods or any trailer type structure that when originally manufactured was used for human occupation.

(D) *Limitations.* See schedules (§§ 154.032 and 154.033) for limitations and schedule listings located at the end of this chapter.

(Ord. passed - ; Ord. 2018-09, passed 5-21-2018)

§ 154.032 SCHEDULE: AREA AND BULK REGULATIONS; PARKING REQUIREMENTS.

Area and Bulk Regulations

Zoning district	Minimum district size	Maximum number of dwelling units	Minimum dwelling unit area or commercial tenant space in sq. ft.	Minimum Lot Size			Minimum Yard Dimensions				Depth of rear yard
				Area in sq. ft. or acres	Width at building line	Mean depth in lineal feet	Depth of front yard	Depth of side yard abutting a street	Depth of side yard abutting a lot	Distance to nearest principal building on adjacent lot	
A-R Agricultural Reserve	N/A	1 per acre	N/A	1 acre	150 feet	150 feet	50 feet	50 feet	25 feet	50 feet	50 feet
R-1 Single Family Residential	5 acres	1 per lot	*1,200 sq. ft. for all single family residences	11,000 sq. ft. for corner lots; 11,500 sq. ft. for remaining lots	85 feet	125 feet	30 feet	30 feet	10 feet	20 feet	25 feet
R-1A Single Family Residential	5 acres	1 per lot	*1,200 sq. ft. for all single family residences	9,500 sq. ft. for corner lots; 8,250 sq. ft. for remaining lots	75 feet	110 feet	30 feet	30 feet	10 feet	20 feet	25 feet
R-1E Single Family Residential	10 acres	1 per lot	*1,200 sq. ft. for all single family residences	2 acres	150 feet	150 feet	50 feet	50 feet	20 feet	40 feet	50 feet
R-2 Two Family Residential	5 acres	2 per lot	900 sq. ft. for each unit for duplex residences	13,000 sq. ft. for corner lots; 11,500 sq. ft. for remaining lots	110 feet for 2 family	100 feet	30 feet	30 feet	12 feet	24 feet	25 feet
R-3 Multi Family Residential	3 acres	1 per 5,750 sq. ft. of lot area	900 sq. ft. for each unit for apartment residences	13,000 sq. ft. for corner lots; 11,500 sq. ft. for remaining lots	50 feet per dwelling unit	100 feet	30 feet	30 feet	12 feet	24 feet	25 feet
MH Manufactured Home Residential	N/A	1 per lot	950 sq. ft.	9,500 sq. ft. for corner lots; 8,000 sq. ft. for remaining lots	60 feet	100 feet	30 feet	30 feet	12 feet	24 feet	20 feet

* Of the total 1,200 sq. ft. at least 850 sq. ft. is required to be on ground level.

Area and Bulk Regulations

Zoning district	Maximum coverage in percent of lot	Maximum size of principal building	Maximum height of principal building	Maximum height of accessory building	Accessory Buildings - Minimum Distance To:					Minimum off-street parking
					Principal building	Front lot line	Side lot line adjacent to a street	Side lot line	Rear lot line	
A-R Agricultural Reserve	10%	N/A	35 feet	35 feet	20 feet	50 feet	50 feet	25 feet	50 feet	2 per unit
R-1 Single Family Residential	30%	N/A	35 feet	15 feet	10 feet	N/A	30 feet	5 feet	5 feet	2 per unit
R-1A Single Family Residential	30%	N/A	35 feet	15 feet	10 feet	N/A	30 feet	5 feet	5 feet	2 per unit
R-1E Single Family Residential	10% ^[LT1]	N/A	35 feet	24 feet	20 feet	N/A	50 feet	20 feet	20 feet	3 per unit
R-2 Two Family Residential	40%	N/A	35 feet	15 feet	10 feet	N/A	30 feet	5 feet	5 feet	2 per unit
R-3 Multi Family Residential	40%	N/A	35 feet	15 feet	10 feet	N/A	30 feet	5 feet	5 feet	2 per unit
MH Manufactured Home Residential	40%	N/A	35 feet	15 feet	10 feet	N/A	25 feet	5 feet	5 feet	2 per unit

* Of the total 1,200 sq. ft. at least 850 sq. ft. is required to be on ground level.

(Ord. passed - ; Ord. passed - ; Ord. 2015-19, passed 6-15-2015)

§ 154.033 SCHEDULE: PERMITTED AND SPECIAL USES.

(A) To facilitate public understanding of this chapter and for the better administration and convenience of use thereof, the regulations designating permitted uses, permitted accessory uses, special uses and specifically prohibited uses for each of the districts are established by § 154.020. Section 154.033 is intended and declared to be an integral part of this chapter by designating permitted uses in each zoning district and it may be amended in the same manner as any other part of this chapter. If a proposed use is not clearly defined in § 154.033, the matter shall be referred to the Code Official. The Code Official may confer with the City Administrator and City Attorney. The Code Official shall consider the nature of the proposed use and determine if it is substantially similar to a use listed in § 154.033. The factors to be considered include, but are not limited to: size of the structure, traffic likely to be generated, the presence of manufacturing, assembly or preparation at the proposed site, and the degree of similarity with clearly permitted uses. If the Code Official determines that the proposed use is substantially similar to a permitted use, the proposed use shall be considered as permitted and shall be subject to the limitations that would apply to such clearly permitted similar use. All such designations of substantially similar uses shall be reported to the City Council and the Planning Commission. Any proposed use that is not so characterized as substantially similar to a clearly permitted use shall be considered as a prohibited unlisted use. An amendment or special use permit, as applicable, may be sought.

(B) Each column refers to a specific district that lists the permitted uses and read vertically under a district column.

(C) Limitations and requirements in § 154.033 as used in a column shall mean and include the specific limitations and requirements as set forth in the same column for the district referred to. Where reference is made in § 154.033 to another section or provision of this chapter, such section or provision referred to shall thereby be incorporated as an integral part of the requirements including such reference. All provisions of this chapter shall apply as integral parts of this Section although not specifically cited as a column.

Permitted and Special Uses in the Zoning Classifications

(P = Permitted Use, S = Special Use)

	A-R	R-1	R-1A	R-1E	R-2	R-3	M-H	C-1	C-2	C-3	C-4	I-1	I-2
Accessory uses	P	P	P	P	P	P	P		P	P	P	P	P
Agricultural uses	P		P	P									
Cannabis dispensary									S	S			
Churches	S	S	S	S	S	S		S	P	P	P		
Daycare centers, nurseries and preschools		S	S	S	S	S		P	P	P	P		
Golf courses, regulation size	P	S	S	S	S	S							
Home occupations		P	P	P	P	P	P						
Modular homes		P	P	P									
Parks without outdoor illumination	P	P	P	P	P	P	P	P	P	P	P		
Planned developments	S	S	S	S	S	S		S	S	S	S	S	S
Schools - elementary and high school	S	S	S	S	S	S		S	P	P			
Single-family dwellings		P	P	P									
Swimming pools, private		S	S	S	S	S		S	P	P	S		
Utility substations	P	S	S	S	S	S	S					P	P

* C-1 and C-4 - No outside storage permitted; C-2, C-3, I-1 and I-2 - No outside storage without privacy screening installed as per Section 4-17.2.

(Ord. passed --; Ord. passed --)

§ 154.066 EXTERIOR BUILDING DESIGN AND MATERIALS.

(A) ~~All exterior building materials shall be of high durability and quality, require low maintenance, and reflect and complement the construction techniques, materials, craftsmanship and appearance of nearby buildings or developments. All exterior building materials shall be of high durability and quality and require low maintenance, and must be of brick and brick like masonry, architectural split faced concrete block, vinyl, wood siding, architectural panels such as Alucabond or approved equal, glass or architectural pre-cast concrete or comparable materials.~~

(B) ~~Exterior materials not allowed include metal panels or metal siding, steel panels or steel siding, concrete block or comparable metal or concrete block like materials and except as provided in divisions (D) and (E) of this section.~~

(C) ~~All exterior building materials including metal roofing materials shall be review and approved by the Code Official prior to the issuance of any building permit.~~

(D) ~~Residential m~~ Metal roofing materials such as 29-gauge ~~concealed fastener~~ Standing Seam (Seam Lock 24), Strongpanel, or other metal roofing materials of like kind and quality **are permitted** ~~may be permitted~~ in zoning districts M-H, C-1, C-2 and C-3 subject to the review and approval of the Code Official as set forth in division (C) of this section.

(E) Residential metal siding materials such as 29-gauge Standing Seam (Seam Lock 24), Strongpanel, or other residential metal siding materials of like kind and quality **are permitted** ~~may be permitted~~ in zoning districts R-1, R-2, R-3 and M-H subject to the review and approval of the Code Official as set forth in division (C) of this section.

(F) **Any exterior building materials for nonresidential uses shall be reviewed and approved by the Planning Commission prior to the issuance of any building permit.** ~~The provisions of this section shall apply only in zoning districts R-1, R-2, R-3, MH, C-1, C-2 and C-3.~~

(Ord. passed - -)

§ 154.087 PARKING SPACES REQUIRED.

This section divides specific uses of property into classification groups. The minimum number of off-street parking spaces required for each use of a specific parcel of property, shall be determined by identifying the classification group to which each use belongs, and performing the calculation identified for that specific group. The Code Official may require additional spaces.

<i>Uses and Zoning Districts</i>	<i>Minimum Parking Spaces Required</i>
Class 1 1. AR, R-1, R-1A, R-2, R-3 This includes condominiums and townhouses	Two spaces per unit
Class 2 1. AR, R-1E	Three spaces per unit

TROY SUBDIVISION CODE

§ 153.040 TYPICAL STREET SECTIONS.

All streets under the jurisdiction of the City shall be classified by the City and the classification shall determine the standards to which the streets must be constructed.

TABLE 153.040: STREET CLASSIFICATION	
<i>Local (Residential)</i>	
Minimum right-of-way width	50 feet
Minimum pavement width	32 feet
<i>Local (Residential – R-1E)</i>	
Minimum right-of-way width	50 feet
Minimum pavement width	20 feet with 2 foot gravel shoulders
<i>Alley</i>	
Minimum right-of-way width	25 feet
Minimum pavement width	18 feet

§ 153.042 EQUIPMENT AND PROCEDURES FOR FLEXIBLE PAVEMENT.

- (A) Hot-mix asphalt pavement shall be laid with a self-propelled paver as specified in Section 407 of the IDOT Standard Specifications to the following thicknesses:

TABLE 153.042: STRUCTURAL COMPOSITION - FLEXIBLE PAVEMENT	
<i>Local (Residential)</i>	
Overall Thickness	8 in. min.
<i>Local (Residential – R-1E)</i>	
Overall Thickness	8 in. min.
<i>Alley</i>	
Overall Thickness	6 in. min.

§ 153.046 CURB AND GUTTER CONSTRUCTION.

All streets shall be constructed with curbs and guttering of Portland cement concrete. **Exception:** The construction of curbs and guttering along streets classified as **Local (Residential – R-1E)** and as permitted in the Single-Family Residential R-1E zoning district shall not be required.

§ 153.047 GRASS LINED DITCH CONSTRUCTION.

Along streets classified as Local (Residential – R-1E) and as permitted in the Single-Family Residential R-1E zoning district, a drainage swale, ditch or channel with a vegetative lining may be used for conveyance of stormwater runoff when approved in advance by the City Engineer. Such ditches shall be designed as a stable trapezoidal or parabolic channel with a suitably protective vegetation lining to slow down concentrated runoff and prevent erosion.

§ 153.065 DESIGNING SIDEWALKS.

The subdivider/developer shall be required to construct sidewalks at no cost to the city along both sides of every new or improved street. No variation from this requirement shall be granted unless the City Council, having considered an advisory report from the Planning Commission, determines that, in the area in question, topographical conditions make the installation of sidewalks impractical.

Exception: The construction of sidewalks along streets classified as Local (Residential – R-1E) and as permitted in the Single-Family Residential R-1E zoning district shall not be required.

§ 153.086 PROVISION OF GREEN SPACE.

(A) *General provisions:* All proposed subdivisions shall contain green space.– Except for sidewalk easements, the green space shall be owned, supervised, managed, and maintained by the developer or subdivision homeowner’s association. The green space shall consist of passive or active use green space, whether developed for recreational uses or not.

Exception: Green space shall not be required in proposed subdivisions that are zoned as Single-Family Residential R-1E.

APPENDIX A: STANDARD SPECIFICATIONS

Specification

T-1 Typical Street Construction Details

T-1.8 **Local (Residential – R-1E)**

T-2 Typical Sanitary Sewer Construction Details

T-3 Typical Water System Construction Details

TITLE IX: GENERAL REGULATIONS

§ 90.06 LIVESTOCK.

- (A) The term LIVESTOCK shall include but not be limited to cattle, horses, sheep, goats, poultry, mules, donkeys and llamas.
- (B) It shall be unlawful to keep or permit any livestock to run at large in the city. Any such animal running at large in any public place in the city shall be impounded in the manner provided in §§ 90.25 through 90.35.
- (C) It shall be unlawful to keep or to allow any livestock in the city except in those areas with an agricultural zoning designation. **Exception: Chickens may be kept in the R-1E Single-Family Residential zoning designation provided that compliance with all of the conditions required by this section are maintained.**^[LT2]
- (D) Conditions for keeping chickens **in an R-1E Single-Family Residential zoning designation:** The purpose of this section is to create appropriate regulations for the keeping of chickens as pets and/or a personal food source. The purpose of this section is not to create regulations for the commercial sale or distribution of chickens or eggs.
- (1) **A Special Use Permit is required for a maximum of five chickens. The term CHICKEN includes only hens; roosters are prohibited.**
 - (2) **Owner shall register with the Illinois Department of Agriculture Livestock Premises Registration, and must have proof of registration on-site.**
 - (3) **A chicken coop and chicken run shall be required on all properties where chickens are kept.**
 - (4) **The chicken coop shall accommodate all chickens permitted on the property, must be located in the rear yard, and must be a minimum distance of 20 feet from the nearest property line.** That distance increases to 50 feet for properties that abut a zoning district other than R-1E^[LT3].
 - (5) **All chicken runs shall be located in the rear yard, be appropriately fenced to prevent the chickens from leaving the run, provide 16 square feet of permeable land for each chicken, and be located at least 20 feet from the nearest property line.** That distance increases to 50 feet for properties that abut a zoning district other than R-1E^[LT4].
 - (6) **Free range chickens are not permitted.**
 - (7) **A metal sealable food container is required. Chicken feed shall be kept in a predator-proof/rodent-proof container.**
 - (8) **Waste material must be disposed of in a manner that will not cause odor, or attract flies or vermin.**

- (9) All areas where chickens are kept shall be maintained to be neat and clean and free of undue accumulation of waste to prevent odors detectable on adjacent properties.
- (10) No person shall allow chickens to produce noise loud enough to disturb the peace of persons in surrounding properties.
- (11) The owner of the chickens shall ensure that their birds are cared for properly when ill and disposed of in a manner that does not endanger the public health and safety when their birds die.
- (12) No chickens may be kept or maintained to be used for the purpose of fighting.
- (13) City of Troy enforcements officials and **government health officials, or their designees, may inspect the conditions where the chickens are kept at any time during regular business hours.**

(1986 Code, § 6-6) (Ord. 1992-13, passed 5-9-1992) Penalty, see § 90.99

§ 53.06 PRIVATE SEWAGE DISPOSAL [LTS]

- (A) Where a public sanitary (or combined) sewer is not available under the provision of § 53.05, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this section.
- (B) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit **from the Madison County Planning and Development Department** signed by the city. ~~The application for the permit shall be made on a form furnished by the city which the applicant shall supplement by any plans, specifications and other information as deemed necessary by the city. A permit and inspection fee of \$50 shall be paid to the city at the time the application is filed.~~
- (C) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the **Madison County Planning and Development Department** ~~city. The city shall be allowed to inspect the work at any state of construction and, in any event, the applicant for the permit shall notify the city when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 24 hours of the receipt of written notice by the city.~~

- (D) The type, capacities, location, and layout of a private sewage disposal system shall comply with **all requirements of the Madison County Private Sewage Disposal Code** ~~all recommendations of the State Private Sewage Disposal Licensing Act and Code, being ILCS Ch. 225, Act 225, §§ 1 et seq., and with the Illinois Environmental Protection Agency. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities. No septic tank or cesspool shall be permitted.~~
- (E) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in § 53.05, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspool and similar private sewage disposal facilities shall be abandoned and filled with suitable material.
- (F) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, and at no expense to the city.
- (G) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the city **or Madison County**.
- (H) When a public sewer becomes available, the building sewer shall be connected to the sewer within 60 days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

(1986 Code, § 20-141) (Ord. 1997-17, passed 5-5-1997)

RECOMMENDATION NO. 2020 ~ 02PC

Of the Planning Commission of the City of Troy, Illinois Recommending Amendments to Certain Sections of the Code of Ordinances Pertaining to the Establishment of a New Zoning Class

WHEREAS, the Planning Commission of the City of Troy has reviewed certain sections of Chapter 154 Zoning Ordinance and believes that the proposed changes are necessary to promote the development of low-density residential subdivisions; and

WHEREAS, the Planning Commission met on June 11, 2020 to consider amending certain sections of the Code of Ordinances pertaining to a proposed new zoning class. A copy of the proposal (See Exhibit A) and certification by the City Clerk regarding publication of the notice of hearing are incorporated by reference; and

WHEREAS, the Planning Commission considered the testimony and exhibits offered on behalf of the application and the following citizens also testified regarding the application (See Exhibit B); and

WHEREAS, the Planning Commission has considered the factors as described in Section 154.143 Amendments of the Code of Ordinances; and

WHEREAS, following the testimony, the members of the Planning Commission voted as recorded below:

Table with 4 columns: Name, Vote, Total Yeas, Total Nays. Rows include Adams, Boeren, Burnett, Delgado, Johnson, Lawrenz, Nehrt, Niermann, and Reiter.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION AS FOLLOWS, that the amendment for the following: Amending certain chapters of the Code of Ordinances to provide for the establishment of a new low-density residential zoning class "R-1E Single-Family Residential" as specified in Exhibit A

Is Not Recommended [] Is Recommended with the following stipulations, if noted: [X]

A copy of this recommendation is presented to the City Council; the original shall be filed with the City Clerk.

ADOPTED this 11th day of June, 2020.

By Derek Delgado, Chairman, Planning Commission

Attest Chuck Lawrenz, Acting Secretary, Planning Commission