

ORDINANCE NO. 2821

ORDINANCE AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES ADDING DEFINITIONS TO SECTION 90-15, ADDING TABLE 3.1 “PRINCIPAL & ACCESSORY USES” IN SECTION 90-201, AND ADDING SECTION 90-213 TO PROVIDE SUPPLEMENTAL REGULATIONS FOR RECEPTION VENUES

WHEREAS, the City of Highland, Madison County, Illinois (hereinafter “City”), is a non-home rule municipality duly established, existing and operating in accordance with the provisions of the Illinois Municipal Code (Section 5/1-1-1 et seq. of Chapter 65 of the Illinois Compiled Statutes); and

WHEREAS, Section 90-15, “Definitions,” in the City Code of Ordinances defines the term “Places of Public Assembly” in a way that does not allow for “Reception Venues” on private property in non-residentially zoned areas of the city; and

WHEREAS, allowing “Reception Venues” to exist on private property for events such as wedding receptions and banquets are common in many communities, may represent a positive economic benefit to City, and may be a means for private property owners to better utilize appropriately designed non-residentially zoned venues for “Places of Public Assembly” events; and

WHEREAS, Section 90-201 Table 3.1 establishes that “Reception Venues” shall become a “Special Use” within the Central Business District (C-2), Highway Business District (C-3), Limited Business District (C-4), Industrial District (I), and the Mixed Use District (MX), and subject to the Supplemental Regulation provisions of Section 90-213; and

WHEREAS, Section 90-213 provides Supplemental Regulations that establish zoning standards with regard to “Reception Venues” on private non-residential property, including requirements for on-site parking, exterior lighting standards, screening and fencing, limitations on hours of operation and the potential for noise, the serving of food and alcohol, and the provision of restrooms; and

WHEREAS, Section 90-221, Table 5.1, establishes Off-Street Parking requirements for “Reception Venues”; and

WHEREAS, the Combined Planning and Zoning Board has recommended to the City Council that it adopt the requirements and supplemental regulations for “Places of Public Assembly” to allow for “Reception Venues”; and

WHEREAS, the City Council finds it should adopt the requirements and supplemental regulations for “Places of Public Assembly” to allow for “Reception Venues” as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as findings of the City Council of the City of Highland, Illinois.

Section 2. Chapter 90 of City Code of Ordinances (the Zoning Code) is amended by adding the following definition to Section 90-15:

RECEPTION VENUE: Reception venue means a permanent facility which is rented by individuals or groups to accommodate private functions including, but not limited to, banquets, weddings, family reunions, anniversaries and other similar celebrations. Such a use may include the catering of food and service of alcoholic beverages for on-premises consumption only during scheduled events and not open to the general public.

Section 3. Chapter 90 of City Code of Ordinances (the Zoning Code) is amended by changing Table 3.1, Principal and Accessory Uses, within Section 90-201 to establish that “Reception Venues” become a “Special Use” within the Central Business District (C-2), Highway Business District (C-3), Limited Business District (C-4), Industrial District (I), and the Mixed Use District (MX), and shall read as follows:

TABLE 3.1 PRINCIPAL AND ACCESSORY USES

Use is permitted by right:	•
Use permitted as a special use:	S
Use Permitted as Planned Use (PUD)	P
Use not permitted:	

PRINCIPAL NON-RESIDENTIAL USES															
Use	R1A	R1B	R1C	R1D	R2A	R2B	R3	C1	C2	C3	C4	I	M	MX	Supp. Regs
68. <u>Reserved Reception Venues</u>									S	S	S	S		S	<u>90-213 Reception Venues</u>

Section 4. Chapter 90 of City Code of Ordinances (the Zoning Code) is amended by adding the following to Section 90-213 establishing zoning standards with regard to “Places of Public Assembly” on private property and shall read as follows:

Sec 90-213 – Reception Venues

The purpose of this section is to provide supplemental regulations for reception venues in the City of Highland. A Special Use Permit shall be required for all reception venues in City limits. All reception venues shall adhere to the following regulations:

- (A) Parking and Loading Standards
 - (1) No off-site parking shall be permitted.
 - (2) A parking plan identifying the location of the dedicated parking spaces shall be submitted to the Zoning Administrator to review during the special use permit application. The parking plan shall be tied to the special use permit and the special use permit holder. The amount of parking and loading spaces provided shall adhere Table 5.1 Parking Requirements and Table 5.4 Loading Requirements.

- (B) Lighting Standards
 - (1) Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.

- (C) Noise
 - (1) All noise shall be in accordance with Section 25-1-3 “Specific Nuisances Enumerated,” Item (R) of the Nuisance Code. Outdoor music shall be permitted in a manner which does not create a nuisance or negatively impact adjoining or nearby properties.

- (D) Screening and Fencing
 - (1) All parking and storage areas shall be screened from adjoining properties used or zoned for residential purposes. If existing topography and natural vegetation does not provide a visual barrier, selective screening may be required. Such screen, wall, or fence shall be maintained by the owner or lessee.

- (E) Additional Requirements
 - (1) Hours of Operation. The hours of operation for a reception venue shall be 7AM until 12AM.
 - (2) Alcohol may be served on-site only during Hours of Operation and in accordance with Chapter 6 – Alcoholic Beverages of the City Code of Ordinances.
 - (3) Food. Food preparation or catering may occur at a reception venue in accordance with the Madison County Food Sanitation Program.
 - (4) Restrooms. Adequate ADA restroom facilities shall be provided as determined by the appropriate City Adopted Building Codes.
 - (5) Revocation. The Zoning Administrator may revoke an approved special use permit if any condition or requirement of the supplementary requirements are not complied with.

Section 5. Chapter 90 of City Code of Ordinances (the Zoning Code) is amended by changing Table 5.1, Off-Street Parking and Loading, in Section 90-221 to establish parking requirements for “Reception Venues” and shall read as follows:

TABLE 5.1 PARKING REQUIREMENTS

Commercial, office service	# of Parking Spaces
<u>Reception Venues</u>	<u>One (1) parking space for each three (3) seats (based on maximum seating capacity), plus one (1) additional parking space for each employee per shift. No off-site parking shall be permitted.</u>

Section 6. This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed by the City Council and approved by the Mayor of the City of Highland, Illinois and deposited and filed in the office of the City Clerk on the 20th day of November, 2017, the vote being taken by ayes and noes and entered upon the legislative record as follows:

AYES: Schwarz, Frey, Bellm, Nicolaides

NOES: None

APPROVED:

Joseph R. Michaelis
 Mayor
 City of Highland
 Madison County, Illinois

ATTEST:

Barbara Bellm
 City Clerk
 City of Highland
 Madison County, Illinois

EXHIBIT "C"
CITY OF HIGHLAND, ILLINOIS
Zoning Text Amendment
Reasons for Determination

Submit Questions To:
Administrative Official
City of Highland
2610 Plaza Drive
Highland, IL 62249
(618) 654-7115
(618) 654-1901 (fax)

For Office Use Only:
Date Submitted: 10/4/2017
Filing Fees: NA
Date Paid: WAIVED
Date Advertised: 10/18/2017
Date Notices Sent: 10/18/17
Public Hearing Date 11/1/17
Agenda Item: 6d

ON NOVEMBER 1, 2017 THE CITY OF HIGHLAND COMBINED PLANNING AND ZONING BOARD, AT ITS REGULAR MEETING, RECOMMENDED APPROVAL, DENIAL OF A ZONING TEXT AMENDMENT TO;

The City of Highland 1115 Broadway Highland IL 62249 requests a text amendment to Chapter 90, Article I "General" Section 90-15 "Definitions," Article III "Districts and Zoning Map" and Table 3.1 "Principal and Accessory Uses," Article IV "Supplemental Regulations," and Article V "Off-Street Parking and Loading" and Table 5.1 "Parking Requirements" of the City of Highland Municipal Zoning Code in order to create a reception venue land use category.

THE CITY COUNCIL WILL CONSIDER THE RECOMMENDATION OF THE COMBINED PLANNING AND ZONING BOARD AT THE NOVEMBER 20, 2017 MEETING OF THE CITY COUNCIL.

IN RECOMMENDING APPROVED WITH AMENDMENT (ACTION) OF THIS ZONING TEXT AMENDMENT, THE COMBINED PLANNING AND ZONING BOARD CONSIDERED ALL STANDARDS LISTED IN THE ZONING REGULATION, AND ALL OTHER CONDITIONS LISTED FOR THAT USE IN OTHER SECTIONS OF THESE REGULATIONS. IN ADDITION, THE COMBINED PLANNING AND ZONING BOARD FOUND THAT THE PROPOSED AMENDMENT DID DID NOT PROVIDE SAFEGUARDS TO ASSURE ITS COMPATIBILITY WITH THE SURROUNDING AREA.

CONDITIONS (IF ANY): _____



Chairperson Combined Planning & Zoning Board

11/1/2017

Date