

VILLAGE OF BOURBONNAIS

ORDINANCE NO. 23 - 2409

**AN ORDINANCE AMENDING SECTION 36-10-6. – ZONING DISTRICT USE TABLE
AND CREATING A NEW SECTION 36-10-1(j) BANQUET FACILITIES WITH
CATERING STAFF SPECIAL USE PERMITS IN THE R-1 AND R-7 REQUIREMENTS
IN THE BOURBONNAIS ZONING CODE.**

**ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BOURBONNAIS
THIS 5 DAY OF September, 2023.**

Published in pamphlet form by authority of the Board of Trustees of the Village of Bourbonnais,
Kankakee County, Illinois this _____ day of _____, 2023.

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AN ORDINANCE AMENDING SECTION 36-10-6. – ZONING DISTRICT USE TABLE AND CREATING A NEW SECTION 36-10-1(j) BANQUET FACILITIES WITH CATERING STAFF SPECIAL USE PERMITS IN THE R-1 AND R-7 REQUIREMENTS IN THE BOURBONNAIS ZONING CODE.

WHEREAS, The President and Board of Trustees (the “Corporate Authorities”) of the Village of Bourbonnais, Kankakee County, Illinois, an Illinois Municipal Corporation, (the “Village”), desire to ensure that citizens have adequate light, pure air, and safety from fire and other dangers, that the taxable value of land and buildings throughout the municipality may be conserved, that congestion in the public streets may be lessened or avoided, that the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters may be lessened or avoided, and that the public health, safety, comfort, morals, and welfare may otherwise be promoted, and to insure and facilitate the preservation of sites, areas, and structures of historical, architectural and aesthetic importance and promote economic growth within the Village of Bourbonnais by amending Sec. 36-10-6. - Zoning District Use Table and creating a new Section 36-10-1(j); and

WHEREAS, Sec. 36-10-6. - Zoning District Use Table (a) Residential, should be amended shown in the attached Exhibit “A” made part hereof, (additions are underlined and subtractions have a strikethrough)

WHEREAS, Sec. 36-10-1(j). - Banquet facilities with Catering Staff Special Use Permits R-1 and R-7 Requirements, should be created as follows, (additions are underlined and subtractions have a strikethrough)

Sec. 36-10-1. Residence districts.

(j) Banquet facilities with Catering Staff Special Use Permits R-1 and R-7 Requirements.

1. Purpose and Intent. This section’s purpose and intent is to allow a property owner to utilize their property for Banquet facilities with catering staff (NAIC Code 722320) within the R-1 and R-7

districts. Implementing the regulations and standards within this section will ensure that wedding/event facilities in the R-1 and R-7 districts will be conducted in an orderly manner that will not result in an impact or negative change to the residential character of the surrounding community. Based on the parcel size and proximity to existing improvements, the standards below will be placed on properties authorized to hold Banquet facilities with catering staff (NAIC Code 722320) within the R-1 and R-7 districts.

2. Banquet facilities with catering staff (NAIC Code 722320) may be allowed on properties of five (5) acres or greater in the R-1 and R-7 districts subject to the approval of a special use permit according to Chapter 36-14-6 (Special Use Permit) of the Village's municipal Code, in compliance with, but not limited to, the following standards:

a. Parking. Adequate on-site parking facilities, pedestrian and vehicular circulation, and vehicular ingress and egress shall be provided in compliance with Section Chapter 36, Article 8 (Off-Street Parking and Loading Standards) of the Village's municipal Code.

b. Sanitary Facilities. The Zoning Administrator shall determine the appropriate quantity and location for sanitary facilities. All facilities shall be located on-site and shall comply with accessibility requirements and the requirements of the Kankakee County Health Department.

c. Security. Provision for security and safety measures shall be provided, if applicable. Current contact information shall always be maintained on file with the village.

d. Signs. Shall be provided in compliance with Section Chapter 36, Article 9 (Signs) of the Village's municipal Code.

3. Site-Specific Development Standards.

a. Days and Hours of Operation. The site may be used for a maximum of two events per week unless otherwise modified by the permit approval. No more than four events may occur on sequential dates. All events shall begin after 10:00 a.m. and be completed by 12:00 a.m.

b. Noise Levels and Monitoring. Noise levels generated from events shall be subject to the following criteria:

1. Noise levels for events shall not exceed the village's noise standards during set up or as part of the event.

2. Any noise-generating activities shall not start before 10 a.m. and be terminated at 11:00 p.m.

c. Accessory Structures.

1. If an accessory structure is provided as part of the project approval, ancillary structures shall be permanent construction, fully enclosed or enclosable on four sides, and have a roof. Accessory structures shall be complementary in terms of size, scale, and materials used on the primary structure on the site.

2. Accessory structures shall be subject to the setbacks for accessory structures contained in Chapter 36, Article 7 (Accessory Use and Structures) of the Village's municipal Code, except

that structures cannot exceed forty (40) feet in height and be no larger than 10,000 square feet unless approved in the special use permit.

d. On-site Parking Requirements.

1. All on-site parking areas do not need to be paved; however, they must be stabilized to minimize any off-site dust impacts and for compliance. The Zoning Administrator shall review the site plan as a special use permit condition.

2. Adequate parking must be provided based on the maximum occupancy of the site. Occupancy will be determined based on the seating capacity of the events.

3. If buses or limousines are offered for off-site transport, adequate drop-off and pick-up locations must be provided on-site.

e. Location Requirements. Any parcel where a facility is proposed shall have access to a paved and maintained public street.

f. Solid Waste Collection and Disposal. On-site waste collection shall be located not to create any off-site noise, odors, or nuisances. Solid waste shall be removed from the site within forty-eight (48) hours of any event.

g. Sanitary Facilities. Any potable sanitary facilities shall not be located any closer than twenty-five (25) feet from an adjacent property with residential use. Sanitary waste shall be removed from the site within 48 hours of any event.

WHEREAS, on or about July 27, 2023 the Planning Commission/Zoning Board of Appeals of the Village of Bourbonnais held a public meeting duly noticed, concerning the amended Zoning Code was presented to the Planning Commission and the public and where public comment was allowed, and at the conclusion of the public hearing the Planning Commission/Zoning Board of Appeals voted to recommend to the Village Board to adopt the amendments; and

WHEREAS, on or about August 2, 2023, the Administration Committee met to discuss the amendments herein in an open meeting, duly noticed, and voted to recommend to the Village Board to adopt said amendments; and

WHEREAS, the Village is authorized by the Illinois Municipal Code, 65 ILCS 5/1-1-1 et al, and more specifically at 65 ILCS 5/11-13-1 et. seq to control zoning, create and amend a zoning code; and

WHEREAS, the corporate authorities hereby find and determine that amending and updating the zoning code is essential to protect and further the public health, safety, and welfare; and

WHEREAS, the Corporate Authorities of the Village find that it is necessary, appropriate and in the best interests of the Village and its citizens to make the amendments as written above.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BOURBONNAIS, KANKAKEE COUNTY, ILLINOIS AS FOLLOWS:

SECTION ONE: The foregoing recitals are hereby found to be true and correct and shall be and are hereby incorporated into and made part of this Section One as though they were fully set forth in this Section One.

SECTION TWO: Sec. 36-10-6. - Zoning District Use Table, concerning the one line item referred to as “722023 Caterers”, shall hereafter be written as shown on Exhibit “B” now referred to as “722023 Banquet Facilities with Catering Staff” attached hereto.

SECTION THREE: Sec. 36-10-6 (j) shall hereafter be written as follows:

Sec. 36-10-1. Residence districts.

(j) Banquet facilities with Catering Staff Special Use Permits R-1 and R-7 Requirements.

1. Purpose and Intent. This section’s purpose and intent is to allow a property owner to utilize their property for Banquet facilities with catering staff (NAIC Code 722320) within the R-1 and R-7 districts. Implementing the regulations and standards within this section will ensure that wedding/event facilities in the R-1 and R-7 districts will be conducted in an orderly manner that will not result in an impact or negative change to the residential character of the surrounding community. Based on the parcel size and proximity to existing improvements, the standards below will be placed on properties authorized to hold Banquet facilities with catering staff (NAIC Code 722320) within the R-1 and R-7 districts.

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d. **Signs.** Shall be provided in compliance with Section Chapter 36, Article 9 (Signs) of the Village's municipal Code.

3. Site-Specific Development Standards.

a. **Days and Hours of Operation.** The site may be used for a maximum of two events per week unless otherwise modified by the permit approval. No more than four events may occur on sequential dates. All events shall begin after 10:00 a.m. and be completed by 12:00 a.m.

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SECTION FOUR: Should any provision or section of this Ordinance be declared invalid by any Court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part hereof other than the part so declared to be invalid.

SECTION FIVE: This Ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as required by law.

**[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK, VOTE
TALLY AND SIGNATURE PAGE TO IMMEDIATELY FOLLOW]**

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bourbonnais, Kankakee County, Illinois this 5 day of September, 2023 by the following vote:

TRUSTEE	AYE	NAY	ABSENT	RECUSE	ABSTAIN
Greenlee	X				
Fischer	X				
King	X				
Keast	X				
Littrell	X				
Serafini	X				
TOTALS	6	0	0	0	0

Paul Schore
PAUL SCHORE
Village President

ATTEST:

Brian Simeur
BRIAN SIMEUR
Village Clerk

STATE OF ILLINOIS)
)
COUNTY OF KANKAKEE) SS.

CERTIFICATION OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk for the Village of Bourbonnais, Kankakee County, Illinois (the "Municipality"), and that as such official I am the keeper of the records and files of the Municipality and its President and Board of Trustees (the "Corporate Authorities").

I do further certify that the foregoing is a full, true and complete excerpt from the proceedings of the meeting of the Corporate Authorities held on the 5 day of September, 2023, insofar as the same relates to the adoption of an ordinance numbered and entitled:

ORDINANCE NO. 23 - 2409

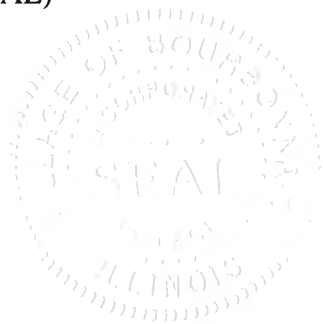
AN ORDINANCE AMENDING SECTION 36-10-6. – ZONING DISTRICT USE TABLE AND CREATING A NEW SECTION 36-10-1(j) BANQUET FACILITIES WITH CATERING STAFF SPECIAL USE PERMITS IN THE R-1 AND R-7 REQUIREMENTS IN THE BOURBONNAIS ZONING CODE.

a true, correct and complete copy of which ordinance as adopted at such meeting appears in the proceedings of such meeting.

I do hereby further certify that the deliberations of the Corporate Authorities on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly and was preceded by a public recital of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place, convenient to the public, that notice of such meeting was duly given to all news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the open meetings laws of the State of Illinois, as amended, that this ordinance was published in pamphlet form on the date written upon its face and that the Corporate Authorities have complied with all of the procedural rules of the Corporate Authorities.

IN WITNESS WHEREOF, I hereunto affix my official signature, and the Municipality's seal, this 6 day of September, 2023.

(SEAL)





Village Clerk

EXHIBIT "A"
SHOWING AMENDMENTS TO ZONING TABLE

2022 NAICS Title	R-1 On e- Fa mil y	R-2 On e- Fa mil y	R-3 On e- Fa mil y	R-4 Tw o- Fa mil y	R-5 Mul ti- Fa mil y	R-6 Mo bile Ho me	R-7 Est ate	B-1 Limi ted	B-2 Gen eral	M-1 Limi ted	M-2 Gen eral	I-1 Instit utional	U-1 Unive rsity	Exam ples	Notes
2022 NAICS Code															
722320 Caterers-Banquet Facilities with Catering Staff	<u>S</u>						<u>S</u>	P	P	S					Banquet Facilities with catering staff as a special use limited by Section 36-7-16.

EXHIBIT "B"

SHOWING FINAL LANGUAGE FOR ZONING TABLE

2022 NAICS Code	2022 NAICS Title	R-1 On e- Fa mil y	R-2 On e- Fa mil y	R-3 On e- Fa mil y	R-4 Tw o- Fa mil y	R-5 Mul ti- Fa mil y	R-6 Mo bile Ho me	R-7 Est ate	B-1 Limi ted	B-2 Gen eral	M-1 Limi ted	M-2 Gen eral	I-1 Instit utional	U-1 Unive rsity	Exam ples	Notes
722320	Banquet Facilities with Catering Staff	S						S	P	P	S					Banquet Facilities with catering staff as a special use limited by Section 36-7-16.