

ORDINANCE 2022-06

AN ORDINANCE AMENDING TITLE 10 - ZONING REGULATIONS OF THE MUNICIPAL CODE ADDRESSING EVENT FACILITIES

WHEREAS, The Village of West Dundee, Kane County, Illinois (the "Village"), is a home rule municipality pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970 and, as such, may exercise any power and perform any function pertaining to its government and affairs; and,

WHEREAS, the Village President and Board of Trustees have contemplated the issue of special uses within B-1 Downtown Business District, B-2 Regional Business District and B-3 Business-Service District and considered certain changes to the West Dundee Municipal Code to amend the definition for "banquet halls/event facilities," to amend "banquet halls/event facilities" within the list of special uses within these districts, and to amend the parking standard for "banquet halls/event facilities"; and,

WHEREAS, the West Dundee Planning and Zoning Commission considered the subject of event facilities via public hearing on July 26, 2021 and subsequent public meetings on August 23, 2021, September 27, 2021 and February 28, 2022, pursuant to required public notice, to solicit public input regarding certain changes to the West Dundee Zoning Regulations; and,

WHEREAS, after careful consideration of the information, the Planning and Zoning Commission recommended to the West Dundee Village Board that said changes to the West Dundee Zoning Regulations be made; and,

WHEREAS, the President and Board of Trustees have carefully considered the recommendations of the Planning and Zoning Commission as well as the information presented and the impact such recommendations would have on individual properties and the community as a whole and have determined that the benefits provided by these changes will outweigh any potential adverse impacts and therefore would be in the best interest of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of West Dundee, Kane County, Illinois, as follows:

SECTION 1: That Title 10 – Zoning Regulations, Chapter 2-1 – Definitions (10-2-1) of the West Dundee Municipal Code is hereby amended as follows:

BANQUET HALL / EVENT FACILITY: A building or portion (excluding facilities located in restaurants or hotels) thereof where food, either prepared on the premises or otherwise and/or beverages are provided on a prearranged basis for consumption on premises which is primarily intended to accommodate one or more groups of diners or patrons for functions such as banquets, wedding receptions and similar functions, is not open to the public, and the use thereof is restricted to the invitees of the party contracting for use of the facility or predetermined attendees such as ticket holders for a ticketed event.

SECTION 2: That Title 10 – Zoning Regulations, Chapter 5 – Zoning Regulations, Section 2-6 - Business Districts Use Matrix (10-5-2-6) of the West Dundee Municipal Code shall be amended as follows:

10-5-2-6: USE MATRIX:

Uses	B-1	B-2	B-3
Permitted: "P" Special Use: "S" Prohibited: "-"			
Accessory uses to permitted uses.	P	P	P
Adult media store.	-	-	S
Animal care facilities, including veterinarian offices, animal hospitals, and kennels.	S	S	P
Antique and consignment stores.	P	P	P
Art galleries, museums and other semipublic, indoor exhibition areas.	P	P	P
Automotive sales, including dealership, outdoor sales lots, parts and accessory stores, and retail gasoline sales.	-	S	S
Automotive services, including washing facilities, mechanical repair, and body and paint shops.	-	-	S
Banquet halls/event facilities.	S	S	S
Behavioral/therapeutic day schools.	-	S	S
Body art studios.	-	-	S
Business and professional offices, including doctor, dentist, outpatient medical services, outpatient therapy and counseling services, attorney, insurance, financial establishments, and real estate.	P	P	P
Cannabis dispensary facility subject to the following: 1. Operations may only be permitted between nine o'clock (9:00) A.M. and ten o'clock (10:00) P.M.; 2. No drive-through windows permitted; 3. Deliveries permitted only at the rear entrance of the facility which must not be in any public area; 4. To be located no less than two hundred-fifty feet (250') from the property lines of schools, daycares and residential zoning districts; 5. No "on premise" consumption of cannabis permitted; and 6. Only one (1) cannabis dispensary facility shall be permitted.	-	-	S
Colleges and universities.	-	S	S
Commercial/recreational vehicles and trailers - rental	-	S	S
Commercial services including advertising, and media offices, interior decorating, office supplies, photography studios, printing, and appliance and electronics repair.	P	P	P
Commissaries/commercial kitchens.	-	S	S
Daycare centers.	S	P	P
Donation-based used merchandise stores; shall not be within seven hundred fifty feet (750') of another similar user.	-	-	S

Educational services including trade schools, dancing, music and singing schools.	S	P	P
Firearm and gun stores.	S	S	S
Game rooms and amusement centers.	S	S	S
Group and private fitness instruction.	S	S	S
Healthcare facilities, including clinics.	-	P	P
Hospitals.	-	S	S
Hotels, motels and resorts.	S	S	P
Indoor entertainment and recreation facilities including live music venue, move/live theater, bowling alley, pool hall, and roller and ice skating rinks.	S	S	S
Massage therapy but only as ancillary or supplementary to a full-service spa.	P	P	P
Massage therapy establishments as a standalone clinic.	S	S	S
Medical laboratories.	-	S	S
Messenger services.	S	S	S
Motor vehicle rental, including cars, motorcycles, motor scooters and mopeds.	-	S	S
Outdoor entertainment and recreation facilities, including miniature golf, driving ranges, and drive-in theaters.	-	S	S
Outdoor sales lots other than automobiles.	S	S	S
Outdoor stadiums.	-	S	S
Pawn stores.	-	-	S
Permanent make-up services as a standalone operation or the primary use within a hairstyling or beauty salon.	S	S	S
Permanent make-up services but only as ancillary or supplementary to a full-service hairstyling or beauty salon.	P	P	P
Personal services including hairstyling, clothes cleaning, and shoe repair.	P	P	P
Planned unit developments.	S	S	S
Public utility and public service uses, including fire stations, police stations, electric substations, telecommunications, and transit and transportation facilities.	S	S	S
Repair and improvement services, including carpentry, plastering, painting, plumbing, sewer, energy, heating; cooling, and electrical services.	-	S	P
Residential dwelling units above first floor only.	P	S	S
Restaurants.	P	P	P
Restaurants where alcoholic liquor is served in an outdoor area in conjunction with food service.	S	S	S

Restaurants where entertainment is permitted subject to the following: 1. Entertainment is ancillary or supplementary to a restaurant and is limited to the hours of food and liquor service; 2. Entertainment is limited to a maximum of three (3) musicians (including singers) playing acoustic, unamplified or limited-amplified instruments; and 3. Entertainment is provided only in the room(s) where food and liquor service is provided and maintained.	P	P	P
Restaurants where entertainment is permitted but does not meet at least one of the above criteria.	S	S	S
Retail sale of construction materials, but not including warehouse sales outlets.	-	P	P
Retail sales of household goods, garden supplies, sporting goods and personal products, including food, drugs, clothing, furniture, appliances, hardware, gifts and specialty items.	P	P	P
Senior citizen housing and retirement homes.	S	S	S
Short term rentals.	P	-	-

SECTION 4: That Title 10 – Zoning Regulations, Chapter 9 – Off Street Parking and Loading, Section 1-8 – Required Off Street Parking Spaces (10-9-1-8) of the West Dundee Municipal Code is hereby amended by adding the following new parking requirement:

10-9-1-8: REQUIRED OFF STREET PARKING SPACES:

Uses	Required Parking Formula
Service/entertainment	
Auto service station	4 stacking spaces per gasoline lane plus 2 spaces per service stall plus 1 space per employee
Banquet halls/event facilities	1 space per 200 square feet of floor area
Barber/beauty salons	3 spaces per chair
Bowling alley	5 spaces per alley plus 1 space for every 3 seats of accessory restaurant lounge use
Hotel/motel	1 space per room plus 1 space for every 3 seats of accessory restaurant lounge use
Indoor theater	1 space for every 4 seats
Other	Parking spaces on the same basis as required herein for the most similar use as determined

SECTION 5: If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged in any Court of competent jurisdiction to be invalid, such judgment shall not effect, impair, invalidate or nullify the remainder thereof, which remainder shall remain in full force and effect.

SECTION 6: This ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publications is hereby authorized as provided by law.


PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois, and approved by the President of said Village this 7th day of March, 2022.

AYES:
NAYES:
ABSENT:

ATTEST:



Mary Jo Pape
Village Clerk



Christopher Nelson
Village President

PASSED:
PUBLISHED:

Prepared by:

Village of West Dundee
Economic Development Department
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